



ISLE OF WIGHT ASSOCIATION OF LOCAL COUNCILS

IWALC CONSTITUTION

(Adopted 28 July 2022)

1. NAME

The Association shall be known as 'The Isle of Wight Association of Local Councils', hereinafter to be referred to as 'The Association'.

2. OBJECTIVES

The aims and objectives of the Association shall be consistent with the objectives of the National Association of Local Councils, hereinafter to be referred to as 'The National Association', and in particular:

- a. To represent the interests of the first tier of statutory local government, comprising Town, Parish, Community and Neighbourhood Councils, on the Isle of Wight, hereinafter called collectively 'Local Councils'.
- b. To provide support and co-ordination to all aspects of the work of Local Councils, as embodied in the following principles of good local government:
 - To promote the health, safety and wellbeing, both material and cultural, of the people in their various communities.
 - To promote a widespread and well-informed interest in local government.
 - To develop inherent strength to deal with, and work with, all other tiers of local, regional and national government.
 - To adapt itself to change in response to the needs of citizens in the local community.
 - To protect, consolidate and develop the existing rights, privileges and functions of Local Councils.

3. MEMBERSHIP AND GOVERNANCE

- a. Membership of the National Association will be open to all Local Councils on the Isle of Wight that are members of the Association, hereinafter referred to as 'Member Councils'.
- b. Member Councils shall have access to NALC through their Clerk, Chair and/or a nominated member.
- c. Subject to the provisions of the Constitution, the conduct and management of the affairs of the Association shall be by an Executive Committee comprised of a Councillor from each Member Council, hereinafter referred to as 'Member Representatives'.

- d. The Executive Committee shall be accountable to Member Councils through an Annual General Meeting and Extraordinary General Meetings.

4. SUBSCRIPTIONS

- a. The Association's financial year shall run from 1 April to 31 March.
- b. Each Member Council shall pay to the Association an annual subscription, based on the Member Council's tax base (i.e. Band D equivalent properties) at a scale to be set by the Executive Committee, plus a subscription payable to NALC based on the amount and charging base set by the NALC Executive. Councils will be advised of the amount due in the preceding January and the subscription is payable by 1 June of the year to which it applies.
- c. The failure of a Member Council to pay the annual subscription by 1 June will result in the suspension of membership and the withdrawal of National Association and Association support and services. Membership will be re-instated upon receipt of the full annual subscription.

5. CONTRIBUTION TO THE NATIONAL ASSOCIATION

The Association shall pay to the National Association all subscriptions due in accordance with the National Association's Constitution.

6. PRESIDENT AND VICE PRESIDENTS

A President and Vice Presidents may be appointed by the Association at an Annual General Meeting or an Extraordinary General Meeting. They may remain in office until the next Annual General Meeting but shall be eligible for immediate re-election. The term of office of a President or Vice President may only be terminated prematurely by a resolution passed at an Extraordinary General Meeting.

7. FINANCIAL MANAGEMENT

- a. An Honorary Treasurer shall be appointed by the Association at the Annual General Meeting and, unless removed in accordance with para. 7b below, shall remain in office until the following Annual General Meeting and shall be eligible for immediate re-election. The office may be held by a person who is not a councillor.
- b. The Honorary Treasurer shall only be removed at an Annual General Meeting or an Extraordinary General meeting. A casual vacancy shall be filled by the Executive Committee.
- c. The Honorary Treasurer will be the Association's Responsible Financial Officer, and as such will be responsible for the proper administration of the Association's finances under the direction of the Executive Committee and of any sub-committee appointed with responsibility for the Association's financial management.
- d. The Honorary Treasurer shall be an ex officio member of the Executive Committee and any sub-committee with responsibility for the Association's

financial management but shall not have a vote unless also serving as a voting representative of their council.

