

FORT AUGUSTUS AND GLENMORISTON COMMUNITY COUNCIL CONSTITUTION 2026

Adapted from the Highland Council Scheme for the Establishment of Community Councils

Fort Augustus and Glenmoriston Community Council Constitution 2026

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Annex A – Map highlighting area of Fort Augustus and Glenmoriston Community Council

Fort Augustus and Glenmoriston Community Council Constitution 2026

1. Name

1.1 The name of the COMMUNITY COUNCIL shall be the Fort Augustus and Glenmoriston Community Council (referred to as "the COMMUNITY COUNCIL" in this document).

2. Area of the Community Council

2.1 The area of the COMMUNITY COUNCIL shall be as shown on the map for Fort Augustus and Glenmoriston Community Council attached to The Highland Council's Scheme for the Establishment of Community Councils, a copy of which is attached hereto at annex A.

3. Objectives

3.1 The objectives of the COMMUNITY COUNCIL shall be:

a) to ascertain, co-ordinate and reflect the views of the community which it represents, to liaise with other community groups within the area, and to fairly express the diversity of opinions and outlooks of the people;

b) to express the views of the community to The Highland Council to public authorities and other organisations;

c) to take such action in the interests of the community as appears to be desirable and practicable;

d) to promote the well-being of the community and to foster community spirit;

e) to be a means whereby the people of the area shall be able to voice their opinions on any matter affecting their lives, their welfare, their environment, its development and amenity.

4. Role and Responsibilities

4.1 In the discharge of their functions and the conduct of their business, the COMMUNITY COUNCIL and its members shall have regard to their role and responsibilities as set out in section 3 of the Scheme for the Establishment of Community Councils, approved by The Highland Council and the Community Councillors' Code of Conduct, hereinafter referred to as 'the Scheme' and 'the Code of Conduct' respectively.

5. Membership

5.1 The COMMUNITY COUNCIL'S membership is as governed by section 5 of the Scheme and set out in Appendix 2 of the Scheme.

6. Method of Election

6.1 Election procedures shall be governed by the method of election laid down in section 6 of the Scheme.

7. Casual Vacancies on the Community Council

7.1 Where a vacancy arises, which does not result in the number of COMMUNITY COUNCILLORS falling below the minimum number as specified in section 6.2.6 of the Scheme, the COMMUNITY COUNCIL may, if it considers it to be desirable, agree to:

a) fill the vacancy by co-option with voting rights up to their maximum permitted membership, as long as the number of co-opted members does not exceed 4, and half of all Community Councillors are elected. Taking into account the exclusion of co-opted members from this process as outlined in section 8 below.

The vacancy can be left unfilled until local public interest is expressed or until the next set of regular elections.

8. Voting Rights of Members of the Community Council

8.1 The right to vote at any meeting of the COMMUNITY COUNCIL or any committee thereof, shall be held by all COMMUNITY COUNCILLORS whether elected, co-opted, or youth member, but not by Associate, or Ex-officio members. For the avoidance of doubt, co-opted and youth members while otherwise holding full voting rights will not be entitled to vote on co-option of members.

8.2 With the exception of circumstances which may arise:

- under the Scheme section 6.3 relating to Co-option;
- under the Constitution section 16 Alterations to the Constitution; and
- under the Constitution section 17 Dissolution;

all decisions of the COMMUNITY COUNCIL will be decided by a simple majority of those eligible to vote and present and voting.

8.3 In the event of a vote of the Community Councillors that results in a tie, the chairperson of the meeting shall have a second and casting vote, and the use of a casting vote will be recorded in the minutes of the meeting.

9. Election of Office-Bearers

9.1 COMMUNITY COUNCIL office bearers will be elected following every election (full and interim). Office bearers will also be elected at every AGM. The COMMUNITY COUNCIL shall elect a Chair, Secretary, Treasurer and other such office-bearers as it shall from time to time decide. The COMMUNITY COUNCIL may choose to appoint a Minute Secretary or Associate Member as a Secretary; however, such individuals shall have no voting rights. In these circumstances

the COMMUNITY COUNCIL must elect a Vice Chair to ensure the COMMUNITY COUNCIL has three office bearers from its membership.

9.2 All office-bearers shall be elected for one year, but shall be eligible for re-election annually. A vote of no confidence can be held in an office bearer. The procedure for this is set out in the standing orders.

9.3 Without the express approval of The Highland Council, no one member shall hold more than one of the following offices at any one time: Chairperson, Secretary, Treasurer.

10. Committees of the Community Council

10.1 The COMMUNITY COUNCIL may establish sub-committees and appoint Community Councillors and associate members to serve on these committees. The COMMUNITY COUNCIL shall determine the composition, terms of reference, duration, duties and powers of any sub-committee. The decision to set up a sub-committee, it's remit and any agreed decision-making powers given to it must be agreed and recorded in the Community Council meeting minute. A note of sub-committee decisions must be circulated at the following Community Council meeting.

