



Hertfordshire Association of Parish and Town Councils

**THE HERTFORDSHIRE ASSOCIATION OF
PARISH AND TOWN COUNCILS**

C O N S T I T U T I O N

Adopted at HAPTCo AGM 28 June 2005

1. NAME AND MEMBERSHIP

1.1. This association shall be known as the Hertfordshire Association of Parish and Town Councils (hereinafter referred to as HAPTC)

2. OBJECTS

2.1. The objects of HAPTC shall be :

- to protect and promote the interests, rights, functions and privileges of the Parish and Town Councils and Parish Meetings in Hertfordshire who are in membership, (hereinafter called collectively, "Members");
- to assist members in the performance of their duties
- to promote and develop the social, cultural, economic and recreational life of parishes and towns;
- To promote a widespread and well-informed interest in local government;
- To promote good local government through advice and training;
- To represent the views of members at local, regional and national level.

3. MEMBERSHIP

3.1. Membership of HAPTC shall be open to every Parish or Town Council or Parish Meeting in the administrative county of Hertfordshire.

3.2. A general meeting of HAPTC may invite other organisations to become Associate Members of the Association, provided the total number of such Associate Members shall not at any time exceed one-tenth of the total membership. Associate Members shall be organisations who support the Objects of HAPTC and in the opinion of the Executive Committee will enhance HAPTC, but may not be Councils eligible for full Membership of HAPTC. Associate Members do not have voting rights at a General Meeting.

3.3. Benefits of Membership of HAPTC shall be only available to Councils or Parish Meetings in Membership at the time the benefit is granted.

4. SUBSCRIPTIONS

- 4.1. Each Member and Associate Member shall pay to HAPTC on or before the 30th of June, in respect of each financial year ending the following 31 March, an annual subscription on the scale fixed from time to time by the Executive Committee.
- 4.2. A local council or Parish Meeting which first becomes a Member on or before the 30th day of September in any financial year shall pay the full subscription in respect of that year, and a local council or Parish Meeting which first becomes such a member after the 30th day of September in any financial year shall pay one half of the annual subscription in respect of that year.
- 4.3. Should any Member be more than one year overdue in payment of subscription to HAPTC the Executive Committee may, at its discretion, upon the recommendation of the County Officer, elect to exclude that Member. Should that Member at any time wish to reapply for membership their re-acceptance into membership of HAPTC may be conditional at the absolute discretion of the Executive Committee upon payment of any overdue subscriptions.

5. RESIGNATION FROM MEMBERSHIP

- 5.1. Any Member wishing to end its membership of HAPTC must do so by tendering its resignation in writing to the County Officer not later than 31st December in any year and such notice will become effective as from the 31st March of the following year. Each Member shall continue to be liable for payment of its membership subscription up to and including the date on which a notice of resignation becomes effective.

6. NATIONAL ASSOCIATION OF LOCAL COUNCILS (hereinafter referred to as NALC)

- 6.1. HAPTC shall affiliate to NALC.
- 6.2. HAPTC shall collect on behalf of NALC from Members and forward to NALC in each financial year such sum as may from time to time be fixed by NALC.
- 6.3. HAPTC shall annually elect representatives to NALC in accordance with the constitution of NALC. Representatives so elected may attend, speak and vote at meetings of NALC.

7. ANNUAL GENERAL MEETINGS

- 7.1. The Executive Committee shall call an Annual General Meeting of HAPTC in each year after the end of April and before the end of July of that year.
- 7.2. The County Officer of HAPTC shall give each Member Council and to every ex-officio and Associate Member of HAPTC not less than twenty-one clear days notice of the date, time and place in

Hertfordshire of the Annual General Meeting of HAPTC and shall send with such notice an agenda and any proposals for elections sent to the County Officer in pursuance of paragraph 9.1.1 hereof.

7.3. The Annual General Meeting shall:

- Elect a President and Vice-Presidents as may be required in para. 9.1.1 and 9.1.2 hereof
- Receive the Annual Report of the Executive Committee
- Approve the Annual Accounts of HAPTC
- Appoint an auditor
- Note the results of the election for Appointed Members of the Executive Committee
- Conduct such other business or motion, as duly notified in writing to the County Officer a minimum of 28 days prior to the date of the AGM, or such emergency motions as may be decided to be competent (see also Standing Orders for conduct of Annual General Meetings)

7.4. The Quorum for an Annual General Meeting shall be 15 Member Councils. In the event of insufficient representatives being present, the meeting shall be adjourned for no less than 7 clear days and no longer than 28 clear days and reconvened without a quorum

8. SPECIAL GENERAL MEETINGS

8.1. The Executive Committee may, at any time after 14 clear days notice to Members, call a Special General Meeting to consider one item of business as the Executive Committee shall decide. Any notices of such meeting shall clearly state of the date, time and place in Hertfordshire of the Special General Meeting and the business to be considered and no other business will be introduced into the agenda.