- e. An Independent Accounts Examiner shall be appointed at, and shall be entitled to attend, the Annual General Meeting and shall remain in office until the following Annual General Meeting but shall be eligible for immediate re-appointment. A casual vacancy shall be filled by the Executive Committee. The Independent Accounts Examiner may be a serving councillor but shall not be a member of the Executive Committee.
- f. The Independent Accounts Examiner will be responsible for carrying out an annual examination of the Association's accounts and for reporting their findings to the Executive Committee and the Annual General Meeting. The Executive Committee shall be authorised to agree an appropriate fee for the Independent Accounts Examiner's services.

8. MEETINGS GENERALLY

- a. The Association shall hold an Annual General Meeting every year and may hold Extraordinary General Meetings if or when required.
- b. All Councillors from Member Councils shall be entitled to attend General Meetings.
- c. Clerks from Member Councils may also attend General Meetings but shall not have a vote on any resolution.
- d. The quorum of all General Meetings shall be Councillors representing one-third of Member Councils.
- e. The proceedings of any General Meeting shall not be invalidated because any person entitled to notice of the meeting has not received such notice.
- f. In addition to General Meetings, the Association may hold any other meetings, including meetings on specific topics, that the Executive determines.
- g. All meetings of the Association may be held face-to-face, virtually or through a combination of the two, as agreed by the Executive or, in an emergency, by the Chair.

9. ANNUAL GENERAL MEETING

- a. There shall be an Annual General Meeting of the Association, held in June on a day decided by the Executive Committee.
- b. Each Member Council shall be given not less than 21 calendar days' notice of the date, time and place of the meeting and be given a copy of the annual report and accounts for the preceding financial year.
- c. The business of the Annual General Meeting shall be:
 - i. To elect a Chair for the following year.
 - ii. To elect a Vice-Chair for the following year.
 - iii. To elect a Treasurer for the following year.
 - iv. To appoint the Independent Accounts Examiner for the following year.
 - v. To receive the Annual Report of the Executive Committee.

- vi. To receive the Association's Accounts for the preceding year.
 - vii. To appoint a representative and deputy to the NALC National Assembly for the following year.
 - viii. To appoint representatives and deputies to outside organisations for the following year.
 - ix. To receive such presentations relating to the Association as may be arranged by the Executive Committee.
 - x. To consider such resolutions as may be proposed by the Executive Committee with not less than 21 calendar days' notice.
- d. Nominations for the above posts should be received by the County Officer no later than seven (7) calendar days prior to the AGM. Nominees for the Chair, Vice Chair and representatives to outside bodies shall be voting members of the Executive Committee or their deputy.

10. EXTRAORDINARY GENERAL MEETINGS

- a. Extraordinary General Meetings, of which not less than 14 calendar days' notice shall be given to each Member Council stating the subject matter of the meeting, may be called at any time by the Executive Committee or shall be called immediately after receipt of a requisition in writing signed by the proper officer of not less than six (6) Member Councils.
- b. The subject matter notified to each Member Council will be the only subject matter that can be discussed and voted upon.

11. EXECUTIVE COMMITTEE

- a. There shall be an Executive Committee comprised of Member Representatives.
- b. A Member Representative and a Deputy may be nominated by a Member Council, failing which, or in their absence, a Member Council may nominate a representative for a particular meeting.
- c. The Quorum for Executive Committee Meetings shall be one third of Member Councils.
- d. The proceedings of any Executive Committee Meeting shall not be invalidated because any person entitled to notice of the meeting has not received such notice.

12. FUNCTIONS OF THE EXECUTIVE COMMITTEE

- a. The Executive Committee will act and make decisions in the interests of the Association as a whole.
- b. Subject to the provisions of the constitution, the Executive Committee will provide for the conduct, management, control and administration of the affairs of the Association.
- c. The Executive Committee may take such steps, incur such expenditure, and acquire and dispose of property, enter into such commitments or arrangements

and employ such officers or agents, including a County Officer, as are appropriate to implement the Association's policies.

- d. The Executive Committee shall have ultimate responsibility, through the Treasurer, for the utilisation, banking and investment of the Association's funds.
- e. The Executive Committee shall prepare and keep under review the Financial Regulations for the efficient transaction of the Association's business.
- f. The Executive Committee shall present an annual report and submit the accounts of the Association to the Annual General Meeting.

