

# **GOREBRIDGE COMMUNITY COUNCIL**

## **CONSTITUTION**

**Name.** The name of the Community Council shall be Gorebridge (hereinafter called 'The Community Council').

**Area.** The area of the Community Council shall be as shown on the map attached to Midlothian Council's Scheme for the Establishment of Community Councils.

**Objectives.** The Objectives of the Council shall be:

- To ascertain, co-ordinate and reflect the views of the community which it represents, to liaise with other community groups within the area, to fairly express the diversity of opinions and outlooks of the residents and to take such action in the interests of the community as appears to it to be desirable and practicable.
- To express the views of the community to the local authority for the area, to public authorities and to other organisations.
- To retain the identity of the Community amongst people living within the Community Council area and the safeguarding of their interests.
- The encouragement of co-operation among the various community organisations in the Community Council area.
- The fostering of a strong community spirit in the Community Council area and the maintenance of historical or traditional links.
- The continuation of all local customs and events.

**Role and Responsibilities.** The role of the Community Council is to take such action in the interests of the community as it appears to be expedient and practicable. Members of the Community Council should be guided in their responsibilities by the Code of Conduct for Community Councillors, shown at Appendix C to Midlothian Council's Scheme for the Establishment of Community Councils.

**Membership.** The Community Council shall consist of eighteen persons elected by and from all persons aged sixteen and over living in the Community Council area whose names appear on the relevant Electoral Register. In the case of candidates who are not on the electoral register solely by reason of age, their nomination form must be accompanied by a declaration signed by 2 individuals who are named on the electoral register for the Community Council area confirming that the nominee is a resident of the Community Council area.

**Method of Election.** Members of the Community Council shall be elected in accordance with Midlothian Council's Scheme for the Establishment of Community Councils.

**Casual Vacancies.** A casual vacancy in the Community Council occurring by reason of death, resignation, removal or disqualification, shall be filled as soon as may be by a vote of the Community Council. The person appointed to fill a casual vacancy shall hold office and be entitled to enter into discussion and to vote on all matters until the next election of members to the Community Council. The proceedings of

the Community Council shall not be invalidated by reason of any vacancy in the number of members thereof above the necessary quorum for each meeting.

Voting Rights. All elected members of the Community Council, including those appointed to fill a casual vacancy, shall have equal voting rights. Voting shall normally be by a show of hands, but at an annual general meeting, the election of office bearers may be by secret ballot. In all votes, where there is a tie, the Chair shall have a casting vote.

Election of Office Bearers. At the Annual General Meeting featuring occasion of elections, the Community Council shall elect from within its members a Chair, Vice-Chair, Treasurer and Secretary and any other such officers as it shall from time to time decide. Office Bearers will be elected for a period of three years and may be re-elected thereafter. In the event that more than one person is nominated for a particular office a vote shall take place.

Committees of the Community Council. From time to time, the Community Council may form a sub-committee of the Community Council to gather, collate and provide information to the Community Council. Membership of such sub-committees will be determined by the Community Council and may include members of the Community Council and co-opted persons of relevant experience. All deliberations of Community Council sub-committees must be referred to the Community Council for decision.

Disqualification of Members Membership of this Community Council is invalidated should a Community Councillor's residency qualification within this Community Council area cease to exist. If any member of this Community Council fails to attend any Community Council meeting, with or without submitting apologies, throughout a period of 6 months, the Community Council may terminate their membership. At the discretion of this Community Council, a period of leave of absence for Community Council members may be granted at any meeting of the Community Council.

If a Community Councillor is alleged to be in breach of the Code of Conduct, a formal report shall be submitted to the Liaison Officer who shall investigate and recommend to Midlothian Council, who shall decide whether the Community Councillor should be disqualified from office.

