

BERKSHIRE ASSOCIATION OF LOCAL COUNCILS CONSTITUTION

1. Name and Constitution

This County Association shall be known as the Berkshire Association of Local Councils (hereafter referred to as 'BALC').

2. Membership

Every local council or parish meeting in the County of Berkshire shall be eligible for membership of BALC (hereafter referred to as 'Association Members'). An Association Member shall be eligible for membership of the National Association of Local Councils (hereafter referred to as 'NALC'). Any reference to 'councillor' in this Constitution includes a person elected by a parish meeting (either a person elected by the meeting to be its representative or, if no such person has been elected, the Chairman of its most recent meeting).

3. Objectives

The purpose of BALC is to promote the interests of its Association Members, consistent with the objectives of NALC. The objectives of BALC are:

- (i) To promote and protect the interests, rights, functions and privileges of local councils and parish meetings;
- (ii) To assist local councils and parish meetings in the performance of their duties including the promotion and development of the general life of parishes villages and communities both rural and urban;
- (iii) To support councillors of Association Members, including by providing training for them;
- (iv) To promote a widespread and well-informed interest in local government.
- (v) To promote good local government.

4. Annual General Meetings

- 4.1 There shall be an Annual General Meeting of BALC, held as the Executive Committee shall decide but normally in the month of November. The Secretary shall give to each Association Member and the Members of the Executive Committee not less than six weeks' notice of the date, time and place of the meeting.
- 4.2 All Association Members shall be invited to submit Resolutions, nominations for President, Treasurer and Chair and Vice Chair of the Executive Committee, and other items of business for the agenda, to be submitted to the Secretary not less than four weeks before the Annual General Meeting. Nominations for Chair and Vice Chair of the Executive Committee shall be current councillors of an Association Member at the time of nomination. The Agenda, Annual Report, Statement of Accounts and Resolutions shall be sent to Association Members and members of its Executive Committee not less than three weeks before the Annual General Meeting.

5. Special General Meetings

- 5.1 A Special General Meeting of BALC may be called by decision of the Executive Committee or shall be called by the Secretary on receipt of a requisition in writing signed on behalf of not less than ten Association Members that states the resolution or resolutions to be considered.
- 5.2 Not less than fourteen days' notice of a Special General Meeting shall be given to each Association Member and the members of the Executive Committee, stating the resolutions to be considered by the meeting.

6. Attendance and business at General Meetings

- 6.1 Each Association Member may appoint two of its councillors to attend and speak at General Meetings, and to appoint one of them to vote on its behalf.
- 6.2 the Clerk of an Association Member may attend and speak at General Meetings, or may appoint another Officer to attend and speak on their behalf.
- 6.3 Members of the Executive Committee may attend and speak at General Meetings, but may only vote if they are also the appointed voting representative for their Association Member.
- 6.4 Other Councillors of an Association Member are welcome to attend General Meetings as observers.
- 6.5 General Meetings shall be open to press and public except to the extent that they shall be excluded (either for whole or part of the proceedings) by a motion approved by the meeting.
- 6.6 The President shall be the Chair of the Annual General Meeting or, if they are not present or so request, by the Chair of the Executive Committee. The Chair of a Special General Meeting shall be the Chair of the Executive Committee.
- 6.7 A question shall be decided by a show of hands, except if at least one third of the voting representatives demand a secret ballot. Unless otherwise stated in this Constitution, a decision is made by the majority of voting representatives present and voting.
- 6.8 No business shall be transacted at the Annual or Special General Meeting unless a quorum of fifteen persons entitled to vote is present at the time of a vote. If within half an hour of the time appointed for the meeting a quorum is not present, the business shall be referred to the next meeting of the Executive Committee.
- 6.9 A voting representative may propose a procedural motion during the meeting. The decision of the Chair on whether to accept such a motion is final.
- 6.10 The Chair of the meeting at the time of a vote may vote and shall also have a casting vote.
- 6.11 The Executive Committee may make and vary from time to time rules for the transaction of business at General Meetings, subject to confirmation by a General Meeting.
- 6.12 The accidental omission or failure to give notice of any General Meeting to an Association Member or person entitled to receive it, or the non-receipt of such a notice, shall not invalidate the proceedings of that meeting.