8.2. A Special General Meeting shall also be called by the County Officer at the request of not less than ten paid up Members of HAPTC. Their request must be in writing, and framing a competent motion as may be required. The competency of such motions will be decided according to the rules laid down in Standing Orders. (See also Standing Orders for conduct of Special General Meetings). The County Officer shall give 14 clear days notice to members of the date, time and place in Hertfordshire of the Special General Meeting and the motion to be considered.

8.3. The Quorum for a Special General Meeting shall be 15 Members. In the event of insufficient representatives being present, the meeting shall be adjourned for no less than 7 days and no longer than 28 days and reconvened without a quorum.

9. OFFICERS OF HAPTC

9.1. Honorary Officers

9.1.1. At the Annual General Meeting, the **President** shall be elected to serve for a period of Four Years. The President shall preside at the AGM and such other important occasions in HAPTC's calendar. Failing the President's availability, one of the Vice-Presidents or the Chairman of the Executive may be asked to preside in his/her stead.

9.1.2. At the Annual General Meeting up to 15 Vice-Presidents shall be appointed for a term of one year.

9.1.3. The President and any Vice-Presidents shall be ex-officio members of the Executive Committee and any standing committee or sub committee

9.1.4. Casual vacancies of the post of President and Vice-President may be filled by resolution of the Executive Committee. A President or Vice-President appointed to fill a casual vacancy shall retire and may be nominated for election at the next Annual General Meeting.

9.1.5. At the first meeting of the Executive Committee after the AGM of HAPTC, **the Chairman and Vice Chairman of the Executive Committee** and the **Treasurer** shall be elected annually by the Executive Committee who shall be local Councillors or elected members of Parish Meetings who are Members of HAPTC. These officers may serve in either capacity, for a maximum period of three consecutive years. No officer shall be eligible for a post he/she has vacated until one year has elapsed since he / she has stood down, except in exceptional circumstances. (The requirement for a one year period to elapse shall not apply to a retiring President or Vice President)

9.1.6. The Chairman, Vice-Chairman and Treasurer shall be ex-officio members of any standing committee or sub committee.

9.2. Professional Officers

9.2.1. The Executive Committee shall appoint a County Officer and such other officers as it finds necessary. All professional officers shall be paid according to the salary scale rates as agreed from time to time by the appropriate Local Government Employers Federation and Local Government Unions' Joint

Council. Other terms and conditions of professional officers will be at the discretion of the Executive Committee

9.2.2. The County Officer shall be responsible, under the Executive Committee, for the efficient employment of such assistant officers as may be employed by HAPTC.

9.2.3. The County Officer shall be the Responsible Financial Officer for HAPTC. Internal Audit shall be the responsibility of the Executive Committee who may delegate this function to a sub-committee.

9.2.4. The County Officer shall be responsible to the Executive Committee for the Administration of the Association, training, advice to and information for Members of HAPTC and servicing the Executive Committee.

10. EXECUTIVE COMMITTEE

10.1. There shall be an Executive Committee which shall comprise not more than 15 Appointed Members.

10.2. Appointed Members shall be local Councillors, or an elector where the body is a Parish Meeting in membership of HAPTC, and shall serve for a maximum term of three years and will be eligible to stand for re-election at the end of their term. Any appointed member ceasing to be a Parish or Town Councillor or elector of a Parish Meeting shall relinquish office forthwith.

10.3. One-third of the Appointed Members shall retire at the Annual General Meeting and be eligible to stand for re-election

10.4. Appointed Members will be nominated by their Parish or Town Council or Parish Meeting who shall be a Member of HAPTC. Should more nominations be received than vacant places on the Executive Committee, the County Officer will conduct a ballot in accordance with the Standing Orders. The result of the ballot will be announced at the Annual General Meeting.

10.5. Casual vacancies amongst Appointed Members shall be filled by local councillors from Parish or Town councils or Parish Meetings not already represented as appointed members on the Executive Committee appointed following a resolution of the Executive Committee. An Appointed Member appointed to fill a casual vacancy shall retire and may stand for election at the next Annual General Meeting.

10.6. To ensure that one-third retire annually thereafter, the election of the Executive Committee at the Annual General Meeting shall include such number of one-year and two-year places as may be necessary; candidates obtaining more votes shall serve the longer terms.

