

POCKLINGTON CANAL AMENITY SOCIETY

CONSTITUTION

1. The aims of the Society are:
 - a) To promote restoration of the canal to a navigable standard for the benefit of the local community and the general public, as an amenity that can be enjoyed by all.
 - b) To enhance and protect the native flora and fauna in and around the canal with due recognition of the legal protection afforded by various designations.
 - c) To restore and maintain the built structures (locks, bridges, etc.) on the canal in a manner that is consistent with their heritage status and recognises that many structures are Listed Buildings.
 - d) To support the use of the canal for educational purposes, promoting public interest and knowledge of the history, flora & fauna and structures of the Canal and its environs.
2. The Society will pursue these ends by organising meetings, study groups and working parties, and by collaborating with bodies pursuing complementary aims. The Society will encourage the involvement of volunteers in the restoration and maintenance of the canal. The Society is empowered to raise funds in support of the aforementioned aims. The Society will prepare a magazine and other matter for members benefit and for sale to the general public.
3. Charity Trustees – the Officers and Committee Members are the Trustees of the Society. The Officers will be the Chairman, Vice Chairman, Secretary and Treasurer, who, together with up to nine ordinary members, will comprise the committee. Junior Members may serve on the committee but are not eligible to become Trustees.
4. Trustee Meetings – The Trustees (committee) will aim to meet at six weekly intervals with a minimum of six Trustee meetings per calendar year. The quorum at a Trustees meeting will be five, to include one of the Society's officers who will chair the meeting.
5. Committee Membership – Members of the Committee will be deemed to have resigned should they fail to attend three meetings in succession without good reason.
6. Minutes – The Trustees will record by minute:
 - a) Appointments of Officers and Trustees,
 - b) Proceedings of the meetings of the Charity, including the names of the Trustees present, the decisions taken, and where appropriate the reasons for these decisions.
7. Annual General Meeting – An AGM will be held once in each calendar year and will:

- a) Receive the Chairman's report
 - b) Receive a financial statement for the previous year ended 31st December
 - c) Elect Chairman and Committee Members annually
 - d) Elect an Independent Financial Examiner when required
 - e) Deal with matters brought forward by the Committee
 - f) Deal with duly proposed and seconded motions tabled by members and submitted 14 days in advance of the AGM.
 - g) Consider alterations to the Constitution following appropriate approval by the Charities Commission, which require a two thirds majority vote in favour of those present.
 - h) The quorum for the AGM is 5% of the fully paid-up membership.
 - i) The Constitution cannot be amended to cause the Society to cease to be a Charity in law.
8. Notice of Annual General Meeting will be sent out to all full members at least 30 days prior to the meeting.
9. A Special General Meeting will be called by the Secretary, following receipt of a written application from ten members. Notice of such a meeting, specifying the nature of the business to be discussed, will be circulated to all members at least seven days prior to the date of the meeting. The quorum will be the same as at an Annual General Meeting.
10. Election of Chairman and Committee Members:
- a) The Chairman and up to 12 Committee Members will be elected at each AGM. The Vice-Chairman, Treasurer and Secretary will be appointed at the next meeting of the Committee.
 - b) Only fully paid-up members, willing to serve and properly proposed and seconded, are eligible to serve as officers and committee members.
 - c) Officers and Committee Members serve an annual term and are eligible for re-election.
 - d) Only fully paid up members are entitled to vote at an AGM.
 - e) Nomination forms will be sent out to members at least 30 days prior to the AGM.
11. Funds – The Treasurer will be responsible for the Society's funds. Accounts will be paid on the signature of two of the officers.
12. Report and Accounts – The Trustees must comply with their obligations under the Charities Act 1993 with regard to:
- a) Keeping of accounting records for the Charity
 - b) The preparation of annual statements of account for the Charity
 - c) The transmission of the statement of account to the Charity Commission