7. Subscriptions

- 7.1 Each Association Member shall pay to BALC on or before 1 July in each financial year a subscription based upon the number voters on the electoral register for the Parish on 1st January of the preceding calendar year, which shall be decided by the Annual General Meeting.

- 7.2 BALC shall issue invoices and collect annual subscriptions from Association Members on behalf of NALC at the rate agreed at the NALC AGM and as notified to BALC.

8. Election of Representatives to the General Meeting and the Council of NALC

- 8.1 The Executive Committee shall appoint annually three persons (at least two of whom shall be members of Association Members that are members of the National Association at the date of appointment) to attend General Meetings of NALC.
- 8.2 The Executive Committee shall appoint annually one of those to be its representative on the Council of NALC.
- 8.3 The Executive Committee may nominate one of the persons appointed by it to attend General Meetings of NALC to deputise for its representative on the Council of NALC.
- 8.4 The names of these representatives shall be notified to NALC.

9. President and Officers

- 9.1 There shall be a President and Treasurer of BALC and Chair and Vice Chair of its Executive Committee, all of whom shall be elected at the Annual General Meeting in each year and shall be eligible for re-election.
- 9.2 If there are no nominations for any of these posts in advance of the AGM, the Chair of the meeting may request nominations from the voting representatives.
- 9.3 These Officers take office immediately on election.
- 9.4 The Chair of the Executive Committee shall be the Chair of the Executive Committee and any General Meeting other than the Annual General Meeting. The Vice Chair shall perform the duties of the Chair in their absence. If at a meeting the Chair and Vice Chair are both absent, the meeting shall proceed to elect a Chair for that meeting from among their own voting members.
- 9.5 The Executive shall appoint a Treasurer, who may be a member of the Executive Committee, who shall be responsible for the day-to-day financial affairs of BALC and who should attend all meetings of the Executive Committee and Management Subcommittee. The Treasurer shall be directly responsible to the Executive Committee..
- 9.6 The Executive shall appoint a Secretary, who may be a member of the Executive Committee, who shall be responsible for the day-to-day administration of the Executive Committee. The Secretary shall be directly responsible to the Executive Committee.
- 9.7 The Executive may employ staff or contract for services to undertake tasks that would otherwise be the responsibility of the Treasurer or Secretary.
- 9.8 A Casual vacancy in any of these offices shall be filled as decided by the Executive Committee.

10. The Executive Committee

- 10.1 The Executive committee shall be the main decision-making body of BALC It shall at all times act in the best interests of BALC and its Association Members, and at all times remain free

from political influence or personal ambition. All decisions made by individuals or subcommittees shall be subject to confirmation by the Executive Committee.

- 10.2 The Executive Committee shall consist of not more than twelve voting Members, including the Chair and Vice Chair.
- 10.3 The President of the Association and the Hon Treasurer shall be members of the Executive Committee ex officio. They shall only be eligible to vote if a current councillor of an Association Member.
- 10.4 In case of vacancies, the Executive Committee may co-opt additional members, for either an indefinite or fixed period. The Secretary should invite Association Members to propose councillors willing to become members of the Executive Committee, for consideration by the Executive Committee to be co-opted. Co-opted members shall be current councillors of an Association Member.
- 10.5 The Executive Committee shall meet at least four times in every year and the quorum of voting members at any meeting shall be four. Decisions of the Committee and its subcommittees shall be made by a majority of voting members present and voting. In the case of an equality of votes, the Chair of the meeting shall have a second casting vote.
- 10.6 The Secretary shall give members of the Executive Committee and others entitled to attend at least seven clear days' notice of the time and place of a meeting and its agenda. A meeting of the Executive Committee or its subcommittees may take place using online conferencing, at the discretion of its Chair.
- 10.7 In the event of urgent business arising which requires a decision before the next scheduled Executive Committee meeting, a decision may be reached by the Secretary or the Chair circulating a request for decision by e-mail, which should be accompanied by a brief summary of the need for the decision, the consequences of delay and a deadline for responses. The request is approved if a majority of members responding before the deadline support the request for decision. The decision shall be reported to the next meeting of the Executive Committee and be recorded in its minutes.
- 10.8 The Executive Committee may submit Resolutions and nominations to the Annual General Meeting.
- 10.9 Co-opted Members of the Executive Committee shall remain as members without need for re-election unless:
 - (i) The Executive Member ceases to be a councillor of an Association Member.
 - (ii) The Executive Member resigns from the Executive Committee.
 - (iii) The Executive Member is co-opted for a fixed period, which has expired.
 - (iv) The Executive Member does not attend two consecutive meetings of the Executive Committee and the Executive Committee decides that they should cease to be a Member.
 - (v) The Executive Committee decides that the Executive Member is no longer eligible for membership. The Executive Committee shall first present the Executive Member with written reasons and invite representations.
 - (vi) A resolution is passed by a General Meeting that the Co-opted members should seek re-election. If such a resolution is submitted, the Secretary shall make arrangements for an election to take place at the same General Meeting, should the resolution be approved. Such a resolution should be accompanied by sufficient nominations for the Executive Committee to ensure that it would remain quorate, and the Secretary shall invite other nominations.