Meetings of the Community Council. The Annual General Meeting of the Community Council shall be held each year in November, where the Chairman shall deliver a report and Treasurer shall provide the Audited Account. Elections to the Community Council shall be held at every third Annual General Meeting. Thereafter, the Community Council shall meet throughout the year at intervals not exceeding two months. Dates of regular meetings during the year, the times of meetings, and the venue, shall be agreed at the first meeting of the Community Council following election, or at the Annual General Meeting. A quorum of six members shall be sufficient to hold a meeting of the Community Council, during which members must adhere to the Standing Orders published as Appendix A to this Constitution. Minutes are to be taken of each meeting of the Community Council, and a draft is to be circulated to members of the Community Council and to the Midlothian Council Liaison Officer, within 14 days following the meeting or as soon as practical thereafter. Minutes should be approved at the next meeting of the Community Council and copies should subsequently be displayed in the Gorebridge Library, and in other places deemed suitable.

Public Participation in the Work of the Community Council. All meetings of the Community Council, and of its sub-committees, shall be open to the public, and members of the public shall be invited to address or petition the Community Council on matters within its Objectives. Any member of the public wishing to petition the Community Council shall give the Secretary written notice of this intention three days prior to the meeting, but this could be considered at less than three days solely at the chair's discretion.

Liaison with Midlothian Council. Midlothian Council has identified an official to act as a Liaison Officer with Community Councils. Unless there is a specific agreement, or an issue is a specific departmental issue, all correspondence between the Community Council and Midlothian Council should, in the first instance, be directed through that Liaison Officer. The Community Council must advise the Liaison Officer on the annual calendar of scheduled meetings, the AGM and give at least 10 working days' notice of any Special Meeting arranged by the Community Council. Additionally, the Community Council must provide the Liaison Officer with a copy of the draft minutes of each meeting within 14 days of that meeting or as soon as practical thereafter.

Control of Finance. All moneys held by the Community Council, from whatever source, are solely to further the objectives of the Community Council and shall be held by an elected Treasurer on behalf of the Community Council. The Treasurer is authorised to receive moneys on behalf of the Community Council, and when approved by the Community Council, to disburse moneys held. All disbursement shall be by cheque, which must be signed by at least two Office Bearers who are not related to each other or co-habitants, and receipts for expenditure must be obtained and held by the Treasurer. The Treasurer is to keep a written account and is to prepare and have the accounts independently examined for presentation and approval at the Annual General Meeting.

Title to Property. The title to all property owned by the Community Council shall be vested in the Chairman, Treasurer and Secretary, and their successors in such offices.

Alterations to the Constitution. Any proposal to alter this constitution must be delivered in writing to the Secretary of the Community Council not less than twenty-eight days before the date of the meeting at which it is first to be considered and such an alteration will require the support of the two thirds of members of the Community Council present and voting at an Annual General Meeting or a special Community Council meeting convened to discuss the matter. Before such an amendment can be enacted, it must be submitted for approval by the Midlothian Council Liaison Officer.

Dissolution. The Community Council shall be dissolved when, following three consecutive meetings, it has not been able to form a Quorum, or at any time that a vote of two thirds the members present of the Community Council decides. Further, Midlothian Council may dissolve the Community Council when the terms of the Midlothian Council's Scheme for the Establishment of Community Councils, Para 18, are not compliant.

## GOREBRIDGE COMMUNITY COUNCIL

### STANDING ORDERS

These Standing Orders are adopted for use by Gorebridge Community Council, (hereinafter called 'The Community Council').

#### Meetings of the Council.

- Regular meetings of the Community Council shall be held each month, with the exceptions of July and December, on a date and in a venue to be determined at the Annual General Meeting. An Annual General Meeting shall be held in November of each year. The meetings of any sub-committee of the Community Council shall be as determined by the Community Council when setting up the sub-committee.
- All meetings of the Community Council and any sub-committees shall be open to the public.
- Members of the public shall be invited to address the Community Council on matters within its Objectives.
- Special Meetings of the Community Council may be called at any time on the instructions of the Chairman of the Community Council on the request of not less than one-half of the total number of Community Council members, or on the request of a petition signed by at least 20 persons, resident within the Community Council area, to convene a special meeting for a particular matter or matters to be debated, it shall call such a meeting. A special meeting shall be held within 21 days of the receipt of the request, or as soon as practical thereafter. (\*\* See Note)
- The notice of ordinary and Annual General Meetings of the Community Council, featuring the date, time and venue, shall be provided to the Midlothian Council Liaison Officer by the Secretary of the Community Council, at least 10 days before the date fixed for the meeting.

