

SOUTH AYRSHIRE COUNCIL
SCHEME OF COMMUNITY COUNCILS

DUNURE COMMUNITY COUNCIL

CONSTITUTION

1. Name

The name of the Community Council shall be the Dunure Community Council (hereinafter referred to as "the Community Council").

2. Area

The boundaries of the Community Council shall be as described in Appendix A of the Revised Scheme for the Establishment of Community Councils (hereinafter referred to as "the Revised Scheme") as adopted by South Ayrshire Council on 30 April 1998.

3. Objects

In addition to any other purpose which it shall pursue, the objects of the Community Council shall be:

- (a) to ascertain, co-ordinate and express to the local authority for the area, and to other public authorities, the views of the community which it represents, in relation to matters for which those authorities are responsible;
- (b) to take such action in the interests of the community as appears to it to be expedient and practicable;
- (c) to liaise with other community and voluntary organisations within the area, and to fairly express the diversity of opinions and outlooks of the people.

The Community Council will seek to represent and include all sections of their communities, regardless of age, gender, ability, ethnic origin, political or religious beliefs, or sexual orientation.

4. Membership

The Community Council will have a membership as defined in the Revised Scheme and shall consist of 9 elected Members with, in addition, such Members as may be co-opted in terms of the Revised Scheme.

5. Elections

- (a) Method of Election – Elections shall be by the method of election defined in Section 3 and Appendix B of the Revised Scheme. The Returning Officer for all Community Council elections shall be the Director of Development, Safety & Regulation of South Ayrshire Council.
- (b) Qualifications of Candidates and Electors – Candidates in all Community Council elections shall fulfil the requirements for electors, proposers and seconders specified in Paragraph 3.2 of the Revised Scheme and in addition;
 - i shall not be persons who would be disqualified from candidature in a Local Government Election in terms of Subsections 1(b) and (c) of Section 31 of the Local Government (Scotland) Act 1973 as amended, and
 - ii shall not be Elected Members of a local authority.

6. Co-option and Nomination to the Community Council

- 6.1 The Number of Co-optees permitted to serve on the Community Council shall not exceed one third of number of members allocated to Community Councils. Maximum numbers of Co-optees are specified in table two in Appendix A of the Revised Scheme.
- 6.2 There will be two different categories of Co-optee –
 - 6.2.1 those filling a casual vacancy till the next full or by-election will be **temporary co-optee**, and,
 - 6.2.2 those co-opted for their specific expertise, for a specific length of time will be a **specialist** co-optee.
- 6.3 There will be different methods of recruitment and qualification which apply to each type of co-optee:
 - 6.3.1 **Temporary** co-optees must be resident within the boundary of the Community Council, or Sub Area thereof, and must be recruited by advertisement in specified locations, as outlined in Appendix D of the Revised Scheme, and serve only up to the next election or by-election. In any event they may not serve as a temporary co-optee for longer than eleven months.
 - 6.3.2 **Specialist** co-optees do not necessarily have to be resident in the area, but must be recruited for a specific project for a specified length of time. The Community Council will publicise the recruitment of specialist co-options to residents within its area, stating the reasons and duration of the co-option. If the duration of this type of co-option is greater than six months, then the co-option will be renewed, and republished in terms of paragraph 6.4 below.

6.4 Publication of co-option will:

6.4.1 be posted in locations as identified at the inaugural meeting of the Community Council;

6.4.2 remain visible for a duration of no less than three weeks, and

6.4.3 make provision for residents within the Community Council area to make comment on the co-option.

6.5 Co-optees will have no voting rights, or be entitled to hold office.

7. Voting Rights of Members of the Council

The right to vote at any meeting of the Community Council or any Sub-Committee hereof shall be held by the elected Members of the Community Council.

8. Election of Office-Bearers

(a) At the first meeting of the Community Council after Elections in the year when Elections are held and at the Annual General Meeting in the year when Elections are not held, the Community Council shall appoint a Chair, Vice-Chair, Secretary and Treasurer and such other office-bearers as it shall from time to time decide.

(b) All office-bearers shall be elected for one year, but shall be eligible for re-election, without limitation of time.

(c) Members of the Community Council appointed as Secretary and Treasurer, or as Secretary or as Treasurer individually, shall not be entitled to remuneration, but the Community Council may, at its discretion, award honoraria to such Members.

(d) The offices of Chair and Secretary or Treasurer shall not be held by one Member at the same time.

9. Sub-Committees

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

10. Meetings of the Community Council

(a) In the month of May each year the Community Council shall convene an Annual General Meeting which may be attended by residents of the area for the purpose of receiving and considering the annual report of the Community Council and the annual audited statement of accounts.

(b) The Community Council shall meet throughout the year a minimum of six times at intervals not exceeding three months for Ordinary Meetings.

- (c) Dates of regular meetings of the Community Council shall be fixed at the first meeting of the Council following ordinary elections.
- (d) The Community Council may from time to time convene special general meetings for the purpose of considering matters of interest or importance. These may, at the Community Council's discretion, take the form of Public Meetings.
- (e) Copies of all Minutes of Meetings of the Community Council and of Sub-Committees thereof shall be approved at the next following meeting of the Community Council and shall be available for inspection by members of the public at a suitable place or places within fourteen days of the meeting of the Community Council at which such Minutes are approved. Minutes of all meetings shall be sent to South Ayrshire Council following approval.
- (f) Notwithstanding the above, draft minutes or a note of action points of meetings should be prepared and circulated to Community Councillors and those attending the meeting within 7 days to ensure that any immediate action points are addressed.
- (g) The Community Council shall draw up standing orders for the proper conduct of its meeting and of all public meetings which it calls. The initial standing orders of the Community Council are detailed in the Appendix 1 hereto.

