

Emneth Playing Field Committee (Charity number 802015) – Constitution

(Revised June 2012)

1 Governance

- 1.1 Emneth Playing Field Committee (EPFC) is a registered charity established to hold in trust under lease from Emneth Parish Council the land known as the Playing Field, Hungate Road, Emneth, Norfolk, PE14 8DE.
- 1.2 The current lease is dated 7 January 2005 and has a term of twenty-five years.
- 1.3 EPFC is subject to the requirements of the Charity Commission for which purpose the governing document is registered as The Schedule to a former lease dated 9 June 1989 which makes some provisions for the administration of the charity.
- 1.4 This Constitution is based on the provisions of the governing document and makes further provisions where appropriate.

2 Objectives

- 2.1 EPFC's main objective as provided in the governing document is to lease the area known as the Playing Field and to hold it in trust for the use of the inhabitants of the Parish of Emneth without distinction of political, religious or other opinions for all forms of recreation and leisure and for the improvement of community life.
- 2.2 EPFC aims to meet this objective by:
 - promoting and organising the management and use of the Playing Field and its facilities;
 - planning and delivering the provision of new facilities;
 - consulting with the community to identify its needs for recreation and leisure;
 - raising all necessary funding;
 - integrating its activities into the wider community life of Emneth;
 - ensuring that its activities are compliant with all relevant legislation including that relating to equalities, health and safety and child protection;
 - formation of sub-committees to facilitate good management of any of its activities, subject to delegated powers being specified at the time;
 - doing anything else relating to and supporting the above objectives.
- 2.3 EPFC is not established for profit. Any moneys received and held on behalf of EPFC are to be applied to its proper objectives and must not be distributed to Officers or any other participants other than by way of reimbursement of approved expenses incurred.

3 Place in the community

- 3.1 EPFC welcomes and encourages support of and participation in its activities from anyone interested in supporting its objectives and not disqualified by law.

3.2 EPFC aims to work closely with the community in order to identify and provide for its recreation and leisure needs. This may include, where appropriate, working in consultation or partnership with Emneth Parish Council, other local authorities, public bodies, local schools and churches and all other local voluntary organisations.

4 Management Committee - membership

4.1 As provided in the governing document, the activities of EPFC shall be regulated by a Management Committee which shall comprise the following members:

- a maximum of twelve members to be duly elected at an Annual General Meeting;
- representative members to be appointed by each of Emneth Parish Council and Hungate Rovers Football Club respectively; if either organisation fails to take up this opportunity the Management Committee can consider this right to have lapsed and the Committee may at its discretion fill these positions as casual vacancies in accordance with the provisions of para 4.3;
- a representative member to be appointed by any other organisation regularly using facilities at the Playing Field; if the organisation fails to take up this opportunity the Management Committee can consider this right to have lapsed and the Committee may at its discretion fill such positions as casual vacancies in accordance with the provisions of para 4.3;
- a maximum of two members to be co-opted with the agreement of at least two-thirds of all members of the Management Committee present and voting.

4.2 All members of the Management Committee shall retire from office together at the end of the AGM following that after which they came into office but they may be re-elected or reappointed.

4.3 Casual vacancies for elected members may be filled between AGMs by a simple majority of Management Committee members present and voting but any persons so elected shall retire in accordance with 4.2 above.

4.4 All members of the Committee shall be charity trustees as provided in relevant legislation and shall therefore have all the relevant duties prescribed by law and as set out in relevant Charity Commission guidance.

4.5 All newly elected/appointed Trustees shall be required to sign a declaration of acceptance and eligibility, the form and content of which shall be decided by the Management Committee, and provided with an induction pack comprising copies of the Governing Document, the Constitution, the latest Annual Statement of Accounts, the lease dated 7 January 2005, the Charity Commission publication *The Essential Trustee* together with any other items considered appropriate by the Management Committee.

4.6 A member of the Committee who becomes ineligible to be a charity Trustee or who is considered to be in breach of duty may be removed from membership by a majority of at least two-thirds of the members of the Management Committee present and voting.

5 Management Committee - meetings

5.1 The Management Committee shall meet at least four times in each calendar year.

- 5.2 A quorum for a meeting of the Management Committee shall be not less than one-third of the Committee membership for the time being. Any decisions made at an inquorate meeting shall be recommendations only, until they have been confirmed by the Management Committee.
- 5.3 Decisions at meetings of the Management Committee shall be by a simple majority of members present and voting. In the event of a tied vote, the Chair of the meeting shall have an optional casting vote, even though he or she has already voted.
- 5.4 The Management Committee may invite to its meetings any persons interested in supporting and assisting it. Invitees may participate in meetings at the discretion of the Chairman but shall not have voting rights.
- 5.5 Members of the Management Committee shall submit an apology for non-attendance at meetings, explaining the reason for non-attendance. The Committee may at its discretion terminate the membership of any member who fails to attend any meeting in six months without submitting an acceptable reason.

6 Management Committee – duties

The duties of the Management Committee shall be:

- to manage and control all the activities of EPFC;
- to ensure that the activities of EPFC are in accordance with its governing document and this Constitution;
- to ensure that all planned expenditure is covered by income receivable and to exercise proper stewardship of funds;
- to ensure that value for money is obtained in the procurement of works, goods and services.

