



**Welwick Parish Hall**

North Lane, Welwick, HU12 0SJ

Charity Reg. No.1083040

# **CONSTITUTION OF THE MANAGEMENT COMMITTEE**

Written – March 2026

Review – March 2028

## 1. OBJECTS

This is a set of rules, which the trustees of Welwick Parish Hall have agreed. It is based on Charity Commission guidance for the use of the inhabitants of the parish of WELWICK in the county of THE EAST RIDING OF YORKSHIRE.

The guidance sets out how we propose to manage the administration of the charity without distinction of political, religious sex, sexual orientation, age, disability, race and or other opinions, including the use of the hall for meetings, lectures and classes and for other forms of recreation and leisure time occupation with the object of improving the condition of life of the said inhabitants.

## 2. ADMINISTRATION

Subject to the matters set out below the charity and its property shall be administered and managed in accordance with this constitution by the members of the Executive Committee (see sec. 7).

## 3. VESTING IN THE OFFICIAL CUSTODIAN FOR CHARITIES

The trustees and all persons holding any property of the charity shall take such steps as may be necessary for the purpose of vesting in the Official Custodian for Charities all freehold and leasehold lands belonging to the charity.

## 4. INDEMNITY

The Official Custodian for Charities shall be entitled to an indemnity out of the assets of the Charity against all liabilities properly incurred by them in the management of the affairs of the charity.

## 5. POWERS OF COMMITTEE

In furtherance of the objects but not otherwise the committee may exercise any of the following powers:

- To raise funds and invite and receive contributions by way of subscription, donations and otherwise.
- To deposit or invest funds in any manner (but to invest only after obtaining advice from a financial expert)

- Subject to any consent required by law, to sell, lease or otherwise dispose of all or any part of the trust property.
- Subject to any consents required by law, to borrow money by mortgage or otherwise as may be required for maintaining, extending or improving the trust property or any part thereof or erecting any building thereon or for any work carried on therein and to change the whole or part of the trust property with repayment of the money so borrowed.
- To employ such staff (who shall not be members of the committee) as are necessary for the proper pursuit and objects and to make all reasonable and necessary provision for the payment of pensions and superannuation for staff and their dependents
- To co-operate with other charities, voluntary bodies and statutory authorities operating in furtherance of the objects or of similar charitable purposes and to exchange information and advice with them.
- To appoint and constitute such advisory committee as the committee may think fit: provided that all acts and proceedings of any such committee shall be fully and promptly reported to the committee.
- To do all other lawful acts as are necessary for the achievement of the objects

## 6. ELIGIBILITY OF MEMBERSHIP OF THE COMMITTEE

(1) No person shall be appointed as a member of the committee

(a) Unless he or she has attained the age of 18 years or

(b) In circumstances such that, had he or she should have been disqualified from office under the provisions of the following clause

(2) No person shall be entitled to act as a member of the committee whether on a first or on any subsequent entry into office until after signing in the minute book a declaration of acceptance and of willingness to act in the trusts of the charity.

## 7. COMMITTEE OF MANAGEMENT

(1) The committee shall consist of:

4 elected members

5 appointed members

And may include 3 co-opted members

(2) The elected members shall be elected at the annual general meeting to be held as this deed specifies.

(3) Appointed members shall be appointed from each of the following organisations:

Welwick Parish Council – 3 members

St. Marys Church, Welwick – 1 member

External classes – 1 member

(4) Co-opted members shall be appointed at a duly constituted meeting of the committee and entered into the minute book.

(5) All members of the Executive committee shall retire from office together at the end of the annual general meeting next after the date on which they came into office but they may be re-elected or reappointed and hold office from the conclusion of that meeting.

(6) In the event of any application for representation on the committee being received from any existing or newly-formed organisation operating in the area of benefit, the committee may, upon a resolution supported at a duly constituted meeting of the committee by the votes of a majority of not less than two-thirds of all the members of the committee, allow such organisation to appoint a member of the committee in the same manner as if such organisation has been named in sub-paragraph (3) of this paragraph. A minute of the relevant resolution, authenticated by the chair and the secretary, should be (a) placed with the title deeds and (b) kept with the committee's working papers.

(7) Upon the occurrence of a casual vacancy the committee shall enter this in their minute book at their next meeting and, if in the office of an appointed member, it shall be notified as soon as possible to the proper

appointing organisation that may on such notice appoint an alternative member to represent them. The committee may fill a casual vacancy in the office of an elected member and the period of office of an elected member elected to fill a casual vacancy shall commence at the end of the meeting of the committee at which he was so elected.

- (8) The members of the committee shall be entitled to an indemnity out of the assets of the charity for all expenses and other liabilities properly incurred by them in the management of the affairs of the charity.

## 8. FAILURE TO APPOINT

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

## 9. DETERMINATION OF MEMBERSHIP

A person shall cease to be a member of the committee if he or she;

- (a) Is disqualified from acting as a member of the committee by virtue of Section 72 of the Charities Act 1993 or any statutory re-enactment or modification of that provision;
- (b) Becomes incapable for any reason of managing or administering his or her own affairs;
- (c) Is absent without the permission of the committee from all their meetings held within a period of 6 months and the committee resolve that his or her office be vacated, PROVIDED that where a member is disqualified under this clause is an appointed member of an organisation. The committee shall advise the appointing organisation of the disqualification and the organisation shall have the right within one month to appoint an alternative member to represent them on the committee or;
- (d) Notifies the committee verbally or in writing of his or her wish to resign.
- (e) If the Executive committee unanimously votes with good reason to terminate the membership of a member. The individual concerned has a right to be heard and may be accompanied by a friend before the Executive committee makes a final decision.

