

Community Councils

Draft Terms of Reference and Scheme of Governance

1. Purpose

- 1.1 To promote the involvement of local people in shaping local priorities and services.
- 1.2 To support the promotion of economic, environmental, cultural and social well-being of the area so that services delivering improvements are influenced and better outcomes are achieved.

2. Objectives

- 2.1 To involve diverse communities in community engagement relevant to the area.
- 2.2 To encourage key issues that are relevant to the area to be discussed, supporting community engagement
- 2.3 To help shape local priorities for future local plans
- 2.4 To recommend Council on the desired course of action on issues relating to the local area
- 2.5 To inform residents of decisions taken relating to the local area relating to Community Assets Register and Neighbourhood Planning Groups.

3. Membership

- 3.1 The membership of the following Community Councils will be:

- (a) **[Insert Name of Community Council]**

The elected Members representing the following wards:

- West Thurrock and South Stifford
- Aveley and Uplands

- (b) **[Insert Name of Community Council]**

The elected Members representing the following wards:

- Ockendon
- Belhus

(c) **[Insert Name of Community Council]**

The elected Members representing the following wards:

- Stanford le Hope West
- Stanford East and Corringham Town
- Corringham and Fobbing
- The Homesteads.

(d) **[Insert Name of Community Council]**

The elected Members representing the following wards:

- Tilbury Riverside and Thurrock Park
- Tilbury St Chads
- Chadwell St Mary

(e) **[Insert Name of Community Council]**

The elected Members representing the following wards:

- Stifford Clays
- Little Thurrock Blackshots
- Little Thurrock Rectory
- Grays Thurrock
- Grays Riverside

(f) **[Insert Name of Community Council]**

The elected Members representing the following wards:

- Chafford and North Stifford
- South Chafford

(g) **[Insert Name of Community Council]**

The elected Members representing the following wards:

- Orsett
- East Tilbury

3.2 The term of office for councillors sitting on each Community Council will be the same as their term of office as a councillor.

4. Meetings

- 4.1 Each Community Council will meet up to two times in each municipal year.
- 4.2 The Lead Officer supporting each Community Council may cancel or postpone a meeting prior to the issue of an Agenda for the meeting where, after consultation with the Chair, they consider that there is insufficient business to transact or where an event occurs which they consider would make it inappropriate to hold the meeting on the intended date.
- 4.3 The Lead Officer supporting each Community Council may call an extraordinary meeting of a Community Council outside of the regular cycle of meetings specified in paragraph 4.1, after giving consideration to a request by either:
- (a) The Chair
 - (b) A quorum of the Members of a Community Council

5. Work Programme

- 5.1 Each Community Council shall be responsible for setting its own work programme, taking into account the wishes and preferences of the members of the Community Council, together with any suggestions from local residents and officers of Thurrock Council for particular topics to be considered.

6. Agenda Items

- 6.1 In addition to any items of business detailed in the work programme, any member of a Community Council, as described in paragraph 3.1 (a) to (g), may, with 10 working days notice prior to the publication of an Agenda, request the Lead Officer supporting each Community Council to include an item of business on the agenda for a meeting.
- 6.2 On receipt of such a request the Lead Officer shall ensure that the item is included on the next available agenda for consideration and advise the Chair accordingly.
- 6.3 Items of business on an Agenda for a meeting of a Community Council need not be accompanied by a written report. Agenda items may take the form of presentations and facilitated discussions (workshops).

7. Publication and Distribution of the Agenda

- 7.1 The Agenda for a meeting will be published and distributed to the members of a Community Council at least **5** working days prior to the date of the meeting.

Note: The period of "five working days", excludes any Saturday, Sunday, Bank Holiday, Christmas Day or Good Friday, the day the agenda is published and the day of the meeting.

- 7.2 The Agenda and any supporting information will be made available to the residents of the area covered by a Community Council as soon after publication as is reasonably practicable.
- 7.3 The Agenda for the meeting will include details of the date, time and place of each meeting, specify the business to be considered, and will be accompanied by any such documents as may be required.

8. Chair and Vice Chair

Appointment of Chair

- 8.1 The Chair of each Community Council detailed in paragraph **3.1 (a) to (g)** will be appointed at the first meeting in each municipal year, following nominations received from the other members of the respective Community Council.
- 8.2 The Lead Officer supporting each Community Council, or in his/her absence an Officer on their behalf, shall invite nominations from those members of a Community Council set out in paragraph **3.1 (a) to (g)** for a person to be appointed as the Chair.
- 8.3 Where there is a single nomination made, the appointment can be confirmed by a simple majority of votes in support of the person that has been nominated from those members of the respective Community Council set out in paragraph **3.1 (a) to (g)**.
- 8.4 If there is more than one nomination made, any vote that may be required can be determined by a simple majority of votes in favour of one person from those members of the respective Community Council set out in paragraph **3.1 (a) to (g)**.
- 8.5 If there are more than two people nominated and there is not a clear majority of votes in favour of one person, then the name of the person with the least number of votes will be taken off the list and a new vote taken. The process will continue until there is a majority of votes for one person.

Appointment of Vice Chair

- 8.6 The Vice Chair of each Community Council detailed in paragraph 3.1 (a) to (g) will be appointed at the first meeting in each municipal year, following nominations received from the other members of the respective Community Council. The appointment shall take place in accordance with the procedure set out at paragraph 8.2 and 8.3, and if required, the procedure set out at paragraphs 8.4 and 8.5.
- 8.7 The Vice Chair should only be called upon to act in the absence of the Chair and in any such case, the Vice Chair may exercise any power or duty of the Chair.

