EAST LAMMERMUIR COMMUNITY COUNCIL
(Oldhamstocks, Innerwick, Spott and Stenton)

CONSTITUTION

1. East Lothian District Council : Community Councils Scheme approved by the Secretary of State for Scotland governs the contents of this Constitution and is hereinafter called "the Scheme".

NAME

2. The name of the Council shall be the East Lammermuir Community Council.

AREA

3. The Council area shall be as set out in paragraph 9 of the Scheme, the schedule thereto and the Maps annexed for Community Council Area No. 13: Oldhamstocks, Innerwick, Spott and Stenton.

The Council area shall be sub-divided as set out in the Scheme into four community areas for representation on the Community Council.

PURPOSE

4. The general purpose of the Council shall be to ascertain, co-ordinate and express to the local authorities for its area, to public authorities and to private companies, corporations or individuals, the views of the community which it represents in relation to matters for which those authorities, corporations or individuals are responsible and to take such action in the interests of that community as appears to be expedient and practicable.

MEMBERSHIP

5. The Council shall consist of eight members being two elected members from each of the four community areas in accordance with paragraph 9 of the Scheme.

ELECTIONS

(1) QUALIFICATION FOR CANDIDATES

6. In accordance with paragraph 7 of the Scheme, candidates for election shall reside within that community area of the Council for which they are candidates and shall be nominated as candidates by two electors (one proposer and one seconder) for that community area.

(2) QUALIFICATION for ELECTORS

In accordance with paragraph 8 of the Scheme, only such persons as are included in the section or sections of the register of local government electors applicable to any community area within the Council shall be entitled to vote in the election of Councillors for that community area.

(3) FREQUENCY OF ELECTIONS

The period of office of Councillors shall be as described in paragraph 10 of the Scheme.

(4) CONDUCT OF ELECTIONS

In accordance with paragraph 6 of the Scheme, the elections shall be by secret ballot organised by East Lothian District Council under such procedure as may be agreed by the District Council from time to time.

CASUAL VACANCIES

7. Casual Vacancies occurring between ordinary elections shall be filled by the Council by direct appointment to full membership in accordance with paragraph 11 of the Scheme. A person so appointed shall reside within the Community area where the casual vacancy has occurred.

A casual vacancy shall be deemed to include and shall be declared when an elected Councillor :

(i) ceases to reside within the community area where he had been elected

OR

(ii) fails to attend any meetings of the Council for a period of six months without good reason.

CO-OPTED MEMBERS

8. The Council may at any time co-opt any person or persons residing, working or having an interest in the Council area, in accordance with paragraph 12 of the Scheme, for a specific purpose or a specific period, or on such terms as the Council may decide. Co-opted members may serve on the Council or any Committees of the Council or they may serve on any other body on which the Council is entitled to be represented. Co-opted members are ineligible to vote at meetings of the Council and all co-opted members shall retire along with elected Councillors.

OFFICE BEARERS

9. At the first meeting of the Council following the election the Council shall elect from their own members a Chairman and Vice-Chairman, and shall appoint a Secretary and a Treasurer or an officer to be both Secretary and Treasurer.

MEETINGS

10. The Council shall meet regularly throughout the year and there shall be at least one meeting every three months in accordance with paragraph 13 of the Scheme. At least one meeting annually shall be held at each of the villages of Oldhamstocks, Innerwick, Spott and Stenton. Notices calling all meetings of the Council, specifying dates, place and time of meeting and the items of business to be discussed, together with Minutes of previous meetings to be approved, shall be sent to each member of the Council not less than seven days before the Meeting. Copies of the said Notices and Minutes may be sent to the Regional and District Councillors for the area.

All meetings shall be notified to the public, giving not less than seven days notice, by such means as the Council may decide. Community Association and other voluntary bodies in the area may be invited to give publicity to Council Meetings and be sent copies of all notices calling meetings and of all approved Minutes.

All meetings of the Council shall be held in public with the Press admitted.

(1) QUORUM

10. Four elected Councillors shall constitute a quorum for meetings of the Council.

(2) REQUISITION OF MEETINGS

A special meeting of Council shall be called by the Secretary on receipt of a written request, containing the details of the business to be discussed, submitted by at least two elected members of the Council. Notice of a special meeting shall be sent to each member of Council at least seven days before the meeting.

(3) EMERGENCY POWERS

A meeting of the Chairman, Vice-Chairman and Secretary shall have power to act for the Council in an emergency. The Chairman shall rule if there is an emergency.

CONDUCT OF BUSINESS

11. The Conduct of Business of Council Meetings and Committees shall be regulated by Standing Orders drawn up and approved by the Council.

COMMITTEES

12. The Council may appoint such committees as it may from time to time determine and shall regulate their duties and powers.

ACCOUNTS and AUDITS

13. The Treasurer shall keep proper accounts of all funds handled by the Council and such accounts shall be made up annually on 31st March and shall be audited, in accordance with paragraph 17 of the Scheme, by the Director of Finance of East Lothian District Council or his nominee or by an independent auditor appointed by the District Council.

INFORMATION TO DISTRICT COUNCIL

14. The Council shall supply notices of its meetings and Minutes or other records of its proceedings to East Lothian District Council.

PRESS and PUBLIC COMMUNICATION

15. Only members of the Council authorised by the Council to do so may make statements on behalf of the Council in public or to the Press.

Notice of place, date and time of all Council Meetings shall be communicated to the relevant newspapers at least seven days before the meeting.

AMENDMENTS TO CONSTITUTION

16. Notice of amendments to the Constitution shall be given in writing to the Secretary at least six weeks before the meeting of the Council to which the amendment is addressed and must be signed by at least two elected members of the Council. All amendments thus proposed shall be notified in writing to all members of the Council by the Secretary at least four weeks before the Council Meeting.

Any amendments thereto shall be notified in writing to the Secretary at least two weeks before the said meeting, and the proposed amendments shall be notified in writing to all members of the Council at least seven days before the meeting.

An amendment shall not be carried unless supported by at least two-thirds of the votes cast at the meeting of the Council.

The amendment shall be adopted at a public meeting convened by the Council and subsequently ratified by the District Council.

DISSOLUTION

17. If the Council so resolve after public consultation, then the Council shall be dissolved, the District Council shall be notified accordingly and the affairs of the former Council shall then be wound up so far as possible by the District Council.

ADOPTION OF CONSTITUTION

18. This Constitution, after being agreed by the East Lammermuir Community Council, was adopted at a public meeting held on 26th October 1976 at Town House, Dunbar.

(Signed) Chairman .....

Member .....

Member .....

26th October 1976