

**CLEARWELL RECREATION GROUND
CONSTITUTION**

1 PREAMBLE

- 1.1 The land extends to approximately 3.3 acres (1.4 ha) in Clearwell and lies on the north-east side of the road from Lower Cross to Newland
- 1.2 The land was conveyed on 11 April 1933 to various trustees for a consideration of £113/15/- (£113.75).
- 1.3 The land is to be held "to be used as a playing field and recreation ground for the parish of Newland for ever under the management and direction of the trustees".
- 1.4 As at 1 January 2010 there was a sole remaining trustee who wished to be relieved of that position
- 1.5 It is proposed to have Newland Parish Council appointed as sole Custodian Trustee under the terms detailed in the conveyance dated 11 April 1933
- 1.6 On 13 January and 10 February 2010 new Managing Trustees and Committee members were appointed (see 3.6 and 3.7 below)

2 LAND OWNERSHIP

- 2.1 The landowner will insure against all normal risks associated with the management of such land

3 MANAGING COMMITTEE

- 3.1 The Managing Committee will comprise not less than three Managing Trustees aged 18 years or over. These trustees must be either resident in the parish or who have, in the opinion of the committee, sufficiently strong connections with the parish. In addition Newland Parish Council will appoint one of their members to the committee.
- 3.2 The offices of Chairman, Secretary, Treasurer and any other officer shall be appointed at the Annual General Meeting (see 5.4.3 below) and they will hold office until the next Annual General Meeting. All holders of these posts are eligible for re-election.
- 3.3 Vacancies resulting from resignations from these posts may be filled by appointment by the Managing Committee as soon as they occur and those posts will be held until the next Annual General Meeting
- 3.4 Additional posts may be created if considered appropriate by the Managing Committee

3.5 Resignation from the Managing Committee shall be in writing addressed to the Secretary

3.6 The new Managing Trustees appointed on 13 January 2010 are: Richard Crighton (Chairman), William Evans (Secretary) and Janice Hobbs (Treasurer).

3.7 The additional Managing Trustees appointed on 10 February 2010 are: Andrew Salter and Edward Parkes.

3.8 Further members of the Managing Committee (who are not trustees) were appointed on 10 February 2010 are: Malcolm Sadler and Malcolm Vine

4 SUPPORT COMMITTEE

4.1 In recognition of the fact that there are individuals willing to give of their time in a practical way ie manual labour, fund raising etc, but who do not wish to be members of the Managing Committee, such individuals shall be Supporting Members.

4.2 Support Members are entitled to attend any meeting of the Managing Committee and speak but shall not have any voting rights. If a Supporting wishes to propose a motion (s)he should approach a member of the Managing Committee with a request that they propose the motion on their behalf.

5 MEETINGS

5.1 Meetings shall be called as required, but not less frequently than every six months.

5.2 Additional meetings may be called at any time, subject to the timescale detailed in 5.6 below, by:

5.2.1 The Chairman

5.2.2 Any two members of the Managing Committee

5.3 A quorum shall be 3 members of the Managing Committee

5.4 The Annual General Meeting shall be held in the month of April and shall be open to the public to deal with the following business:

5.4.1 To receive the Chairman's report

5.4.2 To receive and, if approved, to adopt the accounts for the previous financial year

5.4.3 To appoint a Chairman, Secretary and Treasurer and any other officers that the Managing Committee deems necessary

5.4.4 Any other business

5.5 All meetings shall be chaired by the Chairman, but if he is not present, those attending shall elect a Chairman of the meeting from amongst themselves

5.6 An agenda shall be issued to members of the Managing Committee and the Support Committee by the Secretary not less than 7 days prior to the meeting

5.7 Minutes of each meeting shall be sent by the Secretary to the Chairman within 2 weeks for approval and once approved, issued in draft form by the Secretary to members of both committees within 1 month of the meeting. The minutes will be confirmed at the next meeting of the committee.

6 RESPONSIBILITIES

6.1 The landowner has ultimate responsibility for ensuring the conditions under which the land was acquired are respected, to protect the land on behalf of the community, and to ensure that nothing is done which could jeopardise those conditions or materially alter the appearance of the land.

6.2 The Managing Committee has the responsibility and authority for the day to day running of the land and for decision making on behalf of the community

6.3 Supporting Members have responsibility for fund raising and for providing practical assistance associated with the maintenance of the land and any events which may be organised upon it.

7 RESOLUTIONS AND VOTING

7.1 Any resolution which is proposed must be seconded before being voted upon

7.2 Each member of the Managing Committee shall have one vote and in the event of a tie the Chairman must use a casting vote, whether or not (s)he cast an original vote

7.3 No resolution may be proposed which would have the effect of reversing a decision taken in the previous 6 months, unless new information is presented which could affect that resolution.

7.4 In recognition of the Parish Council's responsibilities (see clause 6.1) the Parish Council member of the Management Committee shall have the power of veto in cases where the proposition, if carried, would result in significant alteration to the land area or jeopardise the conditions under which the land is held. In such a case the prior approval of Newland Parish Council should be sought.

8 FINANCE

8.1 The financial year shall run from 1 January to 31 December.

8.2 HSBC Bank plc Coleford are appointed bankers to the committee

8.3 The Treasurer shall produce accounts for the previous financial year and present them to the Annual General Meeting in the April following the year end.

8.4 The Treasurer shall arrange for an independent audit of the accounts

8.5 Other than routine administrative expenditure, no financial commitment shall be entered into unless it has been approved by the Managing Committee.

8.6 All cheques or orders for payment shall be signed by any two members of the Managing Committee in accordance with the bank mandate.

9 ALTERATION TO CONSTITUTION

9.1 Any proposed alteration to this constitution shall be proposed and seconded and the motion shall stand suspended until the next meeting of the Managing Committee.

10 DISSOLUTION

If by way of resolution at a general meeting of the committee it is proposed to dissolve the committee then such motion shall stand adjourned for a period of three months. During that period every effort will be made by the remaining members to either:

- i) Identify individuals who are willing to be appointed trustees, then if that fails**
- ii) Identify groups or organisations within the parish with similar aims and objectives willing to assume responsibility for the management of the area, then if that fails**
- iii) To appoint Newland Parish Council as Managing Trustee.**

In any of these cases the assets of the committee and responsibility for their maintenance shall pass to the person or body so appointed.

Clauses 1 - 9 adopted by resolution of the Managing Committee on 10 February 2010

Clause 10 adopted by resolution of the Managing Committee on 25 February 2011