

## CONSTITUTION

Note: All references to Local Councils means parish councils, town councils, community councils, neighbourhood councils, village councils and parish meetings. All references to serving councillors in member parishes means parish councils, town councils, community councils neighbourhood councils, village councils and parish meetings.

### Clause 1 Name and Membership

The Association shall consist of Local Councils in the County of Lancashire, Blackburn with Darwen and in the Metropolitan Districts of Bolton, Bury, Oldham, Rochdale, Salford, Wigan, Knowsley, St Helens, Sefton, Tameside, and Manchester City and shall be known as the Lancashire Association of Local Councils (LALC). By virtue of membership of the County Association, councils have membership of the National Association of Local Councils (NALC).

### Clause 2 Objectives

The aims and objectives of the Association are to take all such steps as may be necessary or desirable in the interest of councils consistent with the objectives of the National Association of Local Councils which are:

- (a) To protect and represent the interests, rights, functions, and privileges of member councils
- (b) To assist members in the performance of their duties and to promote and develop the social cultural and recreational wellbeing of their local areas
- (c) To promote a widespread and well-informed interest in local councils **(d)** To promote good practice in local councils.
- (d) To promote high standards through good quality training

### Clause 3 Annual General Meeting

- (a) There shall be an Annual General meeting of the County Association. Every member council shall appoint and be represented by the persons indicated in Appendix 1. A person appointed under this sub-clause to represent a member council shall not be appointed as a representative by any other member council nor be entitled to vote on behalf of that other council. In addition the President, Vice-Presidents, Treasurer and co-opted members shall be ex-officio non voting members of the general meeting unless they are voting on behalf of their council.
- (b) The Accountant shall ex-officio be a member of the General meeting save that he may not vote.

- (c) The Annual General meeting shall be held in November. The Chief Executive Officer shall give to each member council and to every ex-officio and co-opted member of the General meeting not less than 35-working days' notice of the date, time and place of the meeting and shall send with such notice a copy of the accounts for the preceding year.

#### **Clause 4 Subscriptions**

- (d) Each member council shall pay to the County Association on or before 1st July in each financial year ending 31st March, a subscription which shall be based upon the number of Electors for the member councils and the scale of subscriptions shall be based on the budget agreed by the AGM.

#### **Clause 5 President, Vice-Presidents, Treasurer and Accountants**

- (a) There shall be a President and such number of Vice-Presidents as may from time to time be determined by the annual General meeting, a Treasurer and Accountants, all of whom shall be elected at the Annual General meeting in each year and shall respectively be eligible for re-election. The President shall preside at Annual/Extraordinary General meetings; in his absence the General meeting shall appoint a Vice-President; or some other person from their own number, to preside.
- (b) Nominations for the offices of President, Vice-President, Treasurer and Accountant shall be sent to the Chief Executive Officer 10 working days before the Annual General meeting. .
- (c) Vacancies in any of the said offices may be filled by the Executive Committee.
- (d) Each officer shall hold office until the following Annual General meeting.

#### **Clause 6 Extraordinary General Meetings**

Extraordinary General meetings, of which not less than 15 working days' notice shall be given to each member council stating the objects of the meeting, may be called at any time by:

- (a) The Executive Committee
- (b) The Chief Executive Officer after the receipt of a requisition in writing signed by not less than one tenth of member councils.

#### **Clause 7 Proceedings for Annual/Extra-ordinary General Meetings (see Appendix 3)**

The quorum at an Annual/Extraordinary General meeting shall be 12 member councils. If at an Annual General Meeting no quorum is present within half an hour of the time appointed for the commencement of business, the meeting shall stand adjourned, to a time and place nominated by the Chief Executive Officer, when the quorum shall be 6 member councils.

