

CONSTITUTION OF HOWGATE COMMUNITY COUNCIL – MAY 2008

1. The Council means **Howgate Community Council (HCC)**
2. **Aims of the Council:**
 - 2.1 To promote the wellbeing and foster community spirit of the members of the community of Howgate and District (see Annex 1 for description of the area)
 - 2.2 To ascertain, co-ordinate and express the views of the community to the appropriate authorities in the area
3. **The Council** shall be non political and non sectarian
4. **The Council:**
 - 4.1 The affairs of the community shall be managed by a Council consisting of up to 7 elected members
 - 4.2 Members of the community eligible for election to the Council must be age 18 and over; reside in the HCC area; and be registered on the current Register of Electors
 - 4.3 Members of the Council shall be elected at an Annual General Meeting by those present and eligible to vote (see 4.4 below). Nominees to the Council must be present or have given their consent in writing. In the event of nominations to the Council exceeding the vacant places on the Council, the election of Council Members shall be by secret ballot
 - 4.4 Members of the community eligible to vote must be age 18 and over, reside in the HCC area, and be registered on the current Register of Electors
 - 4.5 Membership of the Council shall be for 2 year. Retiring members shall be eligible for re-election. Normally no member may serve more than 5 years on the Council without a break of 1 year
 - 4.6 Three members of the Council are required to form a quorum
 - 4.7 The Council shall normally meet a minimum of 6 times per annum and all members of the community are eligible to attend these meetings
 - 4.8 The Chair of the Council shall normally preside at all meetings and have a deliberative and casting vote. In the absence of the Chair, another office bearer (see 6.1 below) shall preside and have both a deliberative and casting vote
5. The **Annual General Meeting (AGM)** shall be held not later than the 30th of June each year. The community shall be given at least 14 days notice of the AGM in writing.

6. **The Council shall have power to:**
 - 6.1 Elect its own office bearers who shall consist of the Chair, Treasurer, Minutes Secretary and Correspondence Secretary
 - 6.2 Fill any vacancies in the Council between AGMs by co-opting eligible person(s)
 - 6.3 Decide on methods of financing the Council
 - 6.4 Set up appropriate sub-committees, co-opting expertise if deemed necessary
 - 6.5 Liaise with and collaborate with other local groups with aims that accord with those in paragraph 2 above (e.g. Howgate Village Hall Association and Howgate Church Management)
 - 6.6 Liaise with other Community Councils with regard to matters of mutual interest
7. **Council monies**
 - 7.1 Funds of the Council should be used to further the aims as detailed in paragraph 2 above
 - 7.2 The Council shall keep accounts. These shall be audited by a person who is not a member of the Council, and shall be presented at the AGM
 - 7.3 All monies shall be paid into accounts with a bank in Penicuik. Withdrawals shall be made with the signatures of any 2 of the office bearers as detailed in paragraph 6.1 above
 - 7.4 The Financial Year shall end on the 31st of March annually
8. **The Constitution** may be amended at an AGM or Special General Meeting (SGM), subject to the ratification of Midlothian Council
9. The Council may call a SGM at any time, subject to 14 days notice, and it must do so within 14 days of being requested in writing by at least 20 members of the Community
10. **Dissolution of the Council:**
 - 10.1 This can only take place at a SGM called for the purpose, provided notice has been given in writing to the community and to Midlothian Council
 - 10.2 HCC can only be dissolved by resolution carried by a majority of not less than two-thirds of the number of community members present

10.3 Funds held in the name of HCC at a dissolution shall be applied to any purpose for the benefit of the inhabitants of the Howgate area, as determined by the Council, agreed at the dissolution meeting and approved by Midlothian Council

Annex 1: Description of the area served by HCC

The Community Council boundary commences at the junction of Harper's Brae and the B7026, and then proceeds in a south easterly direction along the B7026, along the western edge of plot 0736, along the former Rosewell/Leadburn railway line, along the Firth Burn, along the northern edge of the woodland strip to the south of Firth Mains, along the burn to the west of Rosslynlee, along Kirkettle Rough strip, along the track leading from Rosslynlee, across the A6094, along the north eastern edge of Peters Wood, along the northern edge of Edgelaw Moor, along the southern edge of Cowie's Bank Strip, and along unclassified road 29 until it reaches Steelfoot bridge.

It then proceeds in a south westerly direction along the Fullarton Water until it reaches the Midlothian Council Boundary.

It then proceeds in a north westerly and westerly direction along the Midlothian Council Boundary until it reaches the River North Esk.

It then proceeds in a north easterly direction along the River North Esk, along the former Penicuik boundary, along the Pomathorn Road, along the issue running through plot 0054, along the River North Esk, and along Harper's Brae, to the point of commencement.