

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.
- (e) 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

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) 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 1st 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 3rd November 2007.

Clause 1 was amended in 2010 to include Manchester City.

Clause 8 (f) was adopted at the AGM held on 12th 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

APPENDIX 1

Voting Delegates to Annual General Meeting

Blackburn	Eccleshill	1
Blackburn	Livesey	2
Blackburn	North Turton	2
Blackburn	Pleasington	1
Blackburn	Tockholes	1
Blackburn	Yate & Pickup Bank	1
Bolton	Blackrod	2
Bolton	Horwich	5
Bolton	Westhoughton	5
Burnley	Briercliffe with Extwistle	2
Burnley	Dunnockshaw-with-Clowbridge	1
Burnley	Hapton	1
Burnley	Ightenhill	1
Burnley	Worsthorne-w-Hurstwood	2
Chorley	Bretherton	1
Chorley	Brindle	1
Chorley	Charnock Richard	1
Chorley	Clayton-le-Woods	4
Chorley	Croston	2
Chorley	Heapey	1
Chorley	Heskin	1
Chorley	Hoghton	1
Chorley	Mawdesley	1
Chorley	Rivington	1
Chorley	Wheelton	1
Fylde	Bryning-w-Warton	2
Fylde	Elswick	1
Fylde	Greenhalgh-w-Thistleton	1
Fylde	Kirkham	2
Fylde	Newton-w-Clifton	2
Fylde	Ribby with Wrea	1
Fylde	Staining	1
Fylde	Treales Roseacre & Wharles	1
Fylde	Weeton w Preese	1
Fylde	Westby-w-Plumptions	1
Hyndburn	Altham	1
Knowsley	Cronton	1
Knowsley	Halewood	4
Knowsley	Knowsley	3
Knowsley	Prescot	3
Knowsley	Whiston	3
Lancaster	Aldcliffe w Stodday	1
Lancaster	Arkholme with Cawood	1
Lancaster	Borwick	1

Lancaster	Burrow with Burrow	1
Lancaster	Carnforth	2
Lancaster	Caton with Littledale	2
Lancaster	Cockerham	1
Lancaster	Gressingham	1
Lancaster	Halton with Aughton	1
Lancaster	Heaton with Oxcliffe	1
Lancaster	Hornby with Farleton	1
Lancaster	Ireby & Leck	1
Lancaster	Melling with Wrayton	1
Lancaster	Middleton	1
Lancaster	Nether Kellett	1
Lancaster	Over Kellet	1
Lancaster	Over Wyresdale	1
Lancaster	Overton	1
Lancaster	Quernmore	1
Lancaster	Silverdale	1
Lancaster	Tatham	1
Lancaster	Thurnham	1
Lancaster	Tunstall	1
Lancaster	Warton	1
Lancaster	Whittington	1
Lancaster	Yealand Redmayne	1
Oldham	Shaw & Crompton	5
Oldham	Saddleworth	5
Pendle	Barley with Wheatley Booth	1
Pendle	Barrowford	2
Pendle	Colne	4
Pendle	Earby	2
Pendle	Foulridge	1
Pendle	Goldshaw Booth	1
Pendle	Higham w West Close Booth	1
Pendle	Laneshaw Bridge	1
Pendle	Nelson	5
Preston	Broughton w Amounderness	1
Preston	Grimstargh	1
Preston	Haighton	1
Preston	Whittingham	1
Preston	Woodplumpton	1
Ribble Valley	Balderstone	1
Ribble Valley	Barrow	1
Ribble Valley	Billington & Langho	1
Ribble Valley	Bolton by Bowland, Gisburn Forest & Sawley	1
Ribble Valley	Chatburn	1
Ribble Valley	Chipping	1
Ribble Valley	Clayton le Dale	1
Ribble Valley	Clitheroe	4

Ribble Valley	Dutton	1
Ribble Valley	Gisburn	1
Ribble Valley	Grindleton	1
Ribble Valley	Longridge	2
Ribble Valley	Mellor	1
Ribble Valley	Osbaldeston	1
Ribble Valley	Pendleton	1
Ribble Valley	Ramsgreave	1
Ribble Valley	Read	1
Ribble Valley	Sabden	1
Ribble Valley	Salesbury	1
Ribble Valley	Simonstone	1
Ribble Valley	Waddington	1
Ribble Valley	West Bradford	1
Ribble Valley	Whalley	2
Ribble Valley	Wilpshire	1
Ribble Valley	Wiswell	1
Rosendale	Whitworth	2
Sefton	Aintree Village	2
Sefton	Formby	5
Sefton	Lydiate	2
Sefton	Maghull	5
Sefton	Melling	2
Sefton	Sefton	1
Sefton	Thornton	1
South Ribble	Farington	2
South Ribble	Much Hoole	1
South Ribble	Penwortham	5
South Ribble	Samlesbury & Cuerdale	1
St. Helens	Billinge Chapel End	2
St. Helens	Bold	2
St Helens	Rainford PC	2
St. Helens	Rainhill	3
St. Helens	Seneley Green	2
West Lancs	Aughton	2
West Lancs	Bickerstaffe	1
West Lancs	Burscough	2
West Lancs	Dalton	1
West Lancs	Downholland	1
West Lancs	Halsall	1
West Lancs	Hilldale	1
West Lancs	Lathom	1
West Lancs	Newburgh	1
West Lancs	North Meols	2
West Lancs	Rufford	1
West Lancs	Scarisbrick	2
West Lancs	Simonswood	1

West Lancs	Up Holland	2
West Lancs	Wrightington	2
Wigan	Haigh	1
Wigan	Shevington	3
Wyre	Barnacre w Bonds	1
Wyre	Bleasdale	1
Wyre	Cabus	1
Wyre	Catterall	1
Wyre	Claughton on Brock	1
Wyre	Fleetwood	5
Wyre	Forton	1
Wyre	Garstang	2
Wyre	Great Eccleston	1
Wyre	Hambleton	2
Wyre	Kirkland	1
Wyre	Myerscough & Bilsborrow	1
Wyre	Nether Wyresdale	1
Wyre	Out Rawcliffe	1
Wyre	Pilling	1
Wyre	Preesall	2
Wyre	Stalmine with Staynall	1
Wyre	Upper Rawcliffe with Tarnacre	1
Wyre	Winmarleigh	1

APPENDIX 2

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

Area	Allocation
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

Voting shall be by a show of hands, unless the persons present demand a paper ballot. (Clause 15)

- 6 **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.

- 7 **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.