

Guidance 2 – Model Constitution

1. Name

- 1.1 The name of the Community Council shall be **add cc name** which will subsequently be referred to as 'the Community Council' in this Constitution.

2. Area of the Community Council

- 2.1 Aberdeen City Council had produced a list of approved Community Council areas and maps which outline their boundaries. Access to maps can be requested by contacting the Community Council Liaison Officer on 01224 522723 or by accessing them via the website:
<http://www.aberdeencity.gov.uk>

3. Objectives

The objectives of the Community Council shall be to:

- 3.1 Have in place mechanisms to encourage public involvement and feedback to secure greatest possible involvement from all sectors of the community which may include consultations, questionnaires, public meetings and effective means to publicise the determinations of the community council.
- 3.2 Express fairly the views, and diversity of opinions of the community (where received in relation to 3.1 above) to Aberdeen City Council and other public or private organisations.
- 3.3 Act as a voice for their local area on matters affecting the community's welfare and environment.
- 3.3.4 Remain non-party political and non-discriminatory in their discussions and decision making and shall comply with data protection and other relevant legislation.

4. Roles and Responsibilities

- 4.1 The role and responsibilities of the Community Council is governed by Section 3 of the Scheme.

5. Membership

- 5.1 The membership of the Community Council is governed by Section 4 of the Scheme.

5.2 The constituted membership of the Community Council is between ___ and ___ based on the table below.

5.3 The number of members will vary per community council area based on the approximate population count as follows:

Average Population Numbers	Minimum and Maximum
1,000 – 10,000	6 and 12
10,001 – 15,000	8 and 16
15,001 – 20,000+	10 and 20

6. Method of Election

6.1 The election procedure for the Community Council is governed by Section 5 of the Scheme.

7. Vacancies on the Community Council

7.1 Where a vacancy arises which does not result in the number of Community Council Members falling below the minimum number of the elected membership, the Community Council can agree to fill the vacancy by co-option.

7.2 The Community Council can only have one third of the total membership as co-opted members.

7.3 Where a by election is called due to the numbers of Community Councillors falling below that of the minimum required, only the vacant positions for that Community Council will be advertised, allowing the current elected membership to remain in place.

8. Associate Members

8.1 Associate members may be appointed by a Community Council where there may be a need for individuals with particular skills and knowledge. These individuals do not have voting rights.

8.2 Associate members may include representation from other local organisations and may serve for a period determined by the Community Council, but will terminate no later than the next community council election.

9. Voting Rights of Members of the Community Council

- 9.1 The right to vote at any meeting of the Community Council or any subcommittee thereof shall be held by all Community Councillors, but not by associate members.
- 9.2 In the event of a vote of the Community Councillors that results in a majority not being achieved, the chairperson shall have the casting vote in addition to their deliberative vote.

10. Election of Office Bearers

- 10.1 At the first meeting of the Community Council following an election the Community Council shall appoint a Chairperson, Secretary and Treasurer and any other office bearers as necessary e.g. Minute Secretary, Planning Officer, Licensing Officer.
- 10.2 All office bearers will be elected for three years unless they decide to step down from the role.

No single Community Councillor shall hold more than one of the following positions at any one time; Chairperson, Secretary or Treasurer, without written approval from Aberdeen City Council.

- 10.3 In the event of a vacancy arising in any of the positions, the Community Council shall appoint an office bearer at its next available meeting.
- 10.4 The Community Council may appoint a member of the public to record the minutes of the meetings on behalf of the Community Council.

11. Sub Committees of the Community Council

- 11.1 The Community Council may appoint community councillors to subcommittees of the Community Council and shall determine their composition, terms of reference, duration, duties and powers.

12. Meetings of the Community Council

- 12.1 The Community Council shall abide by the Scheme, Code of Conduct and Standing Orders to ensure the proper conduct at meetings.
- 12.2 The quorum for Community Council meetings shall be a third of the total membership or four whichever is the greatest.
- 12.3 The Community Council shall arrange regular meetings with a minimum of six and one Annual General Meeting per year.

- 12.4 The Constitution is to be adopted formally and signed by the Chairperson and one member of the Community Council. Within three months of the first meeting following an election, the Community Council shall review, may introduce minor amendments to reflect local circumstance if desired, but must agree and sign the Constitution and submit to the Community Council Liaison Officer for approval on behalf of Aberdeen City Council within the three month timeframe.
- 12.5 The Annual General Meeting will be held within 2 months of the end of the Financial Year (31 December of each year) for the purpose of presenting the annual accounts for approval.
- 12.6 Dates, times and venues for regular meetings of the Community Council shall be fixed at the first meeting of the Community Council following an election and thereafter at its Annual General Meeting. All dates can be modified where required.
- 12.7 Copies of all minutes of meetings of the Community Council and any of its committees shall be approved at the next meeting of the Community Council.
- 12.8 A draft minute shall be circulated at least seven days prior to its next meeting to all Community Council members, Elected Members, Aberdeen City Council and any other parties as agreed by the Community Council.
- 12.9 Should the Community Council receive a written request signed by 20 residents in the Community Council area to convene a Special Meeting for a particular matter, it shall call such a meeting within four weeks of receipt of such a request. Special Meetings shall require at least seven days' public notice.

