

# Constitution of the North Petherton Community Centre Committee

*The following governance arrangements were agreed on 30<sup>th</sup> November 1983 as part of the lease of the land upon which the Community Centre was later built.*

## VILLAGE HALL

**Paragraph 1.(1)** The property hereby demised (hereinafter called "the trust property") shall be held **UPON TRUST** for the purposes of a village hall for the use of the inhabitants of the Parish of North Petherton in the County of Somerset (hereinafter called "the area of benefit") without distinction of political religious or other opinions including use for meetings lectures and classes and for other forms of recreation and leisure-time occupation with the object of improving the conditions of life for the said inhabitants

## ADMINISTRATION BY COMMITTEE

**2.(2)** The charity shall be administered in conformity with the provisions of this Deed by the committee of management hereinafter constituted (and hereinafter called "the committee") who shall be the charity trustees of the charity within the meaning of Section 46 of the Charities Act 1960 **PROVIDED THAT** until the end of the first annual general meeting to be held after the date of this Deed the charity shall be administered in accordance with the provisions of this Deed by the steering committee

## VESTING IN THE OFFICIAL CUSTODIAN FOR CHARITIES

**Paragraph 2** The Trustees and all persons holding any property of the charity shall take such steps as may be necessary for the purpose of vesting in the Official Custodian for Charities all freehold and leasehold lands and other property at any time belonging to the charity

## COMMITTEE OF MANAGMENT

**Paragraph 3 . ( 1 )** **Except** as hereinafter in this paragraph provided the committee shall consist of six elected members and one representative member for each organisation and may include not more than three co-opted members

### **NORTH PETHERTON COMMUNITY CENTRE MEMBERS FROM APRIL 1983**

|                             |                    |                     |             |
|-----------------------------|--------------------|---------------------|-------------|
| Chairman                    | Albert Fry         | 15 Hammett Street   | N.P. ■■■■■■ |
| Vice-chairman               | Jack Outhwaite     | 3 Hyde Park Avenue  | N.P. ■■■■■■ |
| Secretary                   | Mrs. Stella Jenner | 15 Heathfield Close | N.P. ■■■■■■ |
| Correspondence<br>Secretary | Mrs. Lucie Walker  | 2 High Street       | N.P. ■■■■■■ |
| Treasurer                   | Duncan Jamieson    | 1 Broodlands Avenue | N.P. ■■■■■■ |

### **COMMITTEE MEMBERS**

|                      |                      |              |
|----------------------|----------------------|--------------|
| Bill Cowlin          | 41 Portman Road      | N.P. ■■■■■■  |
| Mrs. Carol Cowlin    | 41 Portman Road      | N.P. ■■■■■■  |
| K. A. (John) Jenner  | 15 Heathfield Close  | N.P. ■■■■■■  |
| Michael Briggs       | 36 Old Road          | N.P. ■■■■■■  |
| Mrs. Pat Briggs      | 36 Old Road          | N.P. ■■■■■■  |
| Norman Walker        | 2 High Street        | N.P. ■■■■■■  |
| Mrs. Angela Pope     | 155 Taunton Road     | No Telephone |
| Mrs. Elizabeth Baker | 157 Taunton Road     | N.P. ■■■■■■  |
| Mrs. Edith Davison   | 61 Fore Street       | No Telephone |
| Mrs. Susan Browne    | "Cobwebs" Cliff Road | N.P. ■■■■■■  |
| Mark Hooper          | "Cobwebs" Cliff Road | N.P. ■■■■■■  |
| Mrs. Pauline Searle  | 53 Portman Road      | N.P. ■■■■■■  |
| Mrs. Julia Keirle    | 1 Clare Street       | No Telephone |
| B. A. Finnimore      | 58 Fore Street       | N.P. ■■■■■■  |
| Michael Lewis        | 161 Taunton Road     | N.P. ■■■■■■  |

**(2)** The elected members (other than those appointed under sub-paragraph (8) of this paragraph to fill casual vacancies) shall be elected at the annual general meeting to be held as in this Deed provided

**(3)** One representative member shall be appointed by each of the following organisations:-

- North Petherton Town Council
- North Petherton Women's Institute
- North Petherton St John's Ambulance Cadets
- North Petherton Branch R.N.L.I.
- North Petherton Wives' Group
- North Petherton Carnival Committee
- North Petherton Cricket Club
- North Petherton Girl Guides and Brownies
- North Petherton Rangers
- North Petherton Boy Scouts and Cubs

A representative member shall ordinarily be appointed not more than one month before the annual general meeting **PROVIDED THAT** an organisation which fails to appoint a representative member before such meeting shall make the appointment as soon as practicable thereafter **Each** organisation shall notify to the secretary of the committee the name of its representative

