



# **Dorset Association of Parish & Town Councils CONSTITUTION**

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(FOR ADOPTION AT AGM 05 NOVEMBER 2011)

# Dorset Association of Parish & Town Councils

## CONSTITUTION

### 1. CONSTITUTION AND NAME

The Association consists of Parish and Town Councils in the County of Dorset and is known as the Dorset Association of Parish and Town Councils (hereinafter abbreviated to DAPTC).

### 2. DEFINITIONS

a. Parish Council means a council of a town, parish or of a group of parishes (and includes the parish meeting of a rural parish not entitled to elect a parish council).

b. Member Council means any such council, which at the relevant time has paid its subscription for the current year.

### 3. GENERAL PRINCIPLES

All DAPTC meetings will be conducted by members within the spirit of the Code of Conduct

### 4. OBJECTIVES

The objectives of the DAPTC are to support and foster the interests of parish and town councils consistent with the objectives of the National Association of Local Councils, which are:

a. To protect and promote the interests, rights, functions, and privileges of members.

b. To assist members in the performance of their duties and to promote and develop the social, cultural and recreational life of parishes and villages.

c. To promote a widespread and well-informed interest in local government.

d. To promote good local government.

### 5. MEMBERSHIP

Every Parish or Town council in the county of Dorset is eligible for membership of the DAPTC.

### 6. SUBSCRIPTIONS

a. Each member council is to pay to the DAPTC on, or before, 1st July in each financial year a subscription, which will be based upon the product of the number of electors in that council, the scale to be agreed from time to time by the Executive Committee and confirmed at the AGM.

b. A proportion of the subscription will be paid to NALC, by the required date(s) in each financial year, in fees as fixed by NALC at their Annual General Meeting.

## 7. NATIONAL ASSOCIATION OF LOCAL COUNCILS (NALC)

The Executive Committee will elect from its membership A NALC representative and deputies. The election shall take place at the same time as the election of the Chairman and Vice Chairman, this being the first meeting in each year after the DAPTC AGM.

## 8. ANNUAL GENERAL MEETINGS

a. There is to be an Annual General Meeting (AGM) held when the Executive Committee directs; this will normally be at the beginning of November. The Chief Executive will give each member council, every ex officio and co-opted member of the Association not less than 4 weeks' notice of the date, time and place of the meeting and will send with such notice a copy of the annual report and of the accounts for the preceding financial year. The President will preside at the AGM or in his absence a Vice-President.

b. The AGM will consider:

- i. The election of the President, VP Hon Treasurer Hon Auditor
- ii. The adoption of the annual report
- iii. Confirmation of the level of subscription for the following year.
- iv. A debate on any resolutions requiring external actions by the Association.

c. Resolutions for the AGM must be submitted in advance according to a timetable provided by the Chief Executive. The sponsor council's representative must propose resolutions at the AGM.

d. Every member council will be entitled to two representatives, but to only one vote on any particular motion. In addition, the President, Vice-Presidents and Past Presidents will be members of the AGM and entitled to vote.

e. The President, Vice-Presidents Treasurer and an Auditor or Auditors are to be elected at the Annual General Meeting each year and will be respectively eligible for re-election.

f. Nominations for the offices of President and Vice-President are to be sent to the Chief Executive 4 weeks before the Annual General Meeting. No person will be eligible to be elected President for more than five years consecutively. Any person who has served five consecutive years as President will again be eligible for election as President after the passage of one year.

g. Past Presidents may attend the Annual General Meeting and will be kept informed of matters concerning the Executive Committee.

h. **The quorum** at an AGM will be ten percent of the membership of the DAPTC. If, at an AGM, no quorum is present after half an hour of the time appointed for the commencement of business, the meeting will stand adjourned, to the same place, day and time in the next week, when the quorum will be five voting representatives of member councils.

## **9. EXTRAORDINARY GENERAL MEETINGS**

Extraordinary General Meetings may be requested at any time by a two thirds majority of the County Executive Committee /or will be called by the Chief Executive after the receipt of a requisition in writing signed by not less than ten member councils of DAPTC. Not less than 14 days notice will be given to each member council and to every ex officio and co-opted member of the general meeting stating the reasons and agenda for the meeting. The AGM quorum requirement will apply

