

2020 Village Hall constitution

BOWERHILL VILLAGE HALL TRUST

Revised Constitution 2020

1. NAME

The registered name of the charity is Bowerhill Village Hall Trust Registered Charity Number 297945.

2. OWNERSHIP

Ownership of the property known as Bowerhill Village Hall Trust (hereafter referred to as the 'Trust Premises') is vested in the Official Trustee of Charity Lands by an Order of the Board of the Charity Commissioners for England and Wales dated May 27th 1949.

3. MEMBERSHIP

All residents of Bowerhill within the Melksham Without Parish and surrounding areas aged 18 and over are eligible to be members of the Bowerhill Village Hall Trust.

4. OBJECTS

The Trust Premises are held on trust under the Order referred to above "for the purposes of physical and mental training and recreation and social moral and intellectual development through the medium of recreations lectures, classes, and entertainments or otherwise as may be found expedient for the benefit of the inhabitants of the area and its immediate vicinity without distinction of sex or of political religious or other opinions subject to the provisions of these presents.

5. POWERS

The Trustees may exercise such powers as it sees fit in lawful furtherance of the above Objects, subject to any provisions set out in this document.

6. GENERAL MEETINGS

6a) Annual General Meeting:

- i) An Annual General Meeting of the Bowerhill Village Hall Trust shall be held once a year in or near the month of May at such time and place as the Management Committee shall decide. At least 14 days' clear notice of this meeting, including a copy of the agenda, must be posted in the area of benefit in a conspicuous place or places.
- ii) In exceptional circumstances the AGM may be held by electronic means. Such exceptional circumstances would be a Government instruction prohibiting gatherings of such a size to make the meeting automatically inquorate.

- iii) An Annual General Meeting shall be quorate if attended by at least a number of people equivalent to one-third of the number of members on the Management Committee. In the event that no quorum is present or the meeting has to be abandoned, the meeting shall stand adjourned and be reconvened not less than 21 days later, clear notice of this being given in the same fashion as was required for the original meeting
- iv) All members of the Bowerhill Village Hall Committee present at the meeting shall be eligible to vote.

iv) The business of the meeting shall be:

- (a) To receive and approve the Annual Report of the Management Committee, which shall include a report of the Accounts of the Association for the preceding financial year and a report of the work and activities of the Association;
- (b) To appoint such auditors or independent examiners as are required by law to audit and/or examine the Accounts of the Association for the forthcoming financial year;
- (c) To elect members of the Management Committee and shall consist of Six elected members and Eighteen representative members and may include not more than Three co-opted members for the forthcoming year, including Honorary Officers in accordance with Clause 7(i) below.
- (d) To approve a list of village hall user groups each of which shall be entitled to nominate one member to the Management Committee for the forthcoming year, a member cannot represent more than one user group;
- (e) To consider and vote upon any proposals to alter this constitution;
- (f) To consider any other business of which due notice has been given in writing to the Honorary Secretary no less than 21 days before the meeting and has been included in the notice of the meeting referred to in Clause ii above.

6b) Special General Meetings

- i) A Special General Meeting may be called by the Chair of the Management Committee at any time at his or her discretion
- ii) A Special General Meeting must be called by the Secretary within 21 days of the receipt of a written request to do so signed by not less than ten members of the Association and giving reasons for the request
- iii) At least 14 days' clear notice of a Special General Meeting, including a copy of the agenda, must be posted in a conspicuous place or places in the parish.
- iii) A Special General Meeting shall be quorate if attended by at least a number of people equivalent to one-third of the number of members on the Management Committee. In the event that no quorum is present or the meeting has to be abandoned, the meeting shall stand adjourned and be reconvened not less than 21 days later, clear notice of this being given in the same fashion as was required for the original meeting
- iv) All members of the Association present at the meeting shall be eligible to vote.
- v) The business of the meeting shall be to discuss only such matters as are on the agenda.

7. HONORARY OFFICERS

- i) The Committee at their first meeting in each year after the Annual General Meeting shall elect the following Honorary Officers of the Management Committee: Chair, Vice-Chair, Treasurer, Secretary and up to two other officers as the Management Committee may decide.
- ii) All Honorary Officers shall hold office until the next Annual General Meeting, when they may stand for re-election.
- iii) An Honorary Officer shall cease to hold office at any time upon giving written notice of resignation to the Association Secretary.
- iv) If a vacancy among the Honorary Officers occurs by death, resignation or disqualification, the Management Committee shall have the power to fill it from among the Management Committee members.