While a person or persons not members and not eligible to be members of the Community Council may be appointed as having special expertise relevant to the purposes of the committee, such external member shall not have voting rights.

11. Meetings of the Community Council

11.1 a) The quorum for COMMUNITY COUNCIL meetings shall be 4 voting members.

b) Once in each year, before the 30 June, the COMMUNITY COUNCIL shall convene an annual general meeting for the purpose of receiving and considering the Chairperson's annual report on the COMMUNITY COUNCIL, the submission and approval of the independently examined annual financial statement and the appointment of office bearers.

c) In addition to the annual general meeting, the COMMUNITY COUNCIL shall hold not less than 6 ordinary meeting throughout the year.

d) Dates, times and venues of regular meetings of the COMMUNITY COUNCIL shall be provisionally fixed at the first meeting of the COMMUNITY COUNCIL following ordinary elections and thereafter at its annual general meeting. Special meetings shall require at least 7 days public notice, either called by the Chairperson, or on the written request of not less than one-half of the total number of COMMUNITY COUNCILLORS. The named officer of The Highland Council has the discretion to call a special meeting of the COMMUNITY COUNCIL.

e) Copies of all minutes of meetings of the COMMUNITY COUNCIL and of committees thereof shall be approved at the next prescribed meeting of the COMMUNITY COUNCIL (excluding minutes of the Annual General Meeting), but the draft minute shall be circulated normally within 14 days from the date of that meeting, to COMMUNITY COUNCIL members and Highland Council's named community council support generic email address for the COMMUNITY COUNCIL.

f) The COMMUNITY COUNCIL shall abide by the Standing Orders for the proper conduct of its meetings. Individual Community Councillors shall abide by the Code of Conduct for Community Councillors set out in Appendix 5 of the Scheme.

g) The COMMUNITY COUNCIL has a duty to be responsive to the community it represents. Should the COMMUNITY COUNCIL receive a written request (petition), signed by at least 20 persons resident and eligible to vote within the COMMUNITY COUNCIL area to convene a special meeting for a particular matter or matters to be debated, it shall call such a meeting within 14 days of receipt of such a request and advertise it locally in the manner prescribed for special meetings called by the COMMUNITY COUNCIL.

h) In exceptional circumstances, and in accordance with sections 1.1 and 9.1 of the Standing Orders, the COMMUNITY COUNCIL may suspend Standing Orders and discuss items of business in private. A motion to meet in private may be agreed by the Community Council either at its previous meeting or immediately prior to an item being taken. Any such motion requires three- quarters of the total COMMUNITY COUNCILLORS to be present and at least two-thirds of the Community councillors present consenting to the motion. The reason to meet in private must be recorded in the minutes of the meeting at which the decision to take the matter in private was made. If a decision to take an item in private is made at the previous meeting of the Community Council, the notice of such a meeting, given to the public in the usual way; will record that an item or items are to be taken in private. Minutes of the discussion and decisions shall be taken and recorded in a manner which does not compromise the private material.

12. Public Participation in the Work of the Community Council

12.1 a) All meetings of the COMMUNITY COUNCIL and its committees (subject to 11.1 (h), above) shall be open to members of the public. Every effort should be made to ensure proper accessible provision for the accommodation of members of the public.

b) The opportunity should be afforded at each meeting to permit members of the public to address the COMMUNITY COUNCIL, under the guidance of the Chairperson.

c) Notices calling meetings of the COMMUNITY COUNCIL and its committees shall be posted prominently within the COMMUNITY COUNCIL area, and on its website / social media

presence where appropriate, for a minimum period of 7 days before the date of any such meeting, and, where possible, be advertised by other suitable means.

13. Information to The Highland Council

13.1 The Community Council Secretary shall, as soon as the following documents become available, send to the named Highland Council community council support generic email address:

- an annual calendar of the COMMUNITY COUNCIL'S prescribed meeting dates, times and venues, which should be agreed at the COMMUNITY COUNCIL'S annual general meeting;
- minutes and agendas of all meetings; including approved minutes
- the annual report;
- the annual financial statement; and any other such suitable information, as may from time to time be agreed between the COMMUNITY COUNCIL and The Highland Council. When special meetings of the COMMUNITY COUNCIL are to be held, the named Highland Council community council support generic email address should be advised of the date, time venue and subject(s) of debate of such meetings, at least 7 days in advance of the meeting date.

