

**THE CONSTITUTION OF EVERTON SPORTS AND COMMUNITY
PAVILION MANAGEMENT COMMITTEE. ADOPTED 1 October 2016.**
(AMENDED 18/3/21 BY A MAJORITY OF THE COMMITTEE)

1 Charitable objects.

Provision of a sports and community pavilion for the use of the inhabitants of the parish of Hordle in the county of Hampshire without distinction of political, religious or other opinion including use for meetings, lectures, and classes and for other forms of recreation and leisure time occupation with the object of improving the conditions of life for the said inhabitants.

2 Vesting in the official custodian for charities

The trustees shall take such steps as may be necessary for the purpose of vesting in the official custodian for charities all freehold and leasehold lands and other property at any time belonging to the charity.

3 Everton Sports and Community Pavilion Management Committee.

Here after known as "the committee." The committee shall administer the charity in conformity with the provisions of this constitution. The committee shall comprise up to eight members elected at the AGM and two members appointed by HPC. Up to four of these members shall be elected residents of the parish and up to four should be regular hall users elected at the AGM. The committee should be regarded to be quorate if four members are present. The members shall all be trustees. Co-opted members may be elected by the committee at any time to fill vacancies. Members shall stand down after the next AGM following their appointment. They may stand for re-election.

Declaration of members; members must immediately after election sign a declaration form of acceptance and willingness to act as a Trustee of the charity.

4 Members are not to have personal interests in the charity.

No member of the committee shall hold any interest in any property belonging to the charity, otherwise than as a trustee, or receive any payment, or be interested in the supply of work or goods, at the cost of the charity.

5 Determination of membership.

Members may resign or be deemed to have resigned from the committee if they become bankrupt or incapacitated or if they offer their resignation in writing, whereupon they cease to be a member.

6 Committee meetings.

Committee will hold a public AGM and at least 2 management meetings a year. Additional meetings may be called as required.

7 Chairman and officers.

The chairman, Treasurer, secretary and vice chair will be elected at the AGM. They will remain in office until a successor is elected at the next AGM.

8 Voting in committee.

The chair will have a casting vote in the event of a split decision.

9 Annual General Meeting

The AGM will be held in June each year or as soon as practicable thereafter. All residents of the parish of Hordle over the age of 18 are entitled to attend and vote at AGMs.

Each of the Chair, the Treasurer and Secretary will present their reports and accounts to the AGM.

10 Property

The committee will negotiate with HPC a lease to occupy Everton Sports and Community Pavilion.

11 Changes to the constitution.

The constitution of the committee as previously provided may on the application of the committee, be altered from time to time by order of the Charity Commissioners.

12 Failure to appoint.

The proceedings of the committee shall not be invalidated by any failure in the process to appoint or any defect in the appointment election or qualification of any member.

13 Rent and other outgoings

The committee shall at all times keep the demised premises and the fixtures in good and substantial repair and condition and shall save harmless and keep indemnified HPC against the rent and against all other outgoings.

14 Application of income.

After satisfying its obligations in relation to rent and outgoings the committee shall as and when it thinks fit apply the net yearly income for the purposes of the charity.

15 Surplus cash

Any cash belonging to the charity and not needed as a balance for working purposes shall (unless otherwise directed by the charity commissioners) be invested.

16 Further endowments

The committee may receive any additional donations or endowments for the general purpose of the charity and it may also accept donations or endowments for any special objects connected with the charity not inconsistent with the provision of the constitution.

17 Minutes and accounts

The committee shall provide and keep a minute book and books of account. All proper statements of account in relation to the charity shall in each year be prepared as prescribed by section 32 of the charities act 1960 and copies thereof shall be sent to Hordle Parish Council.

18 Mortgages and charges

At the request of the committee they may with the consent of the charity commissioners (and any necessary consent of the lessor) from time to time by mortgage or otherwise obtain such advances on the security of the trust property or any part thereof as may be required for maintaining, extending or improving the same or any part thereof or erecting any building thereon or for the work carried on therein and may continue or may repay in whole or in part from time to time any existing mortgage or charge on the trust property.

19 Surrender of lease

If the committee decides it is necessary or advisable to discontinue the use of the trust property in whole or in part for the purposes stated in paragraph one it shall call a meeting of the residents of the age of 18 years and upwards of the area of benefit of which meeting not less than 14 days notice (stating the terms of the resolution that will be proposed thereat) shall be posted in a conspicuous place or places on the trust property and advertised in a newspaper circulating in the area of benefit and if such decision shall be confirmed by three quarters of such residents present and voting at such meeting the committee with the consent of the charity commissioners surrender their leasehold interest in the trust property for such consideration and upon such terms as may be approved by the charity commissioners. All moneys belonging to the charity shall with such consent as aforesaid be applied either in the purchase of other property approved by the committee and to be held upon the trusts for the purposes and subject to the provisions hereinbefore set forth (including this power) or as near thereto as circumstances permit or towards other charitable purposes or objects for the benefit of the residents of the area of benefit as may be approved by the charity commissioners and meanwhile such moneys shall be invested and any income arising therefrom shall either be accumulated by investing the same and the resulting income thereof in like manner as an addition to and to be used in furthering the purposes specified in this document.

20 Rules

Within the limits prescribed by this deed the committee may from time to time make and alter rules for the management of the charity and in particular with reference to:

- (a) the terms and conditions upon which the trust property may be used by persons or bodies other than the committee for the purposes specified in this deed and the sum (if any) to be paid for such use.
- (b) The deposit of money at a proper bank and the safe custody of documents.
- (c) The appointment of an auditor.
- (d) The engagement and dismissal of such officers servants and agents as the committee may consider necessary and the payment of such persons (not being members of the committee)
- (e) The summoning and conduct of meetings including the number of members who shall form a quorum thereat provided that at meetings of the committee the quorum shall not be less than one third of the total number of the members for the time being.
- (f) Resolution approved by a majority of members on 18/3/21 under covid restrictions to satisfy HSBC bank; The committee agrees on the 18th of March 2021 that the treasurer shall control the finances and day to day running expenses via a bank account which may include online banking as well as traditional banking. In the event no second authorisation of payments is required by the bank another committee member will have unrestricted oversight of the Pavilions finances alongside the treasurer and any expenditure beyond utilities, refunds and insurance will still continue to need to be agreed by the committee. The committee may however review the banking provider to see if a more secure online account can be found in the future.

Signed, Robin Toby Sears (Chairman)

Date 19/03/2021

