

CONSTITUTION

1. NAME

The name of the Council shall be Kilwinning Community Council (hereinafter referred to as "The Community Council").

2. AREA

The area covered by the Community Council shall be as defined by North Ayrshire Council.

3. OBJECTIVES

The objective of the Community Council is to promote the interests of all inhabitants within its area by means of ascertaining, and expressing to local and public authorities, the views of the community about the services provided by these authorities.

The Community Council will also take other action which it judges to be in the interests of the community, provided that it is within the powers of the Community Council so to do.

The Community Council shall be non-party in politics, and non-sectarian in religion.

4. MEMBERSHIP

4.1 The Community Council will have a membership according to the formula of 1 member per 1000 head of population within its area.

4.2 Local Councillors for the area will be ex-officio members of the Community Council, without voting rights.

4.3 The Elected Community Councillors may decide to co-opt Additional Community Councillors to represent local organisations provided that the number of Additional Community Councillors does not exceed at any time one half of the number of permitted Elected Community Councillors. Additional Community Councillors shall have the same voting right as Elected Councillors other than in matters concerning the co-option of Additional Community Councillors.

5. ELECTIONS

5.1 Elections will be held during the third week of September each year.

5.2 Elected Councillors will hold office for a period of two years (except for fulfilling the terms of Clause 5.3)

5.3 One half of Councillors elected after the formal adoption of this Constitution, will be elected for just one year in the first instance.

5.4 All retiring members will be eligible for re-election.

5.5 Candidates for election to the Community Council must be
(a) on the Register of Electors for the area
(b) over 18 years of age

5.6 Nomination for election must be submitted in writing to a person nominated by the Community Council and must contain the signatures of two proposers, both of whom must be on the Electoral Register for the area covered by the Council.

6. VACANCIES

6.1 The community Council shall have the power to fill vacancies on the Council by co-option, in order to bring the Council up to the full elected membership. Members so elected will hold office until the next election, and will have full voting rights.

6.2 Casual vacancies, caused by the resignation of either an elected or co-opted member, may be filled by co-option at the discretion of the Community Council. Such co-opted member will remain in office until the next election, and will have full voting rights.

6.3 Members and co-opted members must have served on the Council for a period of not less than one year, before being appointed as Office Bearers.

7. MEETINGS

7.1 The Annual General Meeting (A.G.M.) of the Community Council will be held in the 3rd week of September, each year.

7.2 The business of the A.G.M. will consist of
(a) approval of the draft account of the preceding financial year;
(b) ratification of elections to the Community Council for the next two years;
(c) the appointment of Chairman, and Vice-Chairman, Secretary and Treasurer. These appointments will be made annually from the elected members of the Community Council. No one shall hold office for more than three successive years, and thereafter the Councillor will be eligible to hold further office for the Community Council after an interval of one year.

7.3 The Community Council shall meet monthly, at dates determined at the A.G.M., except that it may agree to forgo a monthly meeting during either July or August, or December or January.

7.4 A minute will be kept as an official record of each meeting of the Community Council.

7.5 A quorum of members of the Community Council will consist of 25% of elected members.

8. PUBLIC PARTICIPATION

8.1 Members of the public will be permitted to attend meeting of the Community Council.

8.2 Member of the press will be permitted to attend meeting of the Community Council.

8.3 The Community Council may invite any members of the public to address any meeting of the Community Council.

8.4 The Community Council may, by majority vote, agree to consider in private, any items of a personal or confidential nature.

9. FINANCE

9.1 The Chief Financial Officer of North Ayrshire Council shall ex-officio be the Auditor of the Community Council.

9.2 The Community Council will keep proper financial records in order to prepare annual account and to submit these to North Ayrshire Council.

9.3 All withdrawals from the Community Council's Bank Accounts will require the signature of two nominated office bearers.

9.4 Property and assets belonging to the Community Council shall be vested in the Chairman, Secretary and Treasurer of the Community Council and their successors in office, acting as Trustees on behalf of the Community Council.

9.5 No individual office bearer or councillor can be held personally responsible for financial loss arising from joint decisions of the Community Council.

10. STANDING ORDERS

10.1 The Standing Orders for the Community Council shall be as recommended by North Ayrshire Council in the Scheme for the Establishment of Community Council in North Ayrshire.

10.2 The Community Council may amend from time to time such Standing Orders as it thinks necessary for its efficient operation.

11. AMENDMENTS TO THE CONSTITUTION

11.1 The Community Council may agree to alter all or part of the Constitution by means of a majority decision at a Council meeting; notice of such a meeting having been given in accordance with normal procedure, and giving the wording of the proposed alteration.

11.2 North Ayrshire Council must give formal approval of any change to the constitution of the Community Council. (Such approval will not be unreasonably withheld).