11. Public Participation in the Work of the Community Council

- (a) The Community Council may invite a member of the public or the representative of an organisation to address any meeting of the Community Council or a Sub-Committee thereof.
- (b) All meetings of the Community Council and of Sub-Committees thereof, shall be open to members of the public except that the Community Council or Sub-Committee as appropriate may by resolution agree to consider in private any items of business of a confidential nature, as defined in the Local Government (Access to Information) Act 1985. Proper provision is to be made for the accommodation of members of the public.
- (c) Notices calling meetings of the Community Council and of Sub-Committees thereof shall be posted prominently within the Community Council area for a minimum period of seven days before the date of any such meeting, and by other suitable means.

12. Exchange of Information with South Ayrshire Council

- 12.1 South Ayrshire Council shall nominate an Officer or Officers to act as the principal point(s) of contact for matters relating to the Community Council.
- 12.2 South Ayrshire Council and the Community Council shall establish mutually satisfactory arrangements regarding exchange of ideas and information through the development of a Code of Conduct, which shall include:-

12.2.1 provision for the supply of information by South Ayrshire Council to the Community Council on proposals and decisions which may affect the area concerned in order that the views of the community may be ascertained, and

12.2.2 clarification on the roles and responsibilities, on matters concerning Community Council business, of South Ayrshire Elected Members, South Ayrshire Council Officers and Community Councillors as elected in terms of paragraph 3 of the Revised Scheme.

12.3 ***Exchange of Minutes and Reports***

12.3.1 South Ayrshire Council shall supply the Community Council with a copy of the minutes of meetings of South Ayrshire Council and its Committees together with, where appropriate, copies of the agendas for such meetings and reports considered at such meetings.

12.3.2 The Community Council shall forward copies of minutes of meetings and Sub-Committees, together with, where appropriate, copies of reports considered by them, to South Ayrshire Council once they have been formally approved.

12.3.3 South Ayrshire Council shall forward copies of its Annual Report to the Community Council.

12.3.4 The Community Council shall prepare an Annual Report for presentation to their Annual General Meetings, and thereafter for submission to South Ayrshire Council.

13. **Control of Finance**

- (a) All monies raised by or on behalf of the Community Council or provided by South Ayrshire Council and other sources shall be applied to further the objects of the Community Council and for no other purpose. The monies provided by South Ayrshire Council in the Administrative Grant shall be used only for administrative and other purposes as indicated in Section 10 and Appendix E of the Revised Scheme. Monies raised by the Community Council from other sources may be used in accordance with the terms of the provision, or, in the absence of such terms, for the furtherance of the objects of the Community Council.
- (b) The treasurer shall keep proper accounts of the finances of the Community Council.
- (c) The financial year of the Community Council shall be from 1 April to 31 March of the succeeding year. The accounts shall be submitted to South Ayrshire Council at the end of each financial year and shall be audited by a professional auditor approved by South Ayrshire Council.
- (d) An audited statement of accounts for the last financial year shall be submitted to an Annual General Meeting of the Community Council and shall be available for inspection at a convenient location.

14. 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 28 days prior to the date of the meeting at which it is first to be considered and the terms of the proposed resolution to alter the Constitution shall be stated on the notice calling the meeting which shall be issued not less than fourteen days prior to the meeting. All proposed or actual alterations will require to conform to the Revised Scheme. If the resolution is supported by two-thirds of the elected membership of the Community Council and is approved, in writing, by South Ayrshire Council or its appointed officer, the alteration shall be deemed to have been duly authorised.

15. Dissolution

If the Community Council by a two-thirds majority of the total elected membership decides at any time that on the grounds of expense or otherwise it is necessary or advisable to dissolve, it shall agree a date for a public meeting to be held to discuss the proposed resolution to dissolve and not less than fourteen days prior to the date of such meeting shall cause public notice to be given by means of notification in the local newspaper and attachment to public noticeboards, etc. indicating the terms of the proposed resolution and that persons qualified in accordance with Clause 5(b) will be permitted to vote at the proposed meeting. If the resolution is supported by a two-thirds majority of those persons present and qualified to vote, the Community Council shall be deemed to be dissolved and all assets remaining after the satisfaction of any property debts or liabilities shall transfer to South Ayrshire Council who shall hold same in Trust for a future Community Council for the area or for such other local organisation, having objects similar to those of the Community Council, which South Ayrshire Council may recognise as an appropriate replacement for the Community Council for the area.

In the event that the Community Council is dissolved under the above procedure, and twenty or more electors subsequently wish the re-establishment of a Community Council for the area, these electors shall submit a requisition to South Ayrshire Council in accordance with the Revised Scheme on receipt of which the Returning Officer shall arrange for Elections to be held in accordance with the Scheme.

Where for any reason the number of elected Members on the Community Council falls below 5, the Community Council shall be deemed to be dissolved and in this event, the procedures for the establishment of a new Community Council, being those adopted for the purposes of the initial elections of Community Councils, shall be initiated by the Returning Officer upon application by at least 20 electors.

16. Adoption and Ratification of the Constitution

This Constitution was adopted by Dunure Community Council on
16 OCTOBER 2001.....

Signed: Chairperson Carol Hayes
Member Adam B. Montgomery
Member Janet Munro
Date 16 OCTOBER 2001

and was ratified on behalf of South Ayrshire Council on

Signed: Adam Perren
Date: 19/11/01