## **10. COUNTY EXECUTIVE COMMITTEE**

- a. There is to be a County Executive Committee (hereinafter referred to as the Executive Committee) which will comprise, as voting members, the following:
  - i. The President, by virtue of such office,
  - ii. The Chairman, by virtue of such office (see paragraph 11 below),
  - iii. Two full members and one reserve member elected annually by each Area Meeting, provided that at least two of the three so elected must, at the date of election, be councillors of member councils.
  - iv. Two further full members elected annually by the North Dorset Area,
  - v. One further full member elected annually by the Central Area,
  - vi. Four full members elected annually by the Towns and Larger Parish Councils Committee.
- b. The Chief Executive and Treasurer will attend meetings of the Executive Committee; neither will have the power to vote.
- c. Vice Presidents may attend Executive meetings. They will not have the power to vote.
- d. Casual vacancies on the Executive Committee are to be filled from representatives from respective Area Meeting where the deputy is unable to fill the vacancy; or from the Towns and Larger Parish Councils Committee where the vacancy arises amongst those elected by that committee.
- e. An elected member of the Executive Committee remains a member until the Area Meeting, or Committee, which elected him, completes its next election of its representatives to the Executive Committee or he ceases to be a councillor.

## **11. CHAIRMAN AND VICE-CHAIRMAN OF EXECUTIVE COMMITTEE**

At its first meeting in each year after the AGM the Executive Committee will elect from its membership a Chairman and a Vice-Chairman. Once elected, the Chairman's position on the Executive Committee is not dependant on his membership of any DAPTC Area Committee. No person will be eligible to be elected Chairman for more than three years consecutively. Any person who has served three consecutive years as Chairman will again be eligible for election as Chairman after the passage of one year. The Vice-Chairman will perform the duties of the Chairman in his absence. If at any meeting the Chairman and the Vice-Chairman are both absent, the Committee will elect a chairman from among their number for that meeting.

## **12. FUNCTIONS OF THE EXECUTIVE COMMITTEE**

- a. Subject to the provisions of this Constitution, the Executive Committee may provide for the conduct, management, control and administration of the affairs of the DAPTC and may take such steps, incur such commitments or arrangements and employ such servants or agents as may be suitable for carrying the policy of the DAPTC into effect. The Executive Committee will control the banking and investment of the DAPTC funds.
- b. No money is to be borrowed by, or on behalf of the DAPTC, without the Executive Committee's consent.
- c. The Executive Committee, at their meeting before the Annual General Meeting, will make nominations for the posts of Treasurer and Auditor.
- d. Appointments to fill casual vacancies in any of the Association offices or honorary positions may be made by the Executive Committee.
- e. The Executive will decide the level of annual subscription for the following year for confirmation at the AGM.
- f. The Executive Committee will present an annual report and submit the audited accounts to the AGM.

## **13. SUB-COMMITTEES OF THE EXECUTIVE COMMITTEE**

The Executive Committee will have power as follows:

- a. To appoint sub-committees; which may include members from outside of the Executive Committee.
- b. To make rules for the transaction of the business of any sub-committee.
- c. To delegate any of its functions to such sub-committees.
- d. The Chairman and the Vice-Chairman of the Executive Committee will be ex-officio members of every such sub-committee. Any such sub-committee may co-opt not more than one-third of its number from persons other than members of DAPTC as non-voting members.
- e. To appoint a staffing committee to implement DAPTC Disciplinary and Grievance Procedures.

## **14. PLACE AND NOTICE OF MEETINGS**

The Chief Executive is to give to every entitled person, not less than seven clear days' notice in writing (or electronically) of the time and place of meetings of the Executive Committee, or of any sub-committee, specifying in such notice the business to be transacted.

## **15. OMISSION TO GIVE NOTICE OF MEETING**

The accidental omission, or failure to give notice of any meeting, to any member council or person entitled to receive the same, will not invalidate the proceedings at any such meeting. Similarly, the non-receipt of any such notice by persons entitled to receive it will not invalidate the proceedings at any such meeting.

## **16. AREA COMMITTEES**

a. Area Committees consist of towns and parishes as defined at Annex A. Every DAPTC member council in the area will be entitled to membership of the appropriate Area Committee. Each member council may appoint up to two representatives and reserves, one of whom may be an officer, but will be entitled to one vote.

b. Each Area Committee may arrange its own business and procedure in accordance with its constitution. A copy of the minutes of the proceedings of an Area Committee meeting is to be forwarded to the Chief Executive. An Area Secretary may be paid an honorarium. The duties of the Area Secretary are at Annex C.

## **17. TOWNS AND LARGER COUNCILS COMMITTEE**

There is to be a Towns and Larger Councils Committee composed of two representatives of each of the member councils listed at Annex B. The list is to be reviewed periodically by the Executive Committee. The Chairman and Vice-Chairman of the Executive Committee are ex-officio members of the Committee but will have no vote at its meetings.