## 10. MEMBERS NOT TO BE PERSONALLY INTERESTED

No member of the committee shall, without the express permission in writing of the charity Commissioners, acquire any interest in property belonging to the charity (otherwise than as a trustee for the charity) or receive remuneration or be interested (otherwise than as a trustee) in any contract entered into by the committee.

## 11. MEETINGS

- (a) The committee shall hold at least 2 ordinary meetings in each year.
- (b) A special meeting may be called at any time by the chair, or any 2 members giving not less than 7 clear days notice to all other members of the matters to be discussed.
- (c) There shall be a quorum when at least one third of the members of the Executive Committee are present at the meeting.

## 12. ANNUAL GENERAL MEETING

- (1) There shall be an annual general meeting in connection with the charity which shall be held in the month of MAY in each year or as soon as practicable thereafter, following publication of the financial report.
- (2) All inhabitants of the area of benefit of eighteen years of age and upwards shall be entitled to attend and vote at the annual general meeting.
- (3) The first annual general meeting after the date of this deed shall be convened by the persons named in paragraph 2 of the Schedule hereof and subsequent annual general meetings by the committee. Public notice of every annual general meeting shall be displayed at least 14 days before the date set by affixing a notice to some conspicuous part of the trust property or other conspicuous place in the area of benefit by such other means as the conveners think fit.
- (4) The persons who are present at the first annual general meeting after the date of this deed, before any other business is transacted appoint a chair at the meeting. The chair of subsequent annual general meetings shall be the chair for the time being of the committee. In his absence the vice-chair (if any) shall take the chair but, if neither is present, the persons present shall, before any other business is transacted, appoint a

chairman of the meeting. In case of equality of votes the chairman of the meeting shall have a second or casting vote.

(5) The committee shall present to each annual general meeting the annual report and accounts of the charity for the preceding year.

(6) The secretary or other person appointed by the committee shall keep a full record of proceedings at every annual general meeting.

### 13. CHAIR AND VICE-CHAIR

The committee at their first ordinary meeting in each year after the annual general meeting shall elect one of their numbers to be chair of their meetings and may also elect one to be vice-chair. The chair and vice-chair shall remain in office until their respective successors are elected.

If the chair is absent from any meeting the vice-chair (if any) shall preside; otherwise, the members present shall, before any other business is transacted, choose one of their number to be chair of the meeting.

### 14. VOTING

Every matter shall (except as in this deed provided) be determined by a majority of votes of the members of the committee present and voting on the question. In the case of an equality of votes the chair of the meeting shall have a second or casting vote but no member in other circumstances shall have more than one vote.

### 15. MINUTES

The committee shall provide and keep a minute book, which shall be available for inspection upon reasonable request by any member of the committee.

### 16. ACCOUNTS

The committee shall comply with their obligations under part V1 of the Charities Act 1993 (or any statutory re-enactment or modification of that Act) with regard to:

(a) The keeping of accounting records for the charity,

(b) The preparation of annual statements of account for the charity

- (c) The auditing or independent examination of the statements of account of the charity and
- (d) The transmission of the statement of account of the charity to the Charity Commissioners.

## 17. ANNUAL REPORT

The committee shall comply with these obligations under Part V1 of the Charities Act 1993 (or any statutory re-enactment or modification of the Act) with regard to the preparation of an annual report and its transmission to the Charity Commissioner.

## 18. ANNUAL RETURN

The committee shall comply with its obligations under the section 48 of the Charities Act 1993 (or any statutory re-enactment of that Act) with regard to the preparation of an annual return and its transmission to the Charity Commissioners.

## 19. RECEIPTS AND EXPENDITURE

The funds of the charity, including all donations, contributions and bequests shall be paid into an account operated by the committee in the name of the charity at such bank, as the committee shall from time to time decide. All cheques and order payment of money from such accounts shall be signed by at least two members of the committee.

## 20. APPLICATION OF INCOME

After satisfying obligations under paragraph 19 of the schedule hereof, the committee shall, as and when it thinks fit, apply the net yearly income for the purposes of the charity.

## 21. ADDITIONAL DONATIONS AND ACQUISITIONS

The committee may receive any additional donations or endowments for the general purpose of the charity and may also accept donations or endowments for any special objects connected with the charity not inconsistent with the provisions of this deed. The committee may also acquire additional property including land and buildings for the general purposes of the charity.

## 22. DISPOSAL OF TRUST PROPERTY AND DISSOLUTION

If the committee decides that it is necessary or advisable to dissolve the charity it shall call a meeting of all members of the charity, of which not less than 21 days notice (stating the terms of the resolution to be proposed) shall be given. If the proposal is confirmed by two-thirds majority of those present and voting the Executive Committee shall have the power to realise any assets held by or on behalf of the charity. Any assets remaining after the satisfaction of any proper debts and liabilities shall be given or transferred to such other charitable institution or institution having objects similar to the objects of the charity as the members of the charity may determine or failing that shall be applied for some other charitable purpose. A copy of the statement of accounts, or accounts and statement, for the final accounting period of the charity must be sent to the Commission.

## 23. 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 or an independent examiner
- (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 a meeting of the committee the quorum shall not be less than one-third of the total number of the members for the time being.

SIGNED

Mrs G A Smith .....

Mrs J P Malkin .....

Miss J Wood .....

Mrs P Beech .....