Appointment of a Person to preside at a Meeting

- 8.8 Where the Chair and Vice Chair are not present or able to act in respect of a particular item of business at a meeting, it is necessary to elect a person to preside over the meeting, or particular item of business, in their absence.
- 8.9 In any such case, the appointment shall take place in accordance with the procedure set out at paragraph 8.2 and 8.3, and if required, the procedure set out at paragraphs 8.4 and 8.5.
- 8.10 The person presiding at the meeting may exercise any power or duty of the Chair.

9. Quorum at Meetings of a Community Council

- 9.1 The quorum of any meeting will be one quarter of the whole number of those members of a Community Council set out in paragraph 3.1 (a) to (g), provided that in no case shall the quorum of a Community Council will be less than three members.
- 9.2 During the meeting if the Chair counts the number of Members present and declares there is not a quorum present, then the meeting will adjourn for 15 minutes. If after that time the Chair counts the number of Members present and declares that there is still no quorum the meeting will adjourn. The remaining business will be considered at a time and date fixed by the Chair. If the Chair does not fix a date, the remaining business will be considered at the next ordinary meeting.

10. Declaration of interests in matters under consideration

- 10.1 Members of a Community Council must declare any personal and any prejudicial interest which they may have in respect of any matter that is included in the agenda for the meeting. Details of any interests declared shall be recorded in the Minutes of the meeting.

- 10.2 When declaring a personal interest, members must also disclose the nature of that interest.

Withdrawal from the meeting for Prejudicial Interests

- 10.3 Where a member of a Community Council has a prejudicial interest in any matter, they must withdraw from the meeting for the duration of the consideration of the matter in question.

Note: Impending changes to the matter of Members declaring interests are contained within the provisions of the Localism Act 2011. This section will be updated when these provisions come into effect in July 2012.

11. Public Participation in the Community Council

- 11.1 Notices calling meetings of the Community Council shall be posted prominently within the area it covers at least 5 working days prior to the date of the meeting, and, where possible, be advertised by other suitable means.
- 11.2 All meetings of a Community Council shall be open to members of the public.
- 11.3 The Chair should ensure that members of the public are afforded opportunities to address a meeting of a Community Council, either before or during consideration of any agenda items, through asking questions or making statements.

12. Conduct at Meetings

- 12.1 The Chair will be responsible for the ensuring proper conduct by Members at the meeting.

General disturbance

- 12.2 If there is a general disturbance making orderly business impossible, the Chair may adjourn the meeting for as long as he/she thinks necessary.

Removal of member of the public

- 12.3 If a member of the public interrupts proceedings, the Chair will warn the person concerned. If they continue to interrupt, the Chair may order their removal from the meeting room.

Clearance of part of meeting room

- 12.4 If there is a general disturbance in any part of the meeting room open to the public, the Chair may call for that part to be cleared.

13. Voting

Majority

- 13.1 Unless otherwise required, any matter will be decided by a simple majority of those Members voting and present at the time the question was put.

Chair's casting vote

- 13.2 If there are equal numbers of votes for and against, the Chair will have a second or casting vote. There will be no restriction on how the Chair chooses to exercise a casting vote.

14. Recommendations made by Community Councils

- 14.1 Thurrock Council is required to consider recommendations made by Community Councils, with a view to these being implemented, where possible, by the body/individual with responsibility as identified in the Constitution of Thurrock Council.
- 14.2 An exception to the position set out in paragraph 14.1 would be in respect of any recommendations that, in the view of the Council's Section 151 Officer and Monitoring Officer, are considered to be contrary to the Council's budget and policy framework, or which, in the opinion of the Council's Monitoring Officer are deemed to be contrary to law or otherwise infringes the proper conduct of local government.
- 14.3 If it is not possible to implement recommendations made by Community Councils, the reasons for this will be set out and reported to the Chair of the Community Council.

15. Attendance by others

- 15.1 A Community Council may invite people other than those people referred to in paragraph 3.1 (a) to (g) to address it, give presentations, discuss issues of concern and/or answer questions. The Community Council may wish to hear from members of the public, stakeholders, other elected members and officers of Thurrock Council, people in other parts of the public sector or any recognised experts, and may invite such people to attend any meeting as is felt appropriate.
- 15.2 In those cases where a Community Council may wish to invite other parties to attend a meeting, the Lead Officer supporting each Community Council will make any such arrangements, in consultation with the Chair.

16. Minutes

Form of minutes

- 16.1 As soon as practicable after any meeting, the Lead Officer supporting each Community Council shall arrange for the production of a minute or record of the proceedings of a Community Council.
- 16.2 The Minutes of any meeting of a Community Council shall be agreed with the Chair prior to being distributed to the members and being made available to the residents of the area covered by the Community Council.

Signing the minutes

- 16.3 The Chair will sign the minutes of a meeting of a Community Council at the next suitable meeting. The Chair will move that the minutes of the previous meeting be signed as an accurate record and the only part of the minutes that can be discussed is their accuracy.

17. Amendments to the Terms of Reference and Scheme of Governance of a Community Council

- 17.1 The Terms of Reference and Scheme of Governance of Community Councils should be kept up to date by the Lead Officer supporting Community Councils or an officer designated by them.
- 17.2 Amendments may only be made to the Terms of Reference and Scheme of Governance by the Lead Officer supporting Community Councils, in consultation with the Thurrock Council's Monitoring Officer.. Any amendments made to the Terms of Reference and Scheme of Governance should be reported to each Community Council at the earliest opportunity.
- 17.3 Any proposed alterations to the Terms of Reference and Scheme of Governance of a Community Council must not prejudice the purpose and objectives set out in paragraphs **1** and **2** of this document.