## **18. VOTING**

a. At all meetings, except the AGM, every resolution may be determined by a show of hands. If not less than one third of the people present demand a ballot, the voting on that question will be by ballot. At the AGM there will be card votes.

b. When the votes on any matter are tied, the person presiding at that meeting will have a second or a casting vote.

## **19. EXPENSES OF REPRESENTATIVES AND MEMBERS**

Subject to sufficient money being available for the purpose, the necessary travelling, subsistence and other incidental expenses may be met wholly, or partly, from the funds of the DAPTC for representatives or members of the Executive attending meetings:

a. Of the National Association, of the National Council and of any committee thereof.

b. Of the Executive Committee and of any sub-committees thereof.

## **20. RESIGNATION FROM MEMBERSHIP**

Any member council wishing to terminate its membership of the DAPTC is required to do so by sending its resignation in writing to the Chief Executive before 31 December in any year, and the notice will become effective on 31 March of the following year. Any

such council will continue to be liable for the payment of its subscription up to and including the date on which a notice becomes effective.

## **21. ALTERATIONS TO THE CONSTITUTION**

Any alterations, amendment or addition to this constitution must be made at an AGM if approved by a majority of not less than two-thirds of the councils present and voting. No alteration, amendment or addition is to be made which is inconsistent with the constitution of the National Association.

Notice of any motion for such alteration, amendment, or addition, other than a notice given pursuant to a resolution of the Executive Committee, must be given in writing to the Chief Executive by a member council not less than three calendar months before the meeting. A copy of every such notice, including those given pursuant to a resolution of the Executive Committee, will then be sent to every member council and to each ex officio and co-opted member of the AGM, at least twenty-one days before the meeting at which it is to be considered.

### **Annexes:**

- A. DAPTC Areas.
- B. Members of the Towns and Larger Parish Councils Committee.
- C. Duties of the Area Secretary

## **DAPTC AREAS**

The five DAPTC Areas referred to in sub-paragraph 17(a) of this Constitution as at 5 November 2005 are as follows:

1. **Central Area** comprising those towns and parishes which are in the West Dorset District sub-areas based on the area around Dorchester and Sherborne, and of the town and any parishes in the Borough of Weymouth and Portland.
2. **Eastern Area** comprising all the towns and parishes in East Dorset District and parishes in the Borough of Christchurch.
3. **North Dorset Area** comprising all the towns and parishes in North Dorset District.
4. **Purbeck Area** comprising all the towns and parishes in the Purbeck District.
5. **Western Area** comprising those towns and parishes which are in the West Dorset District sub-area based on the area around Bridport, Beaminster and Lyme Regis.

The Chief Executive will maintain lists of those towns and parishes eligible for membership of each Area.

## **MEMBERS OF THE TOWNS AND LARGER PARISH COUNCILS COMMITTEE**

BEAMINSTER TOWN COUNCIL

BLANDFORD FORUM TOWN COUNCIL

BRIDPORT TOWN COUNCIL

CHICKERELL TOWN COUNCIL

COLEHILL PARISH COUNCIL

CORFE MULLEN PARISH COUNCIL

DORCHESTER TOWN COUNCIL

GILLINGHAM TOWN COUNCIL

LYME REGIS TOWN COUNCIL

LYTCHETT MINSTER & UPTON TOWN COUNCIL

PORTLAND TOWN COUNCIL

ST LEONARDS & ST IVES PARISH COUNCIL

SHAFTESBURY TOWN COUNCIL

SHERBORNE TOWN COUNCIL

STALBRIDGE TOWN COUNCIL

STURMINSTER NEWTON TOWN COUNCIL

SWANAGE TOWN COUNCIL

VERWOOD TOWN COUNCIL

WAREHAM TOWN COUNCIL

WEST MOORS PARISH COUNCIL

WIMBORNE MINSTER TOWN COUNCIL

## **THE DUTIES OF THE AREA SECRETARY**

The Area Secretary provides support to the Area Chairman in the performance of their functions. This includes:

1. The production of agenda for Area Meetings.
2. Electronic distribution of agenda to parishes, representatives and the DAPTC office (for onward distribution to those not on email and posting on the DAPTC website).
3. Booking of venues and refreshments as agreed at meetings.
4. Liaison with speakers prior to meetings.
5. Production of minutes of meetings.
6. Electronic distribution of the minutes and papers from Area Meetings to parishes, representatives and the DAPTC office for onward distribution to those not on email and posting on the DAPTC website.
7. Distribution of electronic information from District councils and Partnerships.
8. Informing the District Council and Partnerships of changes to clerks details when notified.