14. Control of Finance

14.1 a) All monies raised by or on behalf of the COMMUNITY COUNCIL or provided by The Highland Council and other sources shall be applied to further the objectives of the COMMUNITY COUNCIL and for no other purpose. The monies provided by The Highland Council in the annual Administrative Grant for administrative and other approved purposes shall be used only as prescribed in the conditions of grant. Funds raised from other sources may be used in accordance with the terms of those funds (so long as they are consistent with the objectives of the Community Council), or in the absence of such terms, for the furtherance of the objectives of the COMMUNITY COUNCIL.

b) The COMMUNITY COUNCIL shall open a bank account in the name of the Community Council.

c) The Treasurer shall undertake to maintain proper financial records of the finances of the Community Council as per the standard financial templates provided. The Treasurer shall also provide a written financial statement, including the current balance, to each Community Council meeting.

d) Any two of three authorised signatories, who would normally be office-bearers of the Community Council, must authorise by signature financial transactions on behalf of the COMMUNITY COUNCIL. Authorised signatories may not be members of the same household.

e) A financial report, in the style set out by The Highland Council, shall be submitted to an annual general meeting of the COMMUNITY COUNCIL for the preceding financial year, being circulated with the agenda for that meeting and shall be available for inspection at a convenient location 7 days prior to the meeting. The report shall be independently examined and certified by at least one examiner appointed by the COMMUNITY COUNCIL, who is not a member of this COMMUNITY COUNCIL and has no personal or professional relationship with the Treasurer.

f) The financial year of the COMMUNITY COUNCIL shall be from 1 April each year until 31 March the succeeding year. The certified financial statement as received and approved by the COMMUNITY COUNCIL at the annual general meeting shall be submitted to the named Highland Council community council support generic email address following approval at the Community Council's annual general meeting.

g) In election year, all Community Councils are required to ensure their accounts are up to date and a mid-year balance is taken prior to the election.

15. Title to Property

15.1 Property and other assets belonging to the COMMUNITY COUNCIL shall be vested in the Chair, Secretary and Treasurer of the COMMUNITY COUNCIL and their successors in these respective offices as Trustees of the Community Council.

16. Alterations to the Constitution

16.1 Any proposal by the COMMUNITY COUNCIL to alter this Constitution must be first considered by a special meeting of the COMMUNITY COUNCIL and the terms of the proposal to alter the Constitution shall be stated on the notice calling the meeting, which shall be published not less than ten days prior to the meeting. Any proposed alterations may not prejudice the terms and objectives contained within the Scheme.

16.2 If the proposal is supported by two-thirds of the total voting membership of the COMMUNITY COUNCIL, and is subsequently approved in writing by The Highland Council, the alteration shall be deemed to have been duly authorised and can then come into immediate effect. For the avoidance of doubt unless and until the proposed alteration is approved in writing by The Highland Council, the proposed alteration shall be of no effect.

17. Dissolution

17.1 If the COMMUNITY COUNCIL by a two-thirds majority of the total voting membership decides at any time that it is necessary or advisable to dissolve, it shall agree a date for a public meeting to be held to discuss the proposed resolution to dissolve. Not less than ten days prior to the date of such a meeting a public notice will be published in the Community Council area

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Annex A – Map highlighting area of Fort Augustus and Glenmoriston Community Council



giving intention of the proposal to dissolve. If the resolution is supported by a majority of those persons present and qualified to vote and is subsequently approved by The Highland Council, the COMMUNITY COUNCIL shall be deemed to be dissolved and all assets remaining, subject to the approval of The Highland Council, after the satisfaction of any proper debts or liabilities shall transfer to The Highland Council who shall hold same in Trust for a future COMMUNITY COUNCIL representing that area. Upon transfer, and the submission of a satisfactory certified financial report, the potential liabilities of members and officers of the former Community Council are extinguished.

17.2 In the event that the COMMUNITY COUNCIL is dissolved under the above procedure, and twenty or more electors subsequently wish the re-establishment of a COMMUNITY COUNCIL for the area, these electors shall submit a requisition to The Highland Council in accordance with Section 52(7) of the Local Government (Scotland) Act 1973, on receipt of which the Returning Officer shall arrange for elections to be held in accordance with this Scheme.

17.3 Where for any reason, the number of COMMUNITY COUNCILLORS falls to two or fewer The Highland Council may, by suspending the Constitution of the Community Council, cause the Community Council to be dissolved and in this event, the procedures for the establishment of a new Community Council, identified in section 17.2, shall apply for the establishment of a new Community Council, or failing this a neighbouring Community Council could be approached to consider merging with it. Only if there is clear support from all the communities involved and as a result of a Community Council being dissolved, Members would be asked to consider any merger at an Area Committee in accordance with the Scheme of Delegation.

18. Approval and adoption of the Constitution

This Constitution was adopted by Fort Augustus and Glenmoriston Community Council at the Special Meeting convened on 28th October 2026 and duly noted in the minute of the meeting.

DMackinnon DEIRDRE MACKINNON CHAIRPERSON 2/11/2026