- 10.7. Co-opted members shall be councillors, clerks or representatives of such associations or bodies having objectives relating to the aims and work of HAPTC as may be selected by the Executive Committee. The Executive shall not co-opt more than six persons to serve on the Executive at any one time.
- 10.8. Only Appointed Members shall be eligible to vote at an Executive Committee meeting.
- 10.9. The first meeting of the Executive Committee shall occur no less than 7 clear days and no more than 28 clear days after the Annual General Meeting.
- 10.10. At the first meeting of the Executive Committee, the Executive Committee shall nominate Appointed Members to the standing committees.
- 10.11. The Executive Committee shall meet at least four times in every year and the quorum at any meeting shall be one-third of Appointed Members.
- 10.12. The Chairman shall take the chair of the Executive Committee whenever they are present. The Vice-Chairman shall perform the duties of the Chairman in their absence. If the Chairman and the Vice-Chairman are absent, the Committee shall proceed to elect a Chairman for the meeting from among its own number of Appointed Members.

11. FUNCTIONS OF THE EXECUTIVE COMMITTEE

- 11.1. The Executive Committee shall:
- Define and carry out the policy of HAPTC
 - Provide for the conduct, administration, management and control of the affairs of HAPTC subject to any conditions imposed or directions given from time to time by a General Meeting.
 - Make rules for the transaction of its business including the creation of Financial Regulations
 - Enter into contracts on behalf of HAPTC including determining the tenancy of offices or rooms for meetings.
 - Appoint a County Officer and such other assistant officers as necessary and to approve staff terms and conditions not covered elsewhere in this constitution
 - Create such standing committees and sub committees as the Executive Committee feels necessary for the efficient administration

of HAPTC's affairs and to create standing orders for standing committees and sub committees including delegating such powers as the Executive Committee feel appropriate for the efficient administration of HAPTC.

- Receive and agree the minutes of any standing committee and sub committee.
- Delegate such authority to the County Officer as the Executive Committee feels appropriate for the efficient administration of HAPTC's day to day affairs and receive a report from the County Officer on their work.
- Create Area Committees and create standing orders for area committees including delegating such powers as the Executive Committee feel appropriate.
- Receive and adopt the minutes of any area committee.
- Appoint members of the Executive Committee to represent HAPTC on external bodies that support of the aims and objectives of HAPTC.

12. PLACE AND NOTICE OF EXECUTIVE COMMITTEE MEETINGS

- 12.1. The County Officer shall give to every person entitled to receive the same not less than seven clear days' notice in writing of the time and place of meetings of the Executive Committee or of any standing committee or sub-committee specifying in such notice the business to be transacted.

13. OMISSION TO GIVE NOTICE OF MEETINGS

- 13.1. The accidental omission or failure to give notice of any meeting of HAPTC, of the Executive Committee or of any standing committee or sub committee, to any Member council or person entitled to receive the same or the non-receipt of any such notice as aforesaid shall not invalidate the proceedings of any such meeting.

14. ABSENCE FROM MEETINGS OF THE EXECUTIVE COMMITTEE

- 14.1. Any appointed member of the Executive Committee, who fails to attend three consecutive Executive Committee meetings without reason approved by the Executive Committee, shall cease to be a member of the Executive Committee. A disqualified member under this clause shall be eligible to stand for election at the next Annual General Meeting

15. REPORTS AND ACCOUNTS

- 15.1. The Executive Committee shall present to the Annual General Meeting an Annual Report of the proceedings of HAPTC and an Annual Statement of Accounts, duly audited. A copy shall be sent to each Member.

16. EXPENSES OF EXECUTIVE MEMBERS

- 16.1. Subject to sufficient money being available for the purpose, the necessary travelling, subsistence and other incidental expenses of Executive Committee members to which the Executive Committee decides to appoint a representative, may be met wholly or partly from funds of the Association in accordance with the expenses policy approved by the Executive Committee.

17. ALTERATION OF CONSTITUTION

- 17.1. Any alteration or addition to this constitution may from time to time be made at any general meeting of HAPTC if approved by not less than two-thirds of the persons present and voting, provided that not less than fifteen Members vote. Any alteration should be consistent with, wherever possible, the current aims and objectives of NALC. Such amendment, once passed, shall not be reconsidered until the next Annual General Meeting.
- 17.2. 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 County Officer not less than one calendar month before the meeting and a copy of every such notice, including those given pursuant to a resolution of the Executive Committee shall be sent by them to every Member council and each member of the Executive Committee at least twenty-one clear days before the meeting at which it is to be considered.

END