#### Minutes

- Minutes of the proceedings of a meeting of the Community Council shall be drawn up within fourteen days from the date of that meeting, the draft of which is to be circulated to all Community Council members; to the Midlothian Council Liaison Officer and to relevant elected members and other interested parties as appropriate.
- The minutes are to be discussed at the next Community Council meeting and, following their approval by the Community Council, signed by the Secretary and retained for future reference.
- Copies of the approved minutes are to be displayed in Gorebridge Library, on the Community Notice Board and in other places deemed suitable.

Quorum. A quorum of six members shall be sufficient to hold a meeting of the Community Council.

## Order of Business.

The order of business for an ordinary meeting of the Community Council shall be as follows:

- Recording the membership present and apologies received
- Visitor Matters – for short topics, not exceeding 15 minutes
- The minutes of the last meeting shall be discussed and submitted for approval
- Matters of correspondence received and sent shall be discussed
- Any other item of business, which the Chairman has directed should be considered
- Any other competent business
- Questions from the floor
- The date of the next meeting, after which the Chair should close the meeting

The order of business for the Annual General Meeting shall be as follows:

- Recording the membership present and apologies received
- Chairman's Annual Report and questions from the floor
- Secretary's Annual Report and questions from the floor
- Treasurer's Submission of the Balance Sheet and Annual Accounts, duly independently examined and certified correct, and questions from the floor.
- At the Annual General Meeting featuring the election of Community Councillors - demit of current office bearers and election of office bearers.
- Chair to declare the date of next Annual General Meeting and close the meeting.

The order of business for a Special Meeting shall be as follows:

- Recording the membership present and apologies received
- Business for debate, as described in the calling notice for the special meeting
- Chair to close the meeting.

## Order of Debate

- The Chair shall decide all questions of order, relevancy and competency arising at meetings of the Community Council and her/his ruling shall be final and shall not be open to discussion. In particular, the Chair shall determine the order, relevancy and competency of all questions from the public in attendance at meetings of the Community Council. The Chair in determining the order, relevance and competency of business and that questions have particular regard to the relevance of the issue to the community. He/She must ensure that the discussion and proceedings are conducted in such a manner that decisions are reached in a democratic manner. The Chair shall have the power, in the event of disorder arising at any meeting, to adjourn the Council meeting to a time he/she may then, or afterwards, fix.
- Every motion or amendment shall be moved and seconded.
- After a mover of a motion has been called on by the Chair to reply, no other members shall speak to the question.
- A motion or amendment once made and seconded shall not be withdrawn without the consent of the mover and seconder thereof.
- A motion or amendment which is contrary to a previous decision of the Community Council shall not be considered within six months of that decision.

### Voting.

- Voting shall be taken by a show of hands of those present and eligible to vote, with the exception that, at an annual general meeting, the election of office bearers may be held by secret ballot.
- The Chair of a meeting of the Community Council shall have a casting vote as well as a deliberative vote.

Alteration of Standing Orders. Any proposal to alter these Standing Orders must be considered by the Community Council and submitted to the Midlothian Council Liaison Officer for agreement. The local authority shall have final discretion on any proposed change.

Committees. The Community Council may appoint such committees as it may from time to time decide and shall determine their composition, terms of reference, duration, duties and powers.

Suspension of Standing Orders . These Standing Orders shall not be suspended except where two-thirds of the COMMUNITY COUNCIL members present consent to such suspension.

### \*\* Note

Notification of a special meeting must be passed to the Liaison Officer at least 10 working days prior to the meeting – therefore it is impractical to hold a special meeting within the 14 days specified in the Scheme as suggested in the model scheme.