11. Sub-Committees

- 11.1 The Executive Committee may establish a Management Sub-Committee and other sub-committees.
- 11.2 The Management Sub-Committee shall comprise the Chair, Vice Chair and Treasurer of the Executive Committee and up to two members of the Executive Committee appointed by the Committee. The Chair shall be the Chair of the Executive Committee unless otherwise decided by the Management Sub-Committee. The Management Sub-Committee may invite other members of the Executive Committee to attend as appropriate.
- 11.3 The Chair of each Sub-Committee shall report on its proceedings to each Executive Committee meeting.

12. Financial Provisions

- 12.1 BALC shall have the power to incur all such expenditure and enter into all such commitments as it deems to be necessary or desirable for the furtherance of its objectives.
- 12.2 The Executive Committee shall have the power to incur all such expenditure and enter into all such commitments as it deems to be necessary or desirable for and in respect of the powers it derives from or under this Constitution.
- 12.3 A Sub-Committee of the Executive Committee shall have the power to incur such expenditure as the Executive Committee decides for the purpose of discharging the functions delegated to it.
- 12.4 All banking arrangements for and in respect of the affairs of the County Association, including arrangements for placing of money on deposit in any bank, shall be within the control of the Executive Committee.
- 12.5 No money shall be borrowed by or on behalf of the County Association except on the resolution of the Executive Committee.
- 12.6 A Budget shall be prepared by the Treasurer and agreed at a meeting of the Executive Committee before April each year.

13. Expenses

- 13.1 Travelling, subsistence and other incidental expenses of representatives or members attending meetings, as set out below, may be met wholly or partly, at the discretion of the Executive Committee, from the funds of BALC. In such event the expenses shall be in accordance with the scale for the time being in force for local councillors. Claims for expenses shall be submitted as they are incurred or within a period of 4 weeks after the end of the financial year in which they were incurred.
 - (i) Meetings of BALC, of the Executive Committee and of any Sub-Committee thereof.
 - (ii) Meetings of any other such bodies on which BALC has official representatives (except when that body reimburses those expenses directly).

14. Resignation of Membership

- 14.1 Any Association Member wishing to resign from BALC and NALC (if a member) shall give notice in writing to the Secretary of BALC and the resignation shall take effect from March 31st of the following year.
- 14.2 An Association Member wishing to resign their membership should provide evidence, in the form of approved minutes, of their decision to give up their membership. Those doing so will not be considered for membership again until 12 months following their decision.

15. Alteration to Constitution

- 15.1 Any Resolution for alteration to, or amendment of, or addition to this Constitution shall be decided at an Annual General Meeting and must be approved by a majority of not less than two-thirds of the persons present and entitled to vote.
- 15.2 No alteration, amendment or addition shall be made which is inconsistent with the Constitution of NALC in force at that time.

16. Winding up of the Association

- 16.1 The Association may be dissolved at a General Meeting where the motion for dissolution must be approved by a majority of not less than two-thirds of the persons present and entitled to vote. After the discharge of all liabilities any surplus assets shall not be paid to or distributed in kind to amongst the members but shall be transferred to one or more organisations or institutions with aims and objectives similar to those of BALC and which prohibit the distribution of surplus assets amongst members on dissolution. Such other organisation or organisations shall be determined by the Executive Committee prior to dissolution.