**(4) Co-opted** members shall be appointed at a duly constituted meeting of the committee

**(5) Subject** to the provisions of sub-paragraphs (6) and (8) of this paragraph the period of office of members shall commence:-

**(a)** in the case of elected members at the end of the annual general meeting at which they were elected

**(b)** in the case of representative members appointed before the annual general meeting in any year at the end of that meeting or in the case of a representative member appointed after such annual general meeting or to fill a casual vacancy on the day on which notification of his appointment is received by the secretary

**(c)** in the case of co-opted members from the date of their co-option.

**(6) All** members of the committee shall retire from office together at the end of the annual general meeting next after the date on which they came into office but they may be re-elected or re-appointed

**(7) In** the event of any application for representation on the committee being received from any existing or newly-formed organisation operating in the area of benefit the committee may upon a resolution supported at a duly constituted meeting of the committee by the votes of a majority of not less than two-thirds of all the members of the committee allow such organisation to appoint a representative member of the committee in the same manner as if such organisation had been named in sub-paragraph (3) of this paragraph **A** minute of the relevant resolution authenticated by the chairman and the secretary should be (a) placed with the title deeds and (b) kept with the committee's working papers

**(8) Upon** the occurrence of a casual vacancy the committee shall cause a note thereof to be entered in their minute book at their next meeting and if in the office of representative member it shall be notified as soon as possible to the proper appointing organisation **A** casual vacancy in the office of elected member may be filled by the committee and the period of office of an elected member elected to fill a casual vacancy shall commence at the end of the meeting of the Committee at which he was so elected

**(9) The** constitution of the committee as hereinbefore provided may on the application of the committee be altered from time to time by order of the Charity Commissioners

## **FAILURE TO APPOINT**

**Paragraph 4** The proceedings of the committee shall not be invalidated by any failure to appoint or any defect in the appointment election or qualification of any member

## **DECLARATION OF MEMBERS**

**Paragraph 5** No person shall be entitled to act as a member of the committee whether on a first or on any subsequent entry into office until after signing in the minute book of the committee a declaration of acceptance and of willingness to act in the trusts of this Deed

## **MEMBERS NOT TO BE PERSONALLY INTERESTED IN THE CHARITY**

**Paragraph 6** Except in special circumstances with the approval in writing of the Charity Commissioners no member of the committee shall take or hold any interest in any property belonging to the Charity otherwise than as a trustee for the purposes thereof or receive any remuneration or be interested in the supply of work or goods at the cost of the charity

## **DETERMINATION OF MEMBERSHIP**

**Paragraph 7** Any member who is adjudged bankrupt or who makes a composition or arrangement with his creditors or who is incapacitated from acting or who communicates in writing to the committee a wish to resign shall thereupon cease to be a member

## **MEETINGS OF THE COMMITTEE**

**Paragraph 8** The committee shall hold at least two ordinary meetings in each year A special meeting may be summoned at any time by the chairman or any two members upon seven clear days' notice being given to all the other members of the matters to be discussed

## **CHAIRMAN AND VICE-CHAIRMAN OF THE COMMITTEE**

**Paragraph 9** The committee at their first meeting in each year after the annual general meeting shall elect one of their number to be chairman of their meetings and may elect one of their number to be vice-chairman The chairman and vice-chairman shall continue in office until their respective successors are elected If the chairman is absent from any meeting the vice-chairman (if any) shall preside otherwise the members present shall before any other business is transacted choose one of their number to preside at their meeting

## **VOTING IN COMMITTEE**

**Paragraph 10** Every matter shall (except as in this Deed provided) be determined by the majority of the members of the committee present and voting on the question In case of equality of votes the chairman of the meeting shall have a second or casting vote

## **ANNUAL GENERAL MEETING**

**Paragraph 1 1 . ( 1 )** There shall be an annual general meeting in connection with the Charity which shall be held in the month of April in each year or as soon as practicable thereafter

**(2)** All inhabitants of the area of benefit of eighteen years of age and upwards shall be entitled to attend and vote at the annual general meeting

**(3)** The first annual general meeting after the date of this Deed shall be convened by the persons named in paragraph 1(2) hereof and subsequent annual general meetings by the committee Public notice of every annual general meeting shall be given in the area of benefit at least fourteen days before the date thereof by affixing a notice to some conspicuous part of the trust property or other conspicuous place in the area of benefit and by such other means as the conveners think fit

**(4)** The persons who are present at the first annual general meeting after the date of this Deed shall before any other business is transacted appoint a chairman of the meeting The chairman of subsequent annual general meeting shall be the chairman for the time being of the committee In his absence the vice-chairman (if any) shall take the chair but if neither is present the persons present shall before any other business is transacted appoint a chairman of the meeting In case of equality of votes the chairman of the meeting shall have a second or casting vote

