

GIFFORD COMMUNITY COUNCIL CONSTITUTION

- 1 NAME The name of the Council shall be the Gifford Community Council (hereinafter called “The Council”).
- 2 AREA The area shall be as shown delineated on the relevant map annexed to East Lothian Council’s Scheme for Community Councils approved by the Secretary of State for Scotland in 1976 and subsequently amended in 2004 and 2008.
- 3 EAST LOTHIAN COUNCIL The actions of the Council shall in all relevant matters conform to East Lothian Council’s Scheme for Community Councils.
- 4 OBJECTS The objects of the Council shall be to promote the well-being of the community resident in the Community Council area, by ascertaining, co-ordinating and expressing to the local authorities, and to other bodies, the views of the community, and by taking such action in the interests of the community as appears to be expedient and practicable.
- 5 MEMBERSHIP & ELECTION a) The Council shall consist of nine Councillors, wholly elected in accordance with the provisions of the Scheme for Community Councils.
b) Casual vacancies occurring between elections shall be filled by direct appointment by the Council, in conformity with the terms of the Scheme for Community Councils.
c) The Council may at any time co-opt persons residing, working or having an interest in the area, to serve on or represent the Council, either for a specific purpose or for a specific period; persons co-opted shall have no voting powers at meetings of the Council, and shall retire along with elected Councillors.
- 6 STANDING ORDERS The Council shall have powers to draw up Standing Orders for the proper conduct of the business at all meetings of the Council, and for the regulation and duties and powers of committees and other activities.
- 7 MEETINGS a) The Council shall meet at least four times each calendar year, and the interval between consecutive meetings shall not exceed three months.
b) All meetings of the Council shall be held in public, and any person present may speak at the discretion of the Chairman or Acting Chairman. However, the Council may resolve that an item should be considered in private because of its confidential nature. Any minute of the discussion will disclose any decision or recommendation, when appropriate, without disclosing any confidential information, and shall be reported back to a public meeting of the Council.
c) Meetings shall normally be called by the Secretary, but on the written request of not less than twenty electors residing in the area he shall convene a meeting at the earliest practicable date.
d) An announcement shall be made by public notice at least four days before each meeting of the Council.
e) Five Councillors shall form a quorum at meetings of the Council.
f) Voting shall be by a simple majority of Councillors; in the event of a tied vote, the Chairman shall have a casting vote.
g) If there is no quorum of Councillors at any meeting and the Chairman or Acting Chairman declares a certain matter to be of urgency, the Councillors present may deal with the matter, but a further Council meeting, for which the four days notice need not be given, must be held as soon as possible to confirm, or otherwise, any decision reached at the previous meeting.

- 8 OFFICE BEARERS & COMMITTEES
- a) Following the occasion of elections and appointments, the Council shall appoint a Chairman, Secretary and Treasurer, and such other officers as it shall from time to time determine; none shall hold the same office for more than four years in succession.
- b) The Council may appoint such committees as it shall from time to time determine, and shall regulate their duties and powers. Any decision or recommendation shall be reported back to a public meeting of the Council.
- 9 FINANCE
- a) All monies raised by or on behalf of the Council shall be applied to further the objects of the Council and to maintain its administrative structure.
- b) The Council shall keep proper accounts of all funds handled by it; such accounts shall be made up annually, and shall be audited by the Director of Finance of East Lothian Council, or his nominee, or by an independent auditor appointed by East Lothian Council.
- 10 AMENDMENTS TO THE CONSTITUTION AND DISSOLUTION
- a) Any proposals to alter this Constitution, or to dissolve the Council, shall require the calling of an extraordinary meeting; such proposals must be delivered in writing to the Council not less than 28 days before the meeting at which they are to be considered.
- b) An announcement giving details of any such proposals shall be made by public notice not less than 14 days before the meeting.
- c) Amendments to the Constitution require the approval of a majority of Councillors and a two-thirds majority of all electors present at the meeting, and shall not take effect until ratified by East Lothian Council.
- d) Dissolution of the Community Council requires a two-thirds majority of Councillors, but the Council shall not be dissolved if twenty or more electors present at the meeting vote for it to be continued.
- e) In the event of the Council being dissolved, East Lothian Council shall take custody of any papers, minutes and other assets, together with all funds, until a new Community Council is set up for the Gifford area, whereby all the foregoing shall be delivered to the safekeeping of the new Community Council.
- 11 INFORMATION TO EAST LOTHIAN COUNCIL
- East Lothian Council shall be sent a copy of the notice of all meetings of the Council, minutes of all meetings, the annual report, the annual financial statement, and additionally other suitable information as the Council may decide.
- 12 ADOPTION OF CONSTITUTION
- This Constitution, after being agreed by Gifford Community Council, was adopted at a public meeting held on 8 December 2008 in the Village Hall, Gifford.

Signed

...John O'Connor.....Chairman

...Julian Tennent.....Secretary

8 December 2008