## **Clause 8 Area Committee**

- (a) The Annual General meeting may establish Area committees for areas consisting of one or more districts as it may deem necessary. The membership of each such committee shall include all the member councils within its area, and each member council shall be entitled to appoint three representatives, one of whom may be the clerk, to its Area committee.
- (b) Subject to the terms of this Constitution the functions of Area committees may be determined from time to time by the general meeting.
- (c) Subject to the directions of the General meeting each Area committee may arrange its own business and procedure and may appoint such officers as it may deem necessary. A copy of the minutes of the proceedings of an area committee shall be forwarded to the County Association.
- (d) Area committees may submit resolutions to the Annual General meeting and Extraordinary General meetings of the County Association in accordance with the timescales and rules set out in the Constitution.
- (e) The Annual General meeting may arrange for the Executive Committee of the County Association to carry out the functions of an Area committee under this clause.
- (f) Association to carry out the functions of an Area committee under this clause.
- (g) The Chairman and Vice Chairman of the Area Committee shall each be an elected council member

## **Clause 9 County Executive Committee**

- (a) There shall be a County Association Executive Committee comprising:
  - (i) The President and Treasurer by virtue of their offices.
  - (ii) The number of councillors appointed by each Area committee according to the table in Appendix 2. Composition of the appendices shall be the responsibility of the Finance & Management Sub-Committee.
  - (iii) A named deputy may be appointed by each Area committee.
- (b) The County Executive committee may co-opt any person, who will be non-voting and not more than 5 additional members. The number of such additional members shall not exceed one quarter of the total membership of the Committee. Such members will hold office until the next Annual General meeting.
- (c) Casual vacancies on the Executive committee shall be filled (i) in the case of persons appointed by an Area committee, by that committee; (ii) in the case of other persons, by the Executive committee itself. Any such co-optee shall hold office until the next Annual General meeting.
- (d) The Executive committee may appoint such working groups as deemed necessary, which may include members of the general meeting.
- (e) A quorum of the Executive committee shall be 10 members.

### **Clause 10 Chairman and Vice Chairman and Officers of Committee**

The County Association Executive committee shall at its first meeting in each year after the Annual General Meeting appoint for the forthcoming year a Chairman, Vice-Chairman and any such additional officers at the Executive Meeting as it deems necessary. The Chairman and Vice-Chairman shall respectively be eligible for annual re-election, except that no person shall hold the office of Chairman for more than three consecutive years. The Chairman shall take the chair of the committee whenever (s)he is present. The Vice-Chairman shall perform the duties of the Chairman in his/her absence. If at any meeting the Chairman and the Vice-Chairman are absent, the committee shall elect a chairman for that meeting from among their number.

### **Clause 11 Sub-Committees/Working Groups**

There shall be a Finance and Management sub-committee appointed by the Executive committee. The Executive committee shall have power (i) to appoint any other sub-committee/working group deemed necessary which may include members of member councils other than members of the Executive committee, (ii) to make rules for the transaction of its business, and (iii) to delegate any of its functions to such sub-committees. The Chairman and the Vice-Chairman of the committee shall be ex-officio members of every sub-committee  
See appendix 3 for the role and functions of the Finance and Management sub-committee.

### **Clause 12 Place and Notice of Meeting**

The Chief Executive Officer shall give to every person entitled to receive the same, not less than seven working days' notice in writing of the time and place of meetings of the Executive committee or of any sub-committee or working group, specifying in such notice the business to be transacted.

### **Clause 13 Functions of the Executive Committee**

Subject to the provisions of this constitution, the Executive committee may provide for the conduct, management, control and administration of the affairs of the County Association and may take such steps, incur such expenses, acquire and dispose of such property, enter into such commitments or arrangements and employ such servants or agents as may be suitable for carrying the policy of the Association into effect.

### **Clause 14 Omission to give Notice of Meeting**

The accidental omission or failure to give notice of any Annual/Extraordinary General meeting or any meeting of the committee, or of any sub-committee, or working group or any member council or person entitled to receive the same or the non-receipt of any such notice as aforesaid shall not invalidate the proceedings at any such meeting.

## **Clause 15 Voting**

- (a) At all meetings every question may be determined by a show of hands except when a paper ballot is demanded by a minimum of one fifth of those present.
- (b) The Chairman at an Extraordinary General meeting, a meeting of the Executive committee, or a sub-committee or working group shall, in addition to his/her being entitled to vote in the first instance, a casting vote in the case of an equality of votes.

## **Clause 16 Expenses of Representatives and Members**

The necessary travelling, subsistence and other incidental expenses of representatives or members attending meetings of the National Association, of the National Council, of the County Association (other than the Annual General meeting), of the Executive committee and of any sub-committees or working groups thereof, may be met wholly or partly from the funds of the County Association.

## **Clause 17 Resignation from Membership**

Any member council wishing to terminate its membership of the County Association may do so by sending its resignation in writing to the Chief Executive Officer by the 30th September of any year; that resignation to be accompanied by a copy of the Minute recording the resolution of the Council. The resignation shall become effective on the 1<sup>st</sup> April following. Failure to issue notice of resignation will render each council liable for the subscription for the following year.