13. EXECUTIVE COMMITTEE MEETINGS

- a. At the Annual General Meeting, members will agree a schedule of Executive Committee meetings for the forthcoming year to the date of the next Annual General Meeting, as considered appropriate for the efficient conduct of its business.
- b. Each person entitled to receive the same, shall be given not less than seven (7) calendar days' notice in writing of the time and place of meetings of the Executive Committee or of any sub-committee, specifying in such notice the business to be considered.

14. CHAIR AND VICE-CHAIR

- a. The Chair shall preside whenever present, and the Vice-Chair shall preside in the Chair's absence. If at any meeting both the Chair and Vice-Chair are absent, the Executive Committee shall elect a chair for that meeting from among their number.
- b. The Chair and Vice-Chair shall, unless removed under the provisions in para.14c below, hold office until a successor is elected at the next Annual General Meeting and be eligible for immediate re-election.
- c. Removal of the Chair and Vice-Chair can only be affected at the Annual General Meeting or at an Extraordinary General Meeting.
- d. In an election year, if the current chair has not been re-elected to a member council they shall remain in office and preside at the Annual General Meeting until a successor chair has been elected. The current chair shall not have an original vote in respect of the election of a new chair but shall give a casting vote in the case of an equality of votes. The same rule shall apply to the Vice-Chair if they are no longer a serving councillor.

15. SUB-COMMITTEES AND WORKING GROUPS

- a. The Executive Committee shall have the power to appoint or disband sub-committees and working groups from time to time as necessary.
- b. Members of sub-committees shall be members of the Executive Committee. The Chair and Vice-Chair shall be honorary members. The quorum shall be one third of the appointees, subject to a minimum of three. The minutes of sub-committee meetings shall be presented and ratified at the next Executive Committee meeting.

- c. Membership of working groups shall be open to any councillor from a Member Council. Any other person with relevant expertise may be co-opted on to a working group to provide information or advice but will not have voting rights.

16. VOTING

- a. At all Meetings voting shall be by a show of hands unless by a decision of that meeting.
- b. Prior to any vote being taken, any voting representative of a Member Council may request that a recorded vote be taken, failing which the vote will be a simple count of hands.
- c. At General Meetings, voting will be by the nominated Member Representative or Deputy serving on the Executive Committee unless otherwise advised by the relevant Member Council.
- d. At all meetings, votes cast in accordance with the constitution shall be valid whether or not they correctly reflect the intentions of the relevant Member Council.
- e. At all meetings, each Member Council shall have no more than one vote on each resolution except that the Chair of the meeting shall have a casting vote in the event of an equality of votes.
- f. If the Chair declares an interest in an agenda item and so is unable to use their vote, the Deputy Representative of the Council they represent may vote in their place.

17. EXPENSES OF REPRESENTATIVES AND MEMBERS

Subject to sufficient money being available for the purpose, the necessary travelling, subsistence and other incidental expenses of Representatives or other members of Member Councils attending conferences, seminars and meetings on behalf of the Association off the Island will be met from the funds of the Association.

18. RESIGNATION FROM MEMBERSHIP

- a. Any Member Council wishing to resign from the National Association at the end of the financial year shall give notice to the Association on or before 31 December in any year and such notice shall become effective as from the following 31 March.
- b. Notwithstanding this any Member Council who wishes to resign from any other effective date may do so by giving notice in writing to the Association with the understanding that fees paid for that year are non-returnable.

19. ALTERATION OF THE CONSTITUTION

Alteration or amendment of this Constitution may be made by:

- a. A recommendation by the Executive Committee confirmed by two-thirds of the votes cast at a general meeting; or

- b. A motion passed by two-thirds of the votes at a general meeting, provided that at least one calendar month notice has been given in writing to the Association and that at least 21 calendar days' notice has been given to all Member Councils.

No alteration to the Constitution shall be made which is inconsistent with the National Association's constitution, and all alterations shall be subject to the approval of the National Association.