

CONSTITUTION

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

Lancashire Association of Local Council's may be referred to as LALC.

Clause 1 Name and Membership

LALC shall consist of Local Councils in Lancashire, Merseyside and Greater Manchester.

By virtue of membership of LALC, councils have membership of the National Association of Local Councils (NALC).

Clause 2 Objectives

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

- 2.1 To protect and represent the interests, rights, functions, and privileges of member councils
- 2.2 To assist members in the performance of their duties and to promote and develop the social cultural and recreational wellbeing of their local areas
- 2.3 To promote a widespread and well-informed interest in local councils
- 2.4 To promote good practice in local councils.
- 2.5 To promote high standards through good quality training

Clause 3 Annual General Meeting (AGM)

- 3.1 There shall be an AGM of the LALC. Every member council shall appoint and be represented by the persons indicated in Appendix one of this constitution.

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.

The President, Vice-Presidents, Treasurer and co-opted members shall be non-voting members of the general meeting unless they are voting on behalf of their council.

- 3.2 The accountant shall attend as an ex-officio member at the AGM, but shall not be eligible to vote.
- 3.3 The AGM shall be held in November. The Chair shall arrange for each member council, every ex-officio and co-opted member to receive notice of the meeting not less than 35 working days prior.

The notice will include:

- date, time and place of the meeting
- invitation to nominate
- a copy of the accounts for the preceding year

Clause 4 Subscriptions

Each member council shall pay to LALC 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 & Accountants

- 5.1 There shall be a President, and such number of Vice-Presidents as may from time to time be determined by the Annual General Meeting (AGM).
- 5.2 Nominations for the positions of President, Vice-President, Treasurer and Accountant shall be sent to the Secretary 10 working days before the AGM. Following this, the completed nomination forms will be sent out to members with the agenda five days before the AGM.
- 5.3 The President shall preside at AGM, or in their absence the AGM shall appoint a Vice-President to preside.
- 5.4 Each position holder shall hold office until the following AGM.
- 5.5 Treasurer shall be elected at the AGM annually.
- 5.6 The accountants shall be appointed annually at the AGM.
- 5.7 Vacancies in any of the said offices may be filled by the Executive Committee.

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:

- i. The Executive Committee
- ii. The Chief 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 twelve member councils. If at an Annual/Extraordinary 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 Officer.

Clause 8 Area Committee

- 8.1 The Annual General Meeting (AGM) 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 two representatives, one of whom may be the clerk, to its Area committee (see appendix 2).

- 8.2 Subject to the terms of this Constitution the functions of Area Committees may be varied from time to time by the AGM.
- 8.3 Subject to the directions of the AGM 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 LALC.
- 8.4 Area Committees may submit Motions to the AGM and Extraordinary General Meetings of LALC in accordance with the timescales and rules set out in this Constitution.
- 8.5 The AGM may arrange for the Executive Committee of the LALC to carry out the functions of an Area Committee under this clause.
- 8.6 The Chair of the Area Committee shall be an elected council member

Clause 9 LALC Executive Committee

- 9.1 There shall be a LALC 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.
 - iii. A named deputy may be appointed by each Area Committee.
- 9.2 The LALC Executive Committee may co-opt any person, who will be non-voting and not more than 3 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 AGM.
- 9.3 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.
- 9.4 The Executive committee may appoint such working groups as deemed necessary, which may include members of the general meeting.
- 9.5 A quorum of the Executive Committee shall be 10 members

Clause 10 Chair, Vice Chair and Treasurer

The Association Executive Committee shall, at its first meeting in each year after the AGM, appoint for the forthcoming year a Chair and a Vice-Chair.

The Chair and Vice-Chair shall respectively be eligible for annual re-election, except that no person shall hold the office of Chair for more than three consecutive years.

The Chair shall take the chair at committees whenever they are present. The Vice-Chair shall perform the duties of the Chair in their absence. If at any meeting the Chair and the Vice-Chair are absent, the committee shall elect a chair for that meeting from among their number.

Clause 11 Sub-Committees/Working Groups

11.1 The Executive Committee shall have powers

- 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
- iii. to delegate any of its functions to such sub-committees. The Chair or Vice-Chair of the committee shall be ex-officio members of the sub-committee.

11.2 There shall be a Finance and Management Committee (F&M) appointed by the Executive Committee. See appendix 5 for the role and functions of the Finance and Management sub-committee.

Clause 12 Place and Notice of Meeting

The Secretary shall give to every person entitled to receive the same notification, 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 LALC and may take such steps, incur such expenses, acquire and dispose of such property, enter any commitments or arrangements and employ such staff as may be suitable for carrying the policy of LALC into effect.

Clause 14 Voting (except AGM/EGM)

At all meetings every resolution will be determined by a show of hands except when a recorded ballot is requested by a minimum of one fifth of those present.

Clause 15 Expenses of Representatives and Members

The necessary travelling, subsistence and other incidental expenses of representatives or members attending meetings of NALC, of LALC (other than the AGM), of the Executive Committee and of any sub-committees or working groups thereof, may be met wholly or partly from the funds of the LALC.

Clause 16 Resignation from Membership

Any member council wishing to terminate its membership of LALC may do so by sending its resignation in writing to the Chief Officer by the last working day in September of any year; that resignation is to be accompanied by a copy of the corresponding Minute recording the resolution of the member council.

The resignation will take effect on 1st April of the following year.

Failure to issue notice of resignation will render each council liable for the subscription for the following year.

Clause 17 Alterations of Constitution

Any amendment to this constitution must be made at an Annual/Extraordinary General Meeting and approved by not less than two-thirds of the persons present and voting.

No amendment shall be made which is inconsistent with the current constitution adopted by NALC and any such amendment shall be subject to the approval of the NALC.