## **Clause 18 Alterations of Constitution**

Any amendment to this constitution may be made at any Annual/Extraordinary General meeting if approved by not less than two-thirds of the persons present and voting. No amendment shall be made which is inconsistent with the constitution for the time being in force of the National Association and any such amendment shall be subject to the approval of the National Association.

Notice of any motion for such amendment other than a notice given pursuant to a resolution of the County Executive committee, must be given in writing to the Chief Officer of the County Association not less than eight weeks before the meeting, and a copy of every such notice, including those given pursuant to a resolution of the County Executive committee, shall be sent by him/her to every member council and to each ex- officio and co-opted member of the General meeting, at least 35 working days before the meeting at which it is to be considered.

## **Clause 19 Dissolution of the Association**

In the event of the dissolution of the Association, any remaining assets after the payment of outstanding debts and return of any grants shall be distributed among members of the Association in proportion to the subscription paid in the year of dissolution.

**Note** This Constitution was adopted at the AGM held on 3<sup>rd</sup> November 2007.

Clause 1 was amended in 2010 to include Manchester City.

Clause 8 (f) was adopted at the AGM held on 12<sup>th</sup> November 2011.

The following were amended/added in 2019;

- The opening note

- Clause 1 removal of Stockport

- Clause 2 (e) added

- Clause 3(a) added 'and co-opted members' 'unless they are voting on behalf of their council'

- Clause 5 (b) change of time limit for nominations

- Clause 7 change of quorum to 12 member councils; subsequent

- quorum 6 member councils

- Clause 9 (a) (ii) responsibility for

- appendices

- Clause 9 (e) quorum added.

- Clause 11 Removal of 'the President'

- Clause 16 removal of approval from Executive Committee

- Clause 19 added

- Appendix 1 clarification of calculation of representatives

- Appendix 3 (2) change of quorum as clause 7

The following amendments were made 2022

- the address details of LALC amended

- layout made accessible

- a note at the start of Appendix 1 added

## APPENDIX 1

### Voting Delegates to Annual General Meeting

NB. This is updated prior to the November AGM meeting with a current member list

1	Blackburn	Eccleshill	1	Preston	Whittingham
2	Blackburn	Livesey	1	Preston	Woodplumpton
2	Blackburn	North Turton	1	Ribble Valley	Balderstone
1	Blackburn	Pleasington	1	Ribble Valley	Barrow
1	Blackburn	Tockholes	1	Ribble Valley	Billington & Langho
1	Blackburn	Yate & Pickup Bank	1	Ribble Valley	Bolton by Bowland, Gisburn Forest & Sawley
2	Bolton	Blackrod	1	Ribble Valley	Chatburn
5	Bolton	Horwich	1	Ribble Valley	Chipping
5	Bolton	Westhoughton	1	Ribble Valley	Clayton le Dale
2	Burnley	Briercliffe with Extwistle	4	Ribble Valley	Clitheroe
1	Burnley	Dunnockshaw-with-Clowbridge	1	Ribble Valley	Dutton
1	Burnley	Hapton	1	Ribble Valley	Gisburn
1	Burnley	Ightenhill	1	Ribble Valley	Grindleton
2	Burnley	Worsthorne-w-Hurstwood	2	Ribble Valley	Longridge
1	Chorley	Bretherton	1	Ribble Valley	Mellor
1	Chorley	Brindle	1	Ribble Valley	Osbaldeston
1	Chorley	Charnock Richard	1	Ribble Valley	Pendleton
4	Chorley	Clayton-le-Woods	1	Ribble Valley	Ramsgreave
2	Chorley	Croston	1	Ribble Valley	Read
1	Chorley	Heapey	1	Ribble Valley	Sabden
1	Chorley	Heskin	1	Ribble Valley	Salesbury
1	Chorley	Hoghton	1	Ribble Valley	Simonstone
1	Chorley	Mawdesley	1	Ribble Valley	Waddington
1	Chorley	Rivington	1	Ribble Valley	West Bradford
1	Chorley	Wheelton	2	Ribble Valley	Whalley
2	Fylde	Bryning-w-Warton	1	Ribble Valley	Wilpshire
1	Fylde	Elswick	1	Ribble Valley	Wiswell
1	Fylde	Greenhalgh-w-Thistleton	2	Rosendale	Whitworth
2	Fylde	Kirkham	2	Sefton	Aintree Village
2	Fylde	Newton-w-Clifton	5	Sefton	Formby
1	Fylde	Ribby with Wrea	2	Sefton	Lydiate
1	Fylde	Staining	5	Sefton	Maghull
1	Fylde	Treales Roseacre & Wharles	2	Sefton	Melling
1	Fylde	Weeton w Preese	1	Sefton	Sefton
1	Fylde	Westby-w-Plumpton	1	Sefton	Thornton
1	Hyndburn	Altham	2	South Ribble	Farington
1	Knowsley	Cronton	1	South Ribble	Much Hoole
4	Knowsley	Halewood	5	South Ribble	Penwortham
3	Knowsley	Knowsley	1	South Ribble	Samlesbury & Cuerdale
3	Knowsley	Prescot	2	St. Helens	Billinge Chapel End
3	Knowsley	Whiston	2	St. Helens	Bold
1	Lancaster	Aldcliffe w Stodday	2	St Helens	Rainford PC