**(5)** The committee shall present to each annual general meeting the report and accounts of the Charity for the preceding year

## **RENT AND OTHER OUTGOINGS**

**Paragraph 12** The committee shall at all times keep the demised premises and the fixtures and additions thereto in good and substantial repair and condition and shall save harmless and keep indemnified the Lessees against the rent and against all rates taxes and outgoings whatsoever including the cost of repairs and insurance against fire which are or at any time may become payable in respect of the demised premises under the covenants contained in this Deed and on the part of the Lessees to be observed and performed and from and against all proceedings damages costs claims and expenses on account of any breach of any of the said covenants and shall cause the demised premises and other property of the charity insofar as the same shall not be otherwise insured at all times to be sufficiently insured against all insurable risks including fire theft and public liability and shall whenever necessary procure (and act upon) a professional valuation for insurance purposes of the said premises and property of the charity

## **APPLICATION OF INCOME**

**Paragraph 13** After satisfying its obligations under paragraph 12 hereof the committee shall as and when it thinks fit apply the net yearly income for the purposes of the Charity

## **SURPLUS CASH**

**Paragraph 14** Any sum of cash at any time belonging to the Charity and not needed as a balance for working purposes shall (unless otherwise directed by the Charity Commissioners) be invested

## **FURTHER ENDOWMENTS**

**Paragraph 15** The committee may receive any additional donations or endowments for the general purposes of the charity and it may also accept donations or endowments for any special objects connected with the Charity not inconsistent with the provisions of this Deed

## **MINUTES AND ACCOUNTS**

**Paragraph 16** The committee shall provide and keep a minute book and books of account All proper statements of account in relation to the charity shall in each year be prepared as prescribed by Section 32 of the Charities Act 1960 and copies thereof shall be sent to the Town Council (or chairman of the Council)

## **MORTGAGES AND CHARGES**

**Paragraph 17** At the request of the committee the Lessees may with the consent of the Charity Commissioners (and any necessary consent of the Council) from time to time by mortgage or otherwise obtain such advances on the security of the trust property or any part thereof as may be required for maintaining extending or improving the same or any part thereof or erecting any building thereon or for the work carried on therein and may continue or may repay in whole or in part and from time to time any existing mortgage or charge on the trust property

## **SURRENDER OF LEASE**

**Paragraph 18** If the committee decides at any time that on the grounds of expense or otherwise it is necessary or advisable to discontinue the use of the trust property in whole or in part for the purposes stated in paragraph 1 it shall call a meeting of the inhabitants of the age of eighteen years and upwards of the area of benefit of which meeting not less than fourteen days' notice (stating the terms of the resolution that will be proposed thereat) shall be posted in a conspicuous place or places on the trust property and advertise in a newspaper circulating in the area of benefit and if such decision shall be confirmed by three-quarters of such inhabitants present and voting at such meeting the Lessees may at the request of the committee and with the consent of the Charity Commissioners surrender their leasehold interest in the trust property for such consideration and upon such terms as may be approved by the Charity Commissioners All moneys belonging to the charity including the proceeds of sale of any fixtures and fittings (after satisfaction of any liabilities properly payable thereout) shall with such consent as aforesaid be applied either in the purchase of other property approved by the committee and to be held upon the trusts for the purposes and subject to the provisions hereinbefore set forth (including this power) or as near thereto as circumstances shall permit or towards such other charitable purposes or objects for the benefit of the inhabitants of the area of benefit as may be approved by the Charity Commissioners and meanwhile such moneys shall be invested and any income arising therefrom shall either be accumulated (for such time as may be allowed by law) by investing the same and the resulting income thereof in like manner as an addition to and to be applied as the capital of such investments or shall be used in furthering the purposes specified in this Deed

## **RULES**

**Paragraph 19** **within** the limits prescribed by this Deed the committee may from time to time make and alter rules for the management of the charity and in particular with reference to -

- (a) **the** terms and conditions upon which the trust property may be used by persons or bodies other than the committee for the purposes specified in this Deed and the sum (if any) to be paid for such use
- (b) **the** deposit of money at a proper bank and the safe custody of documents
- (c) **the** appointment of an auditor
- (d) **the** engagement and dismissal of such officers servants and agents as the committee may consider necessary and the payment of such persons (not being members of the committee)
- (e) **the** summoning and conduct of meetings including the number of members who shall form a quorum thereat **PROVIDED THAT** at meetings of the committee the quorum shall not be less than one-third of the total number of the members for the time being