

CONSTITUTION OF THE BEARE GREEN COMMUNITY ASSOCIATION

1. **NAME** The name of the Association shall be Beare Green Community Association (hereinafter called "the Association").

2. **OBJECTS** The objects of the Association shall be:

- a) To promote the benefit of the inhabitants of Beare Green and the neighbourhood (hereinafter called "the area of benefit") without distinction of sex or of political, religious or other opinions by associating the local authorities, voluntary organisations and inhabitants in a common effort to advance education and to provide facilities in the interests of social welfare for recreation and leisure time occupation with the object of improving the conditions of life for the said inhabitants.
- b) To establish or secure the establishment of a Community Centre (hereinafter called "the Centre") and to maintain and manage, or to co-operate with any local statutory authority in the maintenance and management of, such a Centre for activities promoted by the Association and its Constituent bodies in furtherance of the above objects.

The Association shall be non-party in politics and non-sectarian in religion.

The Association shall have power to affiliate to the National Federation of Community Associations and to other organisations with similar charitable objects.

3. **MEMBERSHIP** Membership of the Association shall be of two kinds:

- a) Individual members who shall either be Full, Junior or Associate members.
- b) Group members who shall be the Constituent bodies and Sections.

4. **INDIVIDUAL MEMBERSHIP** Shall be open, irrespective of political party, nationality, religious opinion, race or colour, to:

- a) All persons aged eighteen and over living in the area of benefit shall be called Full members.
- b) All persons under the age of eighteen living in the area of benefit who shall be called Junior members. Junior members shall not have the right to vote at members' meetings but may elect from among themselves two representatives to the Council who shall each have the right to vote as if they were Full members.
- c) Well-wishers anywhere who shall be called Associate members. Associate members shall not have the right to vote at members' meetings but may elect from among themselves one representative to the Council who shall have the right to vote as if he were a Full member.

The manner in which Associate and Junior members elect their representative shall be determined by the Council from time to time.

5. **GROUP MEMBERSHIP**

- a) Constituent bodies shall be the local statutory authorities and such voluntary organisations as operate in the area of benefit and satisfy the Council that they are independent organisations or branches of independent national or other organisations.

- b) Sections shall be such groups as may, with the permission of the Council, be formed within the Association among the individual members for the furtherance of a common activity. Each Constituent body and Section shall have the right to appoint one representative to be a member of the Council and at any time by giving notice in writing to the Secretary of the Association to revoke the appointment of such a member and to appoint another member in his place. Such a member shall have the right to attend and to vote at General Meetings of the Association.
6. TERMINATION OF MEMBERSHIP The Council shall have the right for good and sufficient reason to terminate the membership of an individual member or of Constituent body or Section provided that the individual member or person representing the body or Section shall have the right to be heard by the Council before a decision is made.
7. SUBSCRIPTIONS All members and Constituent bodies shall pay such subscriptions as the Council may from time to time determine.
8. THE COUNCIL Subject to limitations set out in Clause 10 hereof, the policy and general management of the affairs of the Association shall be directed by a Council (herein referred to as "the Council") which shall meet not less than four times a year.

The Council shall consist of:

- a) The representatives appointed by Constituent bodies and Sections in accordance with Clause 5.
- b) Such number of representatives of Full members, to be elected from among and by themselves at the Annual General Meeting, as is equal to the number of Council members appointed under Clause 8a.
- c) Two representatives of Junior members elected in accordance with Clause 4b.
- d) One representative of Associate members elected in accordance with Clause 4c.
- e) The Honorary Officers of the Association and of the Council ex-officio in accordance with Clause 9a
- f) Two representatives appointed by the Trustees, if Trustees shall have been appointed in accordance with Clause 16.
- g) Such persons employed by or seconded to the Association as the Council may from time to time determine in accordance with Clause 9b.

In addition the Council may co-opt further members who shall be members of the Association provided that the number of co-opted members shall not exceed one third of the total number of members of the Council as defined above. All members of the Council shall retire annually but shall be eligible to be appointed or co-opted again. The Council shall have power to appoint such committees as it may from time to time decide and may determine their powers and terms of reference.

9. OFFICERS

- a) Honorary Officers The Annual General Meeting shall elect a President, a Treasurer and such other Officers of the Association such as an Honorary Secretary as it may from time to time determine. The Council shall elect its Chairman and such other Officers as it may from time to time determine. The Chairman of the Council shall be ex-officio Chairman of the Executive

Committee. All Honorary Officers of the Association and of the Council shall be ex-officio members of the Executive and all other Committees.

b) Paid officers

The Council shall have power to appoint and dismiss a (paid) Secretary and such other employees of the Association as it may from time to time determine. The Council shall determine which (if any) persons employed by or seconded to the Association shall be member's ex-officio of the Association, the Council, the Executive and other Committees.

10. ANNUAL GENERAL MEETING Once in each year, in the month of April the Council shall convene an Annual General Meeting of the Association, which all individual members and representatives of the Constituent bodies and Sections shall be entitled to attend for the purpose of receiving the Annual Report of the Council and the annual audited statement of accounts; of appointing Honorary Officers of the Association; of accepting resignations of members of the Council; of electing representatives of Full members to serve on the Council; of appointing an auditor or auditors; of making recommendations to the Council and, whenever necessary, of voting on proposals to amend this Constitution in accordance with Clause 18 hereof.