- d) The preparation of the annual report and its transmission to the Charity Commission
 - e) The preparation of the annual return and its transmission to the Charity Commission
 - f) Accounts will be prepared in accordance with the provisions of the Statement of Recommended Practice issued by the Charity Commission.
 - g) To ensure that a Risk Management Policy is in place and is reviewed regularly, to address all the risks the Charity may be exposed to.
13. Charity Registration – The Charity must notify the Charity Commission promptly of any changes to the Charity’s entry on the Central Register.
14. Insurance – The Trustees are responsible for ensuring the provision of suitable insurance cover in respect of Public and Employers Liability, and any other risks deemed suitable from time to time.
15. Consent to Amend - consent is required from the Charity Commission for amendment to clauses 1a, 1b, 1c, 1d, 2, 7g and 19 of this constitution.
16. Membership
- a) Adult membership is open to individuals over eighteen or organisations approved by the Trustees
 - b) Membership is open to all members of the general public on payment of the subscription in force at the time of application.
 - c) Junior Membership is open to individuals under eighteen and is non-voting.
 - d) The Trustees may refuse an application if they consider the refusal to be in the best interests of the Society.
 - e) The Trustees must inform the unsuccessful applicant in writing of the reasons for refusal within 21 days of the decision.
 - f) The Trustees must consider any written appeal by an unsuccessful applicant; the subsequent decision must be notified to the applicant and will be final.
 - g) Membership is not transferable to anyone else.
 - h) Membership subscription rates are set and reviewed from time to time by the Trustees and come into force after approval at the AGM.
 - i) Membership renewal falls due on the anniversary of joining the society or on 1st January for those who are accustomed to paying on that date.
 - j) The Trustees will keep a register of names and addresses of the members which must be made available to any Officer on request.
 - k) Membership is terminated if:
 - i. The member dies, or if an organisation ceases to exist.
 - ii. The member resigns by written notice to the Charity unless after the resignation, there would be less than two members.

- iii. Any sum due from the member to the Charity is not paid within 6 months of it falling due.
 - iv. The member is removed from membership by the Trustees by resolution that it is in the best interests of the Charity.
- l) A resolution to remove the member may only be passed if:
- i) The member has been given 21 days' notice of the meeting of trustees to table the removal resolution and the reasons for the resolution.
 - ii) The member (or his/her representative) has been allowed to make representation to the Trustees.
- m) The Trustees at their discretion may appoint a member with a record of faithful service to the Charity to become President for a specific period, as a mark of the Charity's appreciation of that service. The same procedure will be followed in respect of inviting a member(s) to become Vice President(s)
- n) The Trustees may also grant Hon. Membership to members and, if appropriate, to non-members.
- o) The Trustees may, at their discretion, invite persons of distinction, and/or Corporate Bodies sympathetic to the Charity's aims, to become Patrons.

18. Disqualification and Removal of Trustees

A Trustee shall cease to hold office if he or she:

- i. Is disqualified for acting as a trustee by virtue of section 72 of the Charities Act 1993 (or any statutory re-enactment or modification of that provision).
- ii. ceases to be a member of the Charity.
- iii. becomes incapable by reason of mental disorder, illness or injury of managing the affairs of the Society.
- iv. resigns as a Trustee by notice to the Charity (but only if at least two Trustees will remain in office when the notice of resignation is to take effect).
- v. is absent without good reason from all Trustees meetings within a period of six consecutive months and the Trustees resolve that his or her office be vacated.

19. Dissolution Clause.

If the Charity Trustees decide that it is necessary or advisable to dissolve the Charity, they shall call a meeting of all members with not less than 21 days' notice, stating the terms of the resolution to be proposed. If the proposal is confirmed by a two thirds majority of those present and voting, the Charity Trustees shall have the power, after the satisfaction of any proper debts and liabilities to transfer or gift any remaining assets to any other charitable institution(s) having aims similar to this Society as the members shall decide, or if that cannot be achieved these assets shall be applied to some other charitable purpose.