8. MANAGEMENT

- i) Administration and management of the Trust Premises is by the Trustees who are all the elected and nominated members of the current Management Committee.
- ii) The Management Committee shall have the power to enter into contracts for the purposes of the Charity on behalf of all members at all times to keep in repair and sufficiently insured against fire, theft, public liability and other insurable risks and may exercise on behalf of the Charity the powers referred to in Clause 5 above.
- iii) The Management Committee shall comprise:
 - a) Honorary Officers and other members elected at the Annual General Meeting, who shall serve until the next annual General Meeting
 - b) Such additional members, up to a maximum of five, as may be co-opted by the Management Committee at any time who shall have the same voting rights as other members and shall serve until the next annual General Meeting
 - c) One representative nominated by each approved village hall user group who shall have the same voting rights as other members
 - d) Any representatives nominated by Melksham Without Parish Council in accordance with county regulations regarding grant aid, who shall have the same voting rights as other members
- iv) No persons under the age of 18 may be members of the Management Committee
- v) Any member of the Parish regardless of age may attend meetings of the Management Committee as an observer without the right to participate in the proceedings or to vote, but may be excluded by a majority vote of the Management Committee members present on the grounds of confidentiality.
- vi) Any vacancy on the Management Committee may be filled by co-option.
- vii) A member of the Management Committee shall cease to hold office if he or she:

- (a) is disqualified from holding office by virtue of 'Unspent convictions for specific offences' Updated by the Charities Commission on the 1st August 2018 as The disqualifying reasons and the exceptions are set out in full in the [disqualifying reasons table](#) (ODT) or
- (b) becomes incapable by reason of mental disorder, illness or injury of managing his or her affairs, or
- (c) is absent without permission of the Management Committee from all its meetings held within any period of six months and the Management Committee resolves that he or she shall cease to hold office, or
- (d) gives written notice of resignation to the Honorary Secretary

viii) The Management Committee shall meet at least quarterly and at least fourteen days' written notice of meetings shall be given to all members.

ix) A quorum at Management Committee meetings shall be not less than one third of all its members.

x) The Management Committee may appoint one or more sub-committees consisting of at least three of its members for supervising or performing any activity or service and in each such case:

- (a) The Management Committee shall define the terms of reference of the sub-committee, its composition and the duration of its existence
- (b) The sub-committee shall report upon its acts and proceedings at each meeting of the Management Committee
- (c) The Honorary Officers shall be ex officio members of the sub-committee
- (d) All decisions made by the sub-committee shall be subject to the approval of the Management Committee

xi) The Management Committee shall comply with its obligations under the Charities Act 2016 (or any statutory modification or re-enactment of that Act) with respect to the keeping of accounting records for the Association, preparation of annual statements of the accounts for the Association, auditing or independent examination of such statements, the preparation of an annual report and annual return, and transmission of such reports, returns and statements to the Charity Commission for England and Wales.

xii) The Management Committee may receive any additional donations or endowments for any special objects connected with the charity not inconsistent with this deed.

xiii) No person shall be entitled to act as a member of the Management Committee until signing a declaration of acceptance and of willingness to act as a trustee.

9. RULES OF PROCEDURE AT ALL MEETINGS

i) Any question arising at a meeting of the Bowerhill Village Hall or one of its committees or sub-committees shall be decided by a simple majority of those present.

ii) In the case of an equality of votes the Chair shall have a second or casting vote

iii) Minutes shall be kept of all meetings, resolutions and decisions of the Association and these shall be made available for inspection by any member of the Management Committee within seven days of a written request to the Secretary.

iv) If both Chair and Vice Chair are absent from a meeting then the members present shall choose one of their number to chair the meeting.

10. TRANSFER OF PROPERTY

i) If there are insufficient members elected at the Annual General Meeting to form a committee which causes the Village Hall to close then ownership of the Village Hall passes to Melksham Without Parish Council as custodian trustees.

2020

For information only:

Among those who may wish to become approved village hall user groups are:

1. Bowerhill Baby & Toddler Group
2. Bowerhill Scout Group
3. Bowerhill School
4. BRAG
5. Bowerhill Busy Bees
6. Craft Chat & Coffee
7. Melksham Without Parish Council
8. PHAB
9. Core Church
10. Coffee on the Way

The list of user groups will be approved at each AGM. Each approved user group is entitled to nominate one member of the Management Committee.

September 2020

Comments are closed.