

NORTH BERWICK COMMUNITY CENTRE

CONSTITUTION

1. NAME

The name of the Association shall be North Berwick Community Centre (hereinafter referred to as “the Association”).

2. AREA OF OPERATION

The Centre or piece of land delineated and coloured pink on the plan annexed shall for the purpose of this Constitution be deemed the area of benefit and any reference to this Constitution to the area of benefit shall be construed accordingly.

3. OBJECTS

The objects of the Association are: -

- a) To advance education and to provide or assist in the provision of facilities for recreation or other leisure time occupations where such is in the interest of social welfare and is made with the object of improving the conditions of life of the members of the community in the area of benefit and for that purpose to associate with the East Lothian Council (referred to as the “Council”) voluntary organisations and /or inhabitants in the area of benefit.
- b) To co-operate with the Council and its successors in office in establishing, maintaining and managing any Community Centre in the area of benefit which is provided or grant-aided by the Council insofar as it is established maintained and managed for the attainment of object (a).

4. MEMBERSHIP

Membership of the Association shall be open to: -

- a) The following individuals (hereinafter referred to as “individual members”).
 - (1) All persons who have attained the age of sixteen years, have a place of residence or work or attend a full-time education course at an establishment in the area of benefit (referred to as “full members”).
 - (2) Other persons who have attained the age of sixteen years can qualify for membership by virtue of this provision (referred to as “associate members”).
- b) (1) Any voluntary organisation operating in the area of benefit which is an Organisation whose objects are of a nature similar to the objects of the Association (referred to as an “associated organisation”).

- (2) Members of an associated organisation who are under the age of sixteen years may use the accommodation while participating in activities promoted by their associated organisations and can qualify for membership (referred to as “junior members”).

5. ANNUAL GENERAL MEETING

The Association shall hold an Annual General Meeting in June of each year at such time and place, as the Management Committee shall appoint.

6. OFFICE BEARERES

The Association shall elect a Chairman, Vice-Chairman, Secretary and Treasurer at the Annual General Meeting.

7. COMPOSITION OF MANAGEMENT COMMITTEE

The Management Committee shall be composed of the following members: -

- (a) Elected Office Bearers
- (b) Three individual members
- (c) Eight representatives from member/user groups
- (d) One representative of the North Berwick Community Council
- (e) The Council’s Director of Community Services or his representative (such representative not being the Centre Manager).
- (f) The Councillor for the area
- (g) The Centre Manager
- (h) Two youth representatives – School Council

8. CASUAL VACANCIES

Casual vacancies in the Management Committee occurring between the Annual General Meetings may be filled by the Management Committee by appointment to full membership and any person so appointed, shall hold office until the following Annual General Meeting. A Casual vacancy shall be deemed to include and shall be declared when: -

- (a) An elected member ceases to reside within the area of benefit, or
- (b) An elected member fails to attend three successive meetings of the Management Committee without good reason.

9. MANAGEMENT COMMITTEE QUORUM

Five members of the Management Committee present shall be a quorum for meeting of the Management Committee.

10. MANAGEMENT COMMITTEE

Subject to the powers of the Association in General Meetings the Management Committee shall have sole responsibility for the formulation of the policy and the general management of the association, and

- (a) Shall have regard to any guidance and policy of the Council, relating to the operation and functioning of Community Centres.
- (b) Shall have the power to delegate any of their responsibilities and duties to a sub-committee appointed by and responsible to the Management Committee,
- (c) Shall be assisted by the Community Development Officer appointed by the Council (referred to as “the Centre Manager”),
- (d) The Management Committee shall have executive control of the Association.
- (e) The Association recognises that Scotland is a multi-cultural society and believes that cultural diversity positively enriches the society in which we live. The Association are therefore fully committed to the active promotion of equal opportunities in the work that it undertakes and will oppose all acts of discrimination.

The Association will work to ensure that excluded communities, groups and individuals are included and that barriers to access and participation are addressed.

The Association will maintain positive attitudes to social and cultural diversity and will work with others to ensure the elimination of all discrimination and the promotion of equality.

