

# CAPEL ST MARY AND LITTLE WENHAM COMMUNITY ASSOCIATION CONSTITUTION

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## **1.0 Objective**

- 1.1 The object of the Association is to support the work and objectives of the Capel St Mary Community Trust (the Trust) and the raising by subscriptions and otherwise of funds for the furtherance of such objectives and the provision of recreational opportunities for its members.

## **2.0 Governance**

- 2.1 The Association shall have an Executive Committee composed as follows:

- (i) Chair, Vice-Chair and Treasurer, all of whom shall be full members of the Association
- (ii) Not less than four other members, all of whom shall be full members of the Association
- (iii) The Chair and Treasurer for the time being of the Trust or their deputies shall be additional ex officio members

- 2.2 The Executive Committee shall carry on the business of the Association. Meetings of the Executive Committee shall be held at monthly intervals, seven days prior to the Trust meeting but may, in addition, be called at any time with seven days' notice by the Secretary, either by order of the Chair or on receipt of a written request signed by at least three members of the Executive Committee. Five members of the Executive Committee shall form a Quorum. A representative from the Vice Presidents may attend any meeting of the executive committee and be deemed to be an ex officio member without voting rights for the duration of the meeting.

- 2.3 The Executive Committee shall have the power:

- (i) To fill by co-option any vacancy with the exception of officers, which may occur or exist in its composition provided that any person so co-opted shall be a full member of the Association.
- (ii) To co-opt in an advisory capacity any person they may think fit.
- (iii) To appoint the Bar Sub-Committee and other Sub-Committees as and when needed.
- (iv) To appoint a Secretary of the Association, following the AGM. The secretary shall be an ex officio member of the committee and as such the position will not have any voting rights.

- 2.4 If any member of the Executive Committee fails to attend 6 consecutive meetings of the Community Association without good reason, they will be deemed to have resigned their position on the Executive Committee.

- 2.5 The full details of persons wishing to become members of the Executive Committee shall be communicated to the Secretary prior to the AGM and shall be retained in accordance with our data protection policy.

- 2.6 The committee shall elect a Membership Secretary each year, who will be responsible for the issue of membership cards to all members and for keeping a record of all new and existing members in accordance with our data protection policy.
- 2.7 The Executive Committee shall have the power from time to time to permit the issue of lifetime membership to the Association on payment of the subscription agreed, adopted and recorded in the minutes of the Executive Committee. The period over which the lifetime membership shall be issued shall be decided and recorded in the minutes of the Executive Committee.
- 2.8 No person shall at any time be entitled to receive at the expense of the Association or of any member thereof any commission percentage or similar payment on or with reference to purchases of intoxicating liquor by the Association; nor shall any person directly or indirectly derive any pecuniary benefit from the supply of intoxicating liquor by or on behalf of the Association to members or guests apart from any benefit which a person derives indirectly by reason of the supply giving rise to or contributing to a general gain from the carrying on of the Association.
- 2.9 The purchase for the Association and the supply by the Association of intoxicating liquor shall be at the absolute discretion of a Bar Sub-Committee of not less than three Executive Committee members who have been appointed by the Executive Committee for that purpose. In the event of any member for any reason ceasing to be a member of the Executive Committee, they shall automatically cease to be a member of the Bar Sub-Committee and another member of the Executive Committee shall be appointed in their place. Such Sub-Committee shall in no way be restricted in freedom of purchase.
- 3.0 Members**
- 3.1 Members may renew their membership of the Association annually, by payment of the current subscription on a date agreed and recorded in the minutes of the Executive Committee. Once paid they will become full members and their membership shall remain in force for 12 months following that date, unless within that period, the member has notified his intention to discontinue membership or it is terminated by the Executive Committee.
- 3.2 In certain circumstances membership may be approved for a period less than 12 months as agreed by the Executive Committee.
- 3.3 No privileges of membership will be available to potential members until a period of 48 hours has elapsed from the issue of the membership ticket.
- 3.4 Any full member shall be entitled to introduce guests to the Association on payment of any levy as agreed by the Executive Committee subject to:
- (i) Any member of the Executive Committee may forbid the introduction of any guest or guests
  - (ii) No person who has been expelled from the Association shall be introduced as a guest
  - (iii) The member introducing a guest shall provide their details together with those of their guest which shall be recorded in accordance with our data protection policy.

#### **4.0 Intoxicating Liquor**

- 4.1 Intoxicating liquor may be sold by or on behalf of the Association for consumption on the premises to the following persons apart from full members and bona fide guests, but only in the circumstances described as follows.
- 4.1.1 Members of visiting teams
- 4.1.2 Members of Capel St Mary and Little Wenham Village organisations eligible to appoint representatives to the Trust and which have been affiliated to the Community Association, such affiliation to be upon terms approved by the Executive Committee of the Association but subject in any case to 75% of the members of such organisations being also members of the Community Association.
- 4.1.3 Non-members of the Association attending special functions at the Capel St Mary Village Hall provided that the number of such functions shall not in any one calendar year or consecutive period of 12 months exceed 6 in number.
- 4.1.4 Non-members of the Association attending Association organised events for the overall benefit of its members and local community.
- 4.2 The maximum permitted hours for the supply of intoxicating liquor shall be the hours permitted by any license held by the Association pursuant to current legislation with respect to the consumption and the supply of intoxicating liquor in licensed premises. Subject to these permitted hours the Executive Committee shall determine on what days and what times intoxicating liquor shall be supplied. No member or guest under the age of 18 years is permitted to buy or consume alcohol on the premises.