1	Lancaster	Arkholme with Cawood	3	St. Helens	Rainhill
1	Lancaster	Borwick	2	St. Helens	Seneley Green
1	Lancaster	Burrow with Burrow	2	West Lancs	Aughton
2	Lancaster	Carnforth	1	West Lancs	Bickerstaffe
2	Lancaster	Caton with Littledale	2	West Lancs	Burscough
1	Lancaster	Cockerham	1	West Lancs	Dalton
1	Lancaster	Gressingham	1	West Lancs	Downholland
1	Lancaster	Halton with Aughton	1	West Lancs	Halsall
1	Lancaster	Heaton with Oxcliffe	1	West Lancs	Hilldale
1	Lancaster	Hornby with Farleton	1	West Lancs	Lathom
1	Lancaster	Ireby & Leck	1	West Lancs	Newburgh
1	Lancaster	Melling with Wrayton	2	West Lancs	North Meols
1	Lancaster	Middleton	1	West Lancs	Rufford
1	Lancaster	Nether Kellett	2	West Lancs	Scarisbrick
1	Lancaster	Over Kellet	1	West Lancs	Simonswood
1	Lancaster	Over Wyresdale	2	West Lancs	Up Holland
1	Lancaster	Overton	2	West Lancs	Wrightington
1	Lancaster	Quernmore	1	Wigan	Haigh
1	Lancaster	Silverdale	3	Wigan	Shevington
1	Lancaster	Tatham	1	Wyre	Barnacre w Bonds
1	Lancaster	Thurnham	1	Wyre	Bleasdale
1	Lancaster	Tunstall	1	Wyre	Cabus
1	Lancaster	Warton	1	Wyre	Catterall
1	Lancaster	Whittington	1	Wyre	Claughton on Brock
1	Lancaster	Yealand Redmayne	5	Wyre	Fleetwood
5	Oldham	Shaw & Crompton	1	Wyre	Forton
5	Oldham	Saddleworth	2	Wyre	Garstang
1	Pendle	Barley with Wheatley Booth	1	Wyre	Great Ecclestone
2	Pendle	Barrowford	2	Wyre	Hambleton
4	Pendle	Colne	1	Wyre	Kirkland
2	Pendle	Earby	1	Wyre	Myerscough & Bilsborrow
1	Pendle	Foulridge	1	Wyre	Nether Wyresdale
1	Pendle	Goldshaw Booth	1	Wyre	Out Rawcliffe
1	Pendle	Higham w West Close Booth	1	Wyre	Pilling
1	Pendle	Laneshaw Bridge	2	Wyre	Preesall
5	Pendle	Nelson	1	Wyre	Stalmine with Staynall
1	Preston	Broughton w Amounderness	1	Wyre	Upper Rawcliffe with Tarnacre
1	Preston	Grimsargh	1	Wyre	Winmarleigh
1	Preston	Haighton			



## APPENDIX 2

Councillors appointed by Area Committees to the Executive Committee  
(Numbers calculated according to membership electorate figures)

<u>Area</u>	<u>Allocation</u>
Blackburn	2
Bolton	3
Burnley	2
Hyndburn	1
Rossendale	2
Chorley	3
Fylde	3
Knowsley	3
Lancaster	3
Oldham	2
Pendle	4
Preston	2
Ribble Valley	4
Sefton	3
South Ribble	3
St. Helens	3
West Lancs	3
Wigan	2
Wyre	4