11. CENTRE MANAGER

The Centre Manager shall attend all meetings of the Management Committee and shall make a report.

12. DISCIPLINE

The Management Committee shall have the right to discipline any member or exclude any individual from the Centre for conduct within the Centre, which is unacceptable. The member, individual or his representatives or a representative of an Associated organisation shall have the right to be heard by the Committee before any action is taken.

13. EXTRAORDINARY GENERAL MEETINGS

The Management Committee may whenever it thinks fit convene an Extraordinary General Meeting and an Extraordinary General Meeting shall also be convened by the Management Committee on the requisition of 20 full members in writing.

14. NOTICE OF GENERAL MEETING

At least two weeks notice of a General Meeting shall be given in a newspaper circulating in the area of benefit.

15. QUORUM FOR GENERAL MEETINGS

Twenty full members shall be a quorum for General Meetings.

16. CHAIRMAN

The Chairman, whom failing the Vice-chairman, shall take the Chair at all meetings or in their absence each meeting, shall elect a chairman from members present.

17. AGENDA

At the Annual General Meeting the agenda shall be in the following form or as near thereto as circumstances permit: -

- (a) Report by Chairman
- (b) Report by Manager
- (c) Report by Treasurer on behalf of the Management Committee
- (d) Report by Auditor of Independent Examiner
- (e) Election of Office Bearers
- (f) Election of members of the Management Committee
- (g) Election of Auditor or Independent Examiner
- (h) Any other competent business

18. VOTING RIGHTS

At General Meetings all full members present shall be entitled to vote, by show of hands or by ballot at the discretion of the Chairman.

19. SUBSCRIPTIONS

All members and all Associate organisations shall pay such subscriptions as the Management Committee from time to time may determine.

20. FINANCE

All monies raised by or on behalf of the Association shall be applied to further the objects of the Association only. No Office-bearer or other Member shall be paid except as payment for re-imbusement of outlays actually incurred for the benefit of the Association. For the purposes of this clause payment for time occupied and ex gratia payments are not for the benefit of the Association.

21. BANK ACCOUNTS

Any other signatures of three persons: two nominated Office Bearers and the Centre Manager shall be necessary for any banking transaction.

22. ACCOUNTS

The Centre Manager shall be responsible for the day-to-day financial intromissions and will assist the Treasurer in the preparation of financial reports and accounts. The financial year will be from 1st April to 31st March. A copy of the audited or independently examined accounts shall be sent to the Director of Education not later than the 16th June each year.

23. AUDITOR OR INDEPENDENT EXAMINER

A suitably qualified person shall be appointed as Auditor or, if permitted by law, Independent Examiner at the Annual General Meeting to examine the accounts of the Association and the Association shall pay all fees due to him or her for their services.

24. AMENDMENTS

No alteration shall be made to this Constitution except by resolution passed by a two-third majority of those present entitled to vote at a General Meeting. Any proposed alteration to Articles 3, 4, 20, 24, or 25 of this Constitution shall be notified to H.M. Inland Revenue to ascertain whether or not such proposed alteration would affect the charitable status of the Association and if so shall not be entertained. Such resolution shall not become effective until it has been approved by the Education Committee of the Council.

25. DISSOLUTION OF ASSOCIATION

If the Management Committee decides that dissolution of the Association is necessary or advisable they shall call an Extraordinary Meeting of all members and also inhabitants of the area of benefit who are aged at least sixteen years. Twenty-eight days notice of such meeting shall:

- (a) be given to all members
- (b) be posted in a conspicuous place or places in the local community
- (c) be published in a newspaper circulating in the local community, and
- (d) be given in writing to the Council.

If such a decision to dissolve be confirmed by a two-third majority of those present and entitled to vote the assts shall not be paid or distributed to members but after satisfaction of all debts and liabilities including the return of all items advanced by or on a loan from the Council shall be given to such charitable organisations(s) with objects similar to those of the Association as the Association may decide. The Association shall then be dissolved.

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