7 Annual General Meeting

- 7.1 There shall be an Annual General Meeting (AGM) to be held in June or as soon as reasonably practicable thereafter. Twenty-one days public notice shall be given of the AGM and all residents of Emneth aged eighteen and over shall be entitled to attend and vote.
- 7.2 The AGM shall be chaired by the Chair of the Management Committee for the time being or in his or her absence the Vice-Chair or if both are absent by a person acceptable to the majority of those present.
- 7.3 The business to be transacted at the AGM shall be:
- To receive a report from the Management Committee of the past year's activities.
 - To receive a report from the Treasurer to include an annual statement of accounts prepared in accordance with the requirements of the Charity Commissioners.

- Deciding on any proposals to change the Constitution.
- To elect members of the Management Committee in accordance with 4.1 above.
- Any other relevant business at the discretion of the Chair of the meeting.

8 Extraordinary General Meeting

8.1 An Extraordinary General Meeting (EGM) may be called by the Management Committee for the purpose of proposing amendments to this Constitution. At least twenty-one days public notice shall be given of an EGM and all residents of Emneth aged eighteen and over shall be entitled to attend and vote.

8.2 An EGM for the purpose of proposing amendments to this Constitution may be called by at least six residents of Emneth aged eighteen and above. Notice of any such requirement must be given in writing to the Secretary accompanied by the names, addresses and signatures of the residents concerned. Upon receipt of such notification the Management Committee shall convene an EGM as soon as reasonably practicable giving at least twenty-one days notice.

9 Officers

9.1 The following officers shall be appointed annually by the Management Committee at its first meeting after the AGM: Chair; Vice-Chair; Secretary; Meetings Secretary; Treasurer. The duties of these officers are set out at Annexe A.

9.2 Additional officers may be appointed at the discretion of the Committee and their duties shall be specified at the time of appointment.

9.3 All officer appointments shall be of an honorary nature and no remuneration shall be paid although nothing shall prevent the reimbursement of approved expenses or of the payment of an agreed honorarium to cover approved expenses.

10 Finance

10.1 All moneys shall be controlled by the Treasurer, who shall be responsible for the prompt banking of any amounts received on behalf of EPFC.

10.2 Any moneys received on behalf of EPFC must be passed promptly to the Treasurer.

10.3 No expenditure shall be incurred without the approval of the Management Committee. So far as practicable, all payments shall be made by cheque. Any payments which of necessity are made in cash shall be supported by receipts unless this is clearly impracticable.

10.4 The Treasurer shall make banking arrangements as approved by the Management Committee, which shall include a requirement for two signatures to cheques drawn, one of which must be that of the Treasurer, the other being either that of the Chair or Secretary.

10.5 At each meeting of the Management Committee, the Treasurer shall submit a report showing:

- current bank balances;

- details of all financial transactions since the last meeting;
- details of all amounts outstanding from users;

10.6 The Treasurer shall submit an Annual Statement of Accounts to the AGM prepared in accordance with the requirements of the Charity Commissioners and any relevant legislation.

10.7 The Management Committee shall appoint an independent person to carry out an audit or inspection (as appropriate) of the Annual Statement of Accounts if required to comply with legislation and any requirements of the Charity Commission. If no such audit or inspection is required, the Management Committee may instead make arrangements for an independent examination.

11 Changes to the Constitution

11.1 Proposals to change this Constitution may be submitted by the Management Committee for consideration at an AGM or EGM. Any such proposals shall be referred to in the public notice giving advance notice of the meeting.

11.2 Proposals to change this Constitution may also be submitted by residents of Emneth aged eighteen and above for consideration at an AGM or EGM. Notice of any such proposals must be given in writing to the Secretary not less than 14 days before an AGM or must accompany a request for an EGM. Any such proposal must include the names, addresses and signatures of the proposer, seconder and at least four other residents.

11.3 The Constitution shall only be changed by a resolution supported by at least two-thirds of those present and voting at an AGM or EGM.

11.4 No amendment shall be made to the Constitution which is at variance to the governing document.

12 Dissolution

The procedure for the dissolution of EPFC if this becomes necessary is prescribed in detail in clause 17 of the governing document and requires the approval of the Charity Commissioners.

Annexe A – Duties of Officers

Chair

- 1 To be the focal contact and provide leadership for all the activities of EPFC.
- 2 To represent EPFC as required at meetings with other organisations and stakeholders.
- 3 To be a media spokesperson for EPFC.
- 4 To Chair the AGM, any EGMs and meetings of the Management Committee.

Vice-Chair

- 1 To support the Chair in all his or her activities and to deputise whenever required.

Secretary

- 1 To be the official contact for all formal business and correspondence.
- 2 To be signatory as required for official documents.

Meetings Secretary

- 1 To send notifications of meetings to members of the Management Committee.
- 2 To arrange appropriate publicity for the AGM and any EGMs.
- 3 To issue agendas for meetings.
- 4 To arrange accommodation for meetings.
- 5 To produce minutes of meetings.

Treasurer

- 1 Responsible for all financial management and accounting.
- 2 Opening and managing bank accounts.
- 3 Temporary investment of surplus funds.
- 4 Paying bills.
- 5 Receiving and accounting for all income.
- 6 Preparing and submitting financial statements.
- 7 Preparing year end accounts.
- 8 Dealing with all financial returns and correspondence.
- 9 Any other related tasks.