

Badingham Community Council Constitution

1. Name and Objects

1.1. The Council shall be called the "Badingham Community Council".

1.2. The objects of the Council shall be:

1.2.1. To provide adequate recreational facilities, playing fields, playgrounds, community centres and other amenities of a similar character for the benefit of the community residing in Badingham and the neighbourhood in the interests of social welfare and with the object of advancing education, furthering health, relieving poverty, distress or sickness or in pursuing any objects that now are or hereafter may be deemed in law to be charitable by improving the conditions of life of the persons for whom the facilities are primarily intended.

1.2.2. To raise subscription or otherwise funds for the furtherance of the objects of the Council.

1.3. Provided that always nothing in the foregoing shall authorise or empower the Badingham Community Council to participate directly or indirectly in any activity that is not charitable according to the laws of the United Kingdom for the time being in force and the whole of the property and funds of the Badingham Community Council shall at all times be used for such purposes only as are charitable in accordance with such laws.

1.4. The income and property of the Council shall be applied solely towards the objects of the Council and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit to the members of the Council.

2. Structure

2.1. The Council shall consist of the following:

2.1.1. The Officers of the Council, viz: The President; Chairman; Vice-Chairman; Treasurer; Legal Advisor; and Secretary, to be elected annually at the Annual General Meeting of the Council.

2.1.2. Vice-Presidents (up to a maximum of two).

2.1.3. Representatives of:

2.1.3.1. The Badingham Parish Council.

2.1.3.2. Such voluntary organisations as may be invited by the Executive Committee.

2.1.3.3. Such sports organisations and clubs as may be invited by the Executive Committee.

2.1.3.4. Subscribers under Section 4.

2.1.3.5. Such persons as may be accepted for membership by the Council and such terms as the Council may from time to time decide.

Badingham Community Council

Constitution

- 2.2. The Council shall appoint an Executive Committee annually from the above (i.e. 2.1.1 – 2.1.3), the number being determined by the Council.
- 2.3. In the event of a resignation, a representative elected under sub-section 2.1.3 may continue to act until another representative shall be appointed by the local authority or organisation concerned.
- 2.4. The business of the Council shall be carried on by the Executive Committee, which shall be elected from among the Council members (the number to be determined by the Council) at the Annual Meeting.
- 2.5. The Executive Committee shall have the power to fill by co-option any vacancy that may occur in its body during the year and shall have the power to co-opt in an advisory capacity any person whom it shall think fit.
- 2.6. A meeting of the Executive Committee shall be called at any time, in either of the following ways:
 - 2.6.1. By order of the Chairman.
 - 2.6.2. On receipt by the Secretary of a requisition signed by one third of the members of the Executive Committee.
- 2.7. The Executive Committee shall have the power to appoint such sub-committees as it thinks fit and may delegate to such sub-committees such powers as it from time to time thinks desirable and may co-opt to such sub-committees persons who are not members of the Executive Committee.
- 2.8. The Executive Committee shall have the power to appoint District or similar representatives to represent the Council.
- 2.9. Any matter not covered by these rules, or any question of interpretation shall be dealt with by the Executive Committee, which may refer the matter in question to the Council for decision.

3. General Meeting

- 3.1. That a General Meeting shall be held at least once a year for the following purposes:
 - 3.1.1. Election of Officers.
 - 3.1.2. Election of Vice-President(s).
 - 3.1.3. Election of Executive Committee.
 - 3.1.4. Presentation of independently examined accounts.
- 3.2. Twenty-one days' notice with an agenda will be given of any General Meeting and all resolutions and of any alterations to the rules to be proposed thereat, and shall be sent to the Officers and all members of the Council eligible to attend, together with the Annual Report and independently examined statement of accounts to be presented thereat.

Badingham Community Council

Constitution

3.3. The Council shall meet at least four times a year and at such other times as the Chairman shall direct. An Extraordinary General Meeting must be convened upon receipt of a requisition in writing by six or more members.

4. Membership

4.1. The subscription, if any, for membership of the Council shall be a minimum of 130 pence per annum per person.

4.2. The affiliation fee, if any, for Sports Clubs and other organisations shall be a minimum of 50 pence per annum.

5. Votes

5.1. Every question at General or other meetings shall be decided by a single majority of votes of all those present at the meeting, and in the case of equality of votes, the Chairman shall have the casting vote.

6. Alteration of Constitution or Rules

6.1. Notice of any alteration to this Constitution or any Rules maintained by the Executive Committee shall be submitted in writing to reach the Secretary not less than four weeks before the date of the Annual General Meeting or Extraordinary General Meeting called for that purpose. No alteration to this Constitution shall be permitted that will make the objects in clause 2.1 other than exclusively charitable or the funds and property of the Council applicable otherwise than for exclusively charitable purposes.

6.2. The Secretary shall cause Minutes to be made in a book provided for that purpose, of all resolutions and proceedings of all meetings and such Minutes shall, upon questions put and vote taken thereon, either at the meeting or some subsequent meeting, be signed by the Chairman, and when signed shall be conclusive evidence of the correctness of the entry.

7. Accounts

7.1. Books of Account as agreed by the Executive Committee shall be kept by the Treasurer. The Treasurer may use any methods that may over time become available to maintain the Books of Account and manage its Bank accounts, but ensuring always the continuance of necessary financial control, and subject to the provisions of 7.2.2 below.

7.2. For the proper maintenance of the Council's Accounts, the following financial system shall be carried out under the supervision of the Executive Committee:

7.2.1. An account or accounts shall be opened in the name of the Community Council, at a Bank or Banks to be approved by the Executive Committee, into which Fund/s all monies received on behalf of the Community Council shall be paid by the Treasurer or other responsible official.

Badingham Community Council

Constitution

7.2.2. Cheques or other orders for the payment of all accounts such as direct debit mandates shall be signed by the Treasurer and the Chairman or Secretary.

7.2.3. At the Annual Meeting every year, the Treasurer on behalf of the Executive Committee shall lay before the members a detailed independently examined statement of the accounts of the Council for the past twelve months. A copy of such statement shall accompany the notice of the Annual General Meeting.

7.3. Although not specifically required by the Charity Commission while the charity's income remains below £25,000 per annum, for purposes of control and accountability the Accounts shall be examined by an independent examiner to be elected at the Annual General Meeting.

8. Dissolution

8.1. If upon the winding up or dissolution of the Council there remains after the satisfaction of all of the debts and liabilities any property or assets whatsoever the same shall be given or transferred to a charitable institution or institutions having similar objects as the Council and if any so far an effect cannot be given to, such provision then to some other charitable object.

Revision May 2021: digitally created by Bill Dicks (Treasurer 2020-23) from the typed transcription of the original signed Constitution dated 13th October 1977 created in 2015 by Gerry Newman. Text modernized, clarified and grammatically corrected. Minor changes and changes to recognise modern financial practice and Charity Commission guidance made to the provisions of the Constitution. This version approved at AGM 2021.



Treasurer