13. Public Participation in the Work of the Community Council

- 13.1 All meetings of the Community Council shall be open to members of the public and the opportunity should be afforded at each meeting to permit members of the public to address the Community Council.
- 13.2 Notices calling meetings of the Community Council shall be posted within the Community Council area for a minimum period of seven days before the date of the meeting, e.g. noticeboards, website, social media, local library.

14. Information to Aberdeen City Council

The Community Council Liaison Officer shall receive:

- (a) The completed data permission form for every Community Councillor
- (b) The calendar of meeting dates to include times and venues
- (c) The agendas and minutes for all meetings
- (d) The independently examined accounts on an annual basis

Any Local Library within the Community Council Boundary shall receive:

- (a) The calendar of meeting dates to include times and venues
- (b) The agendas and minutes for all meetings

15. Control of Finance

- 15.1 The Community Council will maintain proper financial records and present regular financial reports at scheduled Community Council meetings. The Treasurer shall keep proper accounts of the finances of the Community Council.
- 15.2 The monies provided by Aberdeen City Council in the annual Administrative Grant shall be for Community Council Administration and other approved purposes.

~~The Community Council shall have a minimum of three bank signatories, usually from amongst the office bearers, of which any two can sign cheques on behalf of the Community Council. The Treasurer would automatically be a bank signatory.~~

- 15.3 The Community Council are encouraged to operate online banking so that direct payments can be made rather than cheque payments. These can be operated using a two tier approval (where the bank allows) or by single transaction by the Treasurer once approval is given by email from another bank signatory (for auditing purposes). All financial transactions should be reported at each Community Council meeting.

- 15.4 Bank accounts (online and traditional) shall have a minimum of three bank signatories, usually from amongst the office bearers, of which any two can sign cheques or authorise payments on behalf of the Community Council. The Treasurer would automatically be a bank signatory.

- 15.5 Where cheques are still being used, they should be countersigned at the time the cheque is written.

- 15.6 Where direct payments are being made to or from the bank account, the information provided within the bank statement should be as detailed as possible i.e. use of reference space to detail what the expenditure was for.

~~15.3~~15.7 A statement of accounts for each financial year, examined by a competent independent examiner appointed by the Community Council, shall be submitted to the Annual General Meeting for approval.

~~15.4~~15.8 The independent examiner shall not be a member of the Community Council which includes associate members.

~~15.5~~15.9 The financial year of the Community Council shall be from 1 January to 31 December of each year.

~~15.6~~15.10 The annual grant for the Community Council will consist of a basic grant of £600 and 7p per head of population in the area.

~~15.7~~15.11 Once approved at the Annual General Meeting, the annual statement of accounts shall be submitted to the Community Council Liaison Officer no later than 31 March of each year to enable the annual grant to be calculated.

~~15.8~~15.12 If a Community Council submits the annual accounts later than the prescribed time unless there is exceptional circumstances that have been notified to the CCLO, a pro rata grant will be calculated and issued. The grant will reduce for each month the accounts are late.

16. Complaints Disciplinary Matters

~~16.1~~ 16.1 Complaints about Community Councils and Community Councillors must be dealt with in accordance with the procedure in Guidance 7 – Complaints Procedure. In the event of a complaint being received about the Community Council or its members, the Community Council shall refer to the Community Council Complaints Procedure.

17. Alterations to the Constitution

17.1 Where a Community Council wishes to amend the Constitution after it has previously been signed and submitted, any proposal by the Community Council to amend the Constitution must be first considered and minuted at a meeting of the Community Council before representation is made to Aberdeen City Council.

17.2 Any proposed amendments may not conflict with the Scheme for the Establishment of Community Councils and the objectives contained within the Constitution.

17.3 If the proposal is supported by two-thirds of the total voting membership of the Community Council and is approved in writing by Aberdeen City Council, the amendment shall be deemed to have been duly authorised and will come into effect.

18. Supported Status and Dissolution of the Community Council

18.1 Supported Status and Dissolution of the Community Council will only take place in accordance with the Scheme for the Establishment of Community Councils and Guidance 8 – Supported Status.

~~18.1 If the Community Council by a two-thirds majority of the total voting membership decides at any time that it is necessary or advisable to dissolve, it shall agree a date for a public meeting to be held to discuss the proposal to dissolve.~~

~~18.2 If the proposal is supported by a majority of those persons present at the public meeting and is approved by Aberdeen City Council, the Community Council shall be deemed to be dissolved. All financial liabilities shall be paid with the remaining balance transferred to Aberdeen City Council who shall hold the funds for a future Community Council representing the area.~~

Approval and Adoption of the Constitution

This Constitution was adopted by _____

Community Council, on _____ (DATE)

Signed _____ Chairperson

Print _____

Date _____

Signed _____ Member

Print _____

Date _____

And was approved on behalf of Aberdeen City Council, on _____ (DATE)

Signed _____

Print _____

Position _____