#### **5 Books of Account**

- 5.1 Books of account shall be kept by the Treasurer of the Association. Subject to sub clause (5.2) below all moneys in the hands of the Treasurer, not required for the payment of current expenses, shall be paid over to the Treasurer of the Trust.
- 5.2 If the Trust shall have passed a resolution to this effect, the Executive Committee may open a separate bank account into which moneys received by the Association shall be paid. Copies of statements from any such accounts shall be passed to the treasurer of the Trust.

#### **6.0 Meetings**

- 6.1 Decisions to be taken at meetings shall be decided by a simple majority vote of those committee members present at the meeting. Where voting is equal the Chair will have a casting vote.
- 6.2 The Chair or Vice-Chair of the Association shall preside at all meetings of the Association but if not present within fifteen minutes after the time appointed for the meeting or has signified their inability to be present at the meeting, the members present and entitled to vote shall choose one of their members to Chair the meeting.

6.3 The Secretary shall record minutes of any meeting which at the next meeting will be put to a general vote. If the vote concurs that they are a true record of the previous proceedings the minutes of the current meeting will be marked accordingly as evidence of their acceptance.

## **7.0 Annual/Extraordinary General Meetings**

7.1 An AGM of the Association shall if possible be held on a date prior to the Trust AGM but in any event not later than 15 months after the last AGM for the following purposes:

- (i) Election of Officers (Chair, Vice-Chair and Treasurer) and Executives
- (ii) The presentation of independently examined accounts.
- (iii) Any Other Business

7.2 Only full Association members are eligible to vote. A quorum of such members to be 5.

7.3 In the event of an AGM being unable to produce sufficient nominations to fulfil all of the posts of the Executive Committee, detailed in paragraph 2.1 above or through resignation the posts become vacant, then management of the Association shall return to the Trust. Management shall remain with the Trust until such time that the Association is in a position to call an Extraordinary General Meeting to elect a new committee. In the situation where management of the Association has resorted to the Trust then notification of an Extraordinary General Meeting must be made to the Trust Administrator.

7.4 An Extraordinary General Meeting may be called at any time and must be called by the Secretary either by request or the Chairman or upon receiving a request for such a meeting signed by at least ten members of the Association. A minimum of twenty one day's notice with an Agenda must be given for any such Extraordinary General meeting and for the AGM and of all resolutions to be proposed by placing one copy thereof on the Trust notice board and sending a further copy to the Trust Administrator.

## **8.0 Changes to the Constitution**

8.1 Notice of any proposed alterations to these rules shall be submitted in writing to reach the Secretary not less than twenty eight days before the day of the AGM or Extraordinary General Meeting called for that purpose.

8.2 No alteration of Clauses 1, 5, 6.3, or 7 or any other Clause affecting the relationship of the Association and that of the Trust shall be valid until ratified by the Trust.

8.3 Nothing in these rules shall authorise or empower the Association to participate directly or indirectly in any non-charitable activity according to the laws of the United Kingdom for the time being in force and the whole of the property and funds of the Association shall at all times be used and applied for such purposes as are charitable in accordance with the law.

8.4 No alteration to these rule shall be permitted which would make the objectives of the Association otherwise than exclusively charitable or the funds and property of the Association applicable otherwise than for exclusively charitable purposes.

## 9.0 Dissolution

9.1 The Association may be dissolved by a resolution to that effect passed at a General Meeting by not fewer than three fifths of the members of the Association present at the meeting. If upon the dissolution of the Association there remains after the satisfaction of all its debts and liabilities any property or assets shall be handed over to the trust or in default to a charitable institution or institutions having similar objectives.

## 10.0 Document History

Date	Name	Details
AGM 20 <sup>th</sup> February 1979		
EGM 26 <sup>th</sup> July 1988		
AGM 16 <sup>th</sup> February 1995	Steve Bishop	Secretary's role amended
EGM 22 <sup>nd</sup> April 2003	Steve Bishop	Clause 18.2 added
EGM 17 <sup>th</sup> November 2008	Steve Bishop	Opening hours
AGM 16 <sup>th</sup> February 2009	Steve Bishop	Constitution re-formatted – change in the licensing laws
EGM 18 <sup>th</sup> Jan 2010	Steve Bishop	Re-arranged wording of Paragraphs 4 to Paragraph 184
EGM 18 <sup>th</sup> Dec 2017	Steve Bishop	Re-wording para 3 to allow for lifetime members
AGM	Steve Bishop	Re-wording para 4, 5.3 and 11 to allow for GDPR compliance
AGM 24 <sup>th</sup> Aug 2020	Trevor Stevenson	Constitution reordered into logical sections. Wording amending to plan English in various paragraphs. 3.2 Added to allow flexibility on period of membership. 4.1.4 Added to allow non-members to attend some organised events in the bar. Amendments made to reflect the natural phasing-out of the Vice President role.