## APPENDIX 3

Standing Orders for Annual and Extraordinary General Meetings

- 1 Notification;** Members shall be given not less than 35 clear days notice of Annual General Meetings, and not less than 35—working days' notice of Extraordinary General Meetings (Clauses 3c and 6 of the Constitution).
- 2 Quorum;** The quorum at a General Meeting shall be 12 Member councils (Clause 7).
- 3 The President** shall preside at General Meetings. In his absence the meeting shall appoint to preside a Vice-President or some other person from their own number.
- 4 Business;** Extraordinary General Meetings shall transact only that business stated in the notice of meeting.
- 5 Attendance;** See Appendix 1
- 6 Voting** shall be by a show of hands, unless the persons present demand a paper ballot. (Clause 15)

- 7 **Resolutions;** Except as stated below, resolutions shall be submitted in writing to the Executive Secretary eight weeks prior to the date of the Annual General Meeting which will normally be held in November. An application for an emergency resolution must be made in writing to the Chairman of an Annual General Meeting. All resolutions shall be relevant to the objects of the Association.

The following resolutions may be moved without notice: to appoint tellers, approve or correct the minutes, alter the order of business, proceed to next business, close or adjourn debate, refer a matter to committee, appoint a committee, adopt a report, amend a motion, withdraw a motion or amendment, extend the time limit of speeches, adjourn the meeting, that the question be now put, that the speaker be not heard, that the speaker do leave the meeting.

- 8 **Rules of Debate;** No discussion on the minutes shall take place except as to their accuracy. Corrections shall be made by resolution and initialled by the Chairman.

A resolution or amendment shall not be discussed unless it has been proposed and seconded and unless proper notice has been given in writing.

A seconder, when seconding, may, if he then declares his intention to do so, reserve his speech until later in the debate.

A speaker shall direct his speech to the question under discussion or to a personal explanation or a question of order.

No speech shall exceed five minutes for proposers or three minutes for all other speakers, except by consent of the meeting.

An amendment shall be either (i) to leave out words (ii) to leave out words and insert others or (iii) to insert or add words and shall not have the effect of negating the motion. An amendment if carried shall take the place of the original resolution and shall become the resolution upon which any further amendment may be moved. A further amendment shall not be moved until the previous amendment has been disposed of.

The mover of any resolution or amendment has the right of reply (3 minutes limit). Any other speaker shall not without leave of the meeting speak more than once on any resolution except to move an amendment or further amendment, or an amendment on a point of order, or in personal explanation, or to move a closure.

A speaker shall clearly identify him/herself to the Chairman when speaking.

The ruling of the Chairman on a point of order or admissibility of a personal explanation shall not be discussed.

Speakers shall address the Chairman. If two or more members rise the Chairman shall call upon one to speak and the other shall resume his seat.

Whenever the Chairman rises during a debate all other members shall be seated and silent.

## **APPENDIX 4**

### **Role and Function of Finance and Management Sub-Committee**

#### The Sub-committee

The sub-committee shall consist of the Chairman of the Association, the Vice Chairman, the Treasurer and 6 councillors elected from the Executive Committee.

Secretarial functions shall be carried out by the Chief Executive Officer.

The sub-committee shall be elected annually at the first meeting of the Executive Committee following the Annual General Meeting.

Meetings of the sub-committee will take place prior to each Executive Meeting.

Notice of meetings and Agendas will normally be issued at least 7 days prior to the meeting.

A quorum shall consist of a minimum of 3 members.

Apologies for non-attendance shall be notified to the Chief Executive Officer.

#### Functions

The sub committee shall discuss and recommend Agenda items for Executive Meetings.

The sub-committee shall receive various reports prior to executive Meetings, namely;

- Finance
- Training

The sub-committee shall discuss items of policy as necessary prior to presentation to the executive Committee.

The sub-committee shall undertake personnel duties namely;

- Appointing a panel for the hiring of staff
- Appointing a panel to conduct annual staff reviews.

The sub-committee shall have authority to take decisions on general items involved in the day to day running of the Association.

The sub-committee shall meet to discuss Resolutions to be presented to the AGM five weeks before the date of the AGM in order to give sufficient notice of resolutions to delegates.