11. SPECIAL GENERAL MEETINGS The Chairman of the Council or the Secretary may at any time at their discretion, and shall within twenty one days of receiving a written request so to do, signed by that not less than twenty members having the power to vote and giving reasons for the request; call a SPECIAL GENERAL MEETING of the Association for the purpose of altering the Constitution in accordance with Clause 10 hereof or of considering any matter which may be referred to this by the Council or for any other purpose.

12. EXECUTIVE COMMITTEE At its first meeting following the Annual General Meeting in each year the Council may appoint an Executive Committee to which it may delegate any or all of its powers as it may from time to time determine.

The Executive Committee shall consist of ten members elected by and from the members of the Council and of the officers of the Association and of the Council hereinbefore provided.

The Executive Committee shall have power to co-opt additional members who shall be members of the Association but need not be members of the Council provided that the number of co-opted members does not exceed one third of the total number of elected and ex-officio members. All members of the Executive Committee shall retire annually but shall be eligible to be appointed or co-opted again.

The Executive Committee shall have power to appoint such sub committees as it may from time to time decide and may determine their powers and terms of reference.

13. RULES OF PROCEDURE AT ALL MEETINGS

a) Voting Subject to the provisions of Clause 18, all questions arising at any meeting shall be decided by a simple majority of those present and entitled to vote thereat. No member shall exercise more than one vote notwithstanding that he may have been appointed to represent two or more interests but in case of an equality of votes the Chairman shall have a second or casting vote.

- b) Quorum One third of the members shall form a quorum of meetings of the Council, the Executive and all other Committees. Twenty five members shall form a quorum at General Meetings of the Association.
- c) Minutes Minute books shall be kept by the Association, the Council, the Executive, and all other committees and the appropriate Secretary shall enter therein a record of all the proceedings and resolutions.

14. STANDING ORDERS AND RULES FOR THE USE OF THE CENTRE

The Executive committee shall have the power to adopt and issue standing orders and/or rules for the use of the Centre. Such Standing Orders and Rules shall come into operation immediately, provided always that they shall be subject to review by the Council and shall not be inconsistent with the provisions of this Constitution.

15. FINANCE

- a) All monies raised by or on behalf of the Association shall be applied to further the objects of the Association and for no other purpose.
- b) The Honorary Treasurer shall keep proper accounts of the finances of the Association.
- c) The accounts shall be audited at least once a year by a qualified Auditor or Auditors who shall be appointed at the Annual General Meeting.
- d) An audited statement of accounts for the last financial year shall be submitted by the Council to the Annual General Meeting.

16. TRUST PROPERTY

- a) Land and buildings

Subject to the provisions of sub-Clause (b) of this Clause, the Council shall cause the title of all land (which is not vested in the Official Custodian For Charities) and all investments held by or in trust for the Association to be vested in either a corporation entitled to act as custodian Trustee or in not less than two nor more than four named individuals (not being members of the Council) appointed by the Council as holding Trustees. Holding Trustees shall act in accordance with the lawful directions of the Council. PROVIDED THAT they act only in accordance with such lawful directions, holding Trustees shall not be liable for the act and defaults of the members of the Council. Holding Trustees may be removed by the Council at its pleasure.

- b) Investments

If a corporation entitled to act as custodian Trustee has not been appointed to hold the property of the Association, the Council permit any investments held by or in trust for the Association to be held in the name of a clearing bank, trust corporation or any stock broking company which is a member of the International Stock Exchange (or any subsidiary of any stock broking company) as nominee for the Council and may pay such nominee reasonable and proper remuneration for acting as such.

17. DISSOLUTION If the Council by a simple majority decides at any time that on the ground of expense or otherwise it is necessary or advisable to dissolve the Association it shall call a meeting of all members of the Association who have the power to vote and of the inhabitants of the area of benefit of the age of eighteen years and upwards of which meeting not less than 21 days' notice (stating the terms of the resolution to be

proposed thereat) shall be posted in a conspicuous place or places in the area of benefit and advertised in a newspaper circulating in the area of benefit and given in writing to the Secretary of State for Education and Science and the Secretary of the National Federation of Community Associations. If such decision shall be confirmed by a simple majority of those present and voting at such meeting the Council shall have power to dispose of any assets held by or in the name of the Association. Any assets remaining after the satisfaction of any proper debts and liabilities shall be applied towards charitable purposes for the benefit of the inhabitants of the area of benefit as the Council may decide and as may be approved by the Secretary of State for Education and Science.

18. ALTERATIONS TO THE CONSTITUTION Any proposal to alter this Constitution must be delivered in writing to the Secretary of the Association not less than 28 days before the date of the meeting at which it is first to be considered.

An alteration will require the approval of both:

- a) A simple majority of members of the Council present and voting at a Council meeting;
- b) A two thirds majority of individual members and representatives of the Constituent bodies and Sections of the Association present and voting at a General Meeting. Notice of each meeting must have been given in accordance with normal procedure but not less than 14 days prior to the meeting in question and giving the wording of the proposed alteration.

No alteration to Clause 2 shall be made without the consent of the Secretary of State for Education and Science.

If Trustees have been appointed in accordance with Clause 16 thereof, an alteration shall not be made without the knowledge and consent of the Trustees, but such consent shall not be unreasonably withheld by them.

This Constitution was adopted as the Constitution of the Beare Green Community Association at a Public Meeting duly convened at the White Hart Public House, Beare Green on Wednesday 21st June 1972.

Signed:

Richard J Barnes
Chairman

Debbie Fillmore
Secretary

Date:

Date:

Revision Record

Revision 1

Clause 16 revised to permit the Official Custodian to hold the lease on behalf of the Association. Revision approved unanimously at the Annual General Meeting held on 3 May 2006 at the Village Hall.