Notice of any motion for such amendment other than a notice given pursuant to a resolution of the LALC Executive Committee, must be given in writing to the Chief Officer of LALC not less than eight weeks before the meeting, and a copy of every such notice, including those given pursuant to a resolution of the LALC Executive committee, shall be sent by them 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 18 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.

Amendments:

This Constitution was adopted at the AGM held on 3rd November 2007.

Amended in 2010.

Amended November 2011.

Amended in 2019

Amended in 2022

Reviewed and amended 2025

APPENDIX 1 Voting at AGM/EGM

This appendix sets out the number of Voting Delegates at the Annual General Meeting (AGM) and Extraordinary Meetings based on the numbers of electorate in each Member Council.

This is based on the annual electoral register published in January each year and is also the basis of the calculation for the annual fees due (Clause 4). The current list will be available on the website.

<u>Electorate</u>	<u>Votes</u>
Under 3,000	= 1
3,000> 6,000	= 2
6,000> 9,000	= 3
9,000> 12,000	= 4
Over 12,000	= 5

APPENDIX 2 Representation on the Executive Committee

Councillors, including Clerks, if elected councillors, are appointed by Area Committees to the Executive Committee. Each Area Committee can have two representatives on the executive committee and can nominate a substitute.

Where there is no Area Committee, local councils in the area will be contacted by the Secretary with a view to setting up a committee. If this is not possible the member council will be partnered with another area committee until such time as an area committee be established.

The current allocation of Area Committee representation is set out in the Appendix 1 spreadsheet.

APPENDIX 3 Standing Orders for Annual and Extraordinary General Meetings

1. 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 referenced in Clauses 3.3 and 6 of the Constitution.
2. The quorum at a General Meeting shall be 12 Member councils referenced in Clause 7.
3. The President shall preside at General Meetings and in their absence the Vice-President shall preside
4. Extraordinary General Meetings shall transact only that business stated in the notice of meeting.
5. Attendance referenced in clauses 3 and 6.
6. Voting referenced in clause 14 and Appendix 1.
7. Motions: Except as stated below, resolutions shall be submitted in writing to the Secretary eight weeks prior to the date of the Annual General Meeting which will normally be held in November. An application for an emergency Motion must be made in writing to the Chair of an Annual General Meeting (President). All motions shall be relevant to the objects of the Association.

The following Motions 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 Chair.

- 8.1 A resolution or amendment shall not be discussed unless it has been proposed and seconded and unless proper notice has been given in writing.
- 8.2 A seconder, when seconding, may, if they then declare their intention to do so, reserve their speech until later in the debate.
- 8.3 A speaker shall direct their speech to the question under discussion or to a personal explanation or a question of order.
- 8.4 No speech shall exceed five minutes for proposers or three minutes for all other speakers, except by consent of the meeting.
- 8.5 A speaker shall clearly identify themselves to the Chair when speaking.
- 8.6 The ruling of the Chair on a point of order or admissibility of a personal explanation shall not be discussed.
- 8.7 Speakers shall address the Chair. If two or more members rise the Chair shall call upon one to speak and the other shall resume their seat.
- 8.8 Whenever the Chair rises during a debate all other members shall be seated and silent.

9. Amendments

- 9.1 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.
- 9.2 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.
- 9.3 A further amendment shall not be moved until the previous amendment has been disposed of.
- 9.4 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.

APPENDIX 4 Roles and Functions of Honorary Presidents & Vice-Presidents

1. Role and Functions: President

- Be an **Advocate** capable of being heard by local/regional/national - media, government, civil servants, related industry.
- Be an **Ambassador** acting as an advocate with a positive image, who is seen to represent the values of the Association
- Be an Executive Committee Member (not voting), not currently a local councillor offering a **valued independent perspective**
- Chairing of AGM/EGM

2. Role: Vice-Presidents

- Substitute for President in above roles
- Has a complementary Skill Set to President's

See Clause 5 which covers, nominations received in advance of the AGM from the membership that meet the criteria set out in the Nomination Form.

APPENDIX 5 Roles and functions of Chair, Vice-Chair & Treasurer

The Chair, Vice-Chair and Treasurer roles are elected members from the Executive Committee and represent their Area/District.

1. Chair

Role

- To provide strategic oversight, guidance and support for the employed staff
- To ensure effective governance of the Association in line with the constitution
- To work with NALC to support the membership of the Association
- To sustain and develop the membership of the Association and recruit other local councils
- To advocate on behalf of the membership of the Association with appropriate bodies

Functions

- To chair the Executive and Finance & Management Committees
- To work with the Officers to produce the agenda for committees
- To conduct the annual performance review of the employed staff and recommend any actions generated to the Finance & Management Committee with the Vice-Chair
- Reviewing policies of the Association in conjunction with the employed staff and presenting them to the Finance & Management Committee
- To agree the annual workplan with the Finance & Management Committee and employed staff

- To work with the Treasurer, Vice-Chair and appropriate employed staff on the annual budget

2. Vice Chair

Role

- Deputise for the Chair in their absence in any of their roles.
- To represent the Association as an observer on the Lancashire Road Safety Partnership

Functions

- To chair in the Chair's absence the Executive and Finance & Management Committees
- To conduct the annual performance review of the employed staff and recommend any actions generated to the Finance & Management Committee with the Chair
- To develop effective working relationships with Local Councils in Lancashire, Merseyside and Greater Manchester and other outside bodies
- To work with the Chair and appropriate employed staff on the annual budget

3. Treasurer

- To ensure that there is a financial strategy for LALC
- To ensure financial regulations and controls are in place
- Propose the budget at the AGM
- Work with the officers of LALC

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