

CONSTITUTION OF THE CAWDOR COMMUNITY ASSOCIATION NOVEMBER 2023

Section	Contents	Page(s)
1	Name	1
2	Objects	1
3	Membership	2
4	Composition of the Committee	2
5	Responsibilities and Functions of the Committee	2-3
6	Officer Bearers	3-4
7	Association Meetings	4
8	Annual General Meeting	4-5
9	Extraordinary General Meeting	5
10	Changes to the Constitution	6
11	Dissolution	6

1. Name:

- 1.1. The organisation shall be called the Cawdor Community Association (hereinafter referred to as 'the Association')

2. Objects:

- 2.1. The objects of the Association shall be to manage and promote, on behalf of the communities of the Cawdor area and in association with the Highland Council (hereinafter referred to as 'the Council') voluntary organisations, and other interested parties:

2.1.1. the use of Cawdor Primary School (hereinafter referred to as the 'facility') as a community resource primarily for the benefit of residents within the area of the school as delineated for the purposes of education (hereinafter referred to as 'the catchment area');

2.1.2. the provision of opportunities to encourage social, cultural, health and recreational activities, either organised voluntarily or as part of formal courses of instruction, with the object, through the medium of such activities, of improving the conditions of life of the residents of the catchment area and helping such residents of all ages to develop emotionally, physically and socially;

2.1.3. the educational development of participants.

3. Membership of the Association:

- 3.1. Membership of the Association, which includes voting at General Meetings, shall be open to all persons ordinarily resident within the school catchment area, users of the facility and immediate family members (i.e. parents and/or legal guardians) of pupils attending the school. Anyone who would like to be a member should express their intention to become a member at the Annual General Meeting where membership will be reviewed annually. Members will become part of the Committee and have a key role in the delivery of the service provided by the Association.

4. Composition of the Committee:

- 4.1. The affairs of the Association shall be conducted by a management Committee that will comprise the following: -
- 4.2. Members: (Voting)
 - 4.2.1. Five members elected at the first meeting after the Annual General Meeting (AGM) as Office Bearers: Chairperson, Vice Chairperson, Secretary, Bookings Secretary, and Treasurer.
 - 4.2.2. In addition, all those who become members at the AGM become part of the committee. These members will fulfil a range of non-office bearer roles, e.g. social media and promotion of the facility.
- 4.3. Non-voting Advisers
 - 4.3.1. The Head Teacher of the facility or nominated representative.
 - 4.3.2. The Council Projects Officer, Property & Facilities Management
 - 4.3.3. Representative from Alpha Schools (Mears Facilities Management)
- 4.4. Vacancies:
 - 4.4.1. The Committee shall have power to fill temporary office bearer vacancies in its number for the period until the following Annual General Meeting of the Association.

5. Responsibilities and Functions of the Committee:

- 5.1. Ensure the smooth and effective operation of the community's use of the facility; at all times and in all respects in accordance with the terms and conditions of the Management Agreement signed between the Association and the Council.
- 5.2. Draw up, and amend, fee rates and general rules and conditions of let applicable to all users.
- 5.3. Process applications for community use of the premises and decide on the allocation of facilities, in collaboration with the school Head Teacher as appropriate.

- 5.4. Provide Alpha Schools with details of community bookings in accordance with agreed procedures.
- 5.5. Raise income from such use and manage the expenses of the Association in a responsible manner using an independent bank account.
- 5.6. Apply any surpluses raised through trading in accordance with the provisions of this constitution and for no other purpose.
- 5.7. Hold, in the name of the Association, all moveable property, equipment, furniture, etc. acquired by or for the purposes of the Association, with power to sell or otherwise dispose of any such moveable property provided always the proceeds are applied for the purposes thereof.
- 5.8. Seek and accept subscriptions, grants, donations, gifts, legacies, and endowments of all kinds, either absolutely or in trust for any of the objects of the Association.
- 5.9. Take cognisance of the financial regulations of the Council and any other guidelines that will be communicated to it through the non-voting advisers and by such other means as may be appropriate.
- 5.10. Organise Committee and General meetings in accordance with the requirements of this constitution. Develop, as may be necessary, standing orders for the conduct of their meetings and the General meetings of the Association.
- 5.11. In conjunction with the Council representatives, to prepare and review budgets for the succeeding financial year, to monitor results on a regular basis in the current year and to take such action as may be appropriate to improve the financial performance of the Association. The financial year shall be concurrent with that of the Council.
- 5.12. Financial decisions are the role of the committee. On financial matters under £1,000, the office bearers can make decisions with a majority vote. On all financial matters over £1,000, all members will be consulted and have one vote each. In the case of equality of votes the Chairperson shall have the casting vote.
- 5.13. Committee meetings can be in person/ virtually and held as required. Key points/ decisions will be minuted and a summary of actions will be presented at the next AGM meeting.

6. Officer Bearers:

- 6.1. At their first Committee meeting following the Annual General Meeting, the Committee shall elect from their number a Chairperson, a Vice-Chairperson, a Bookings Secretary, Secretary, and a Treasurer.
- 6.2. The Chairperson/ Vice Chairperson is responsible for making sure each meeting is planned effectively, conducted according to the Constitution and that matters are dealt with in an orderly and efficient manner.
- 6.3. The Secretary shall keep or oversee the minutes of all meetings of the Committee and shall be responsible for all correspondence in connection with the Committee.

- 6.4. The Bookings Secretary is responsible for all correspondence regarding facility bookings and enquiries and making/ liaising with and confirming bookings with MFM.
- 6.5. The Treasurer shall raise invoices for facility use and give regular financial statements to the meetings of the Committee. The Treasurer will prepare, in conjunction with the Council representatives, an annual income and expenditure account and balance sheet for the year to 31 March in each year. These accounts will be audited and submitted for approval to the following Annual General Meeting.
- 6.6. The term of office of the Office Bearers shall be the period from the first meeting of the Committee until the next Annual General Meeting.
- 6.7. Office bearers make key decisions on the running of the service. Decisions can be made through discussing in person or virtually as required. Key points/ decisions will be minuted and presented at the next Committee meeting.

7. Association Meetings:

7. 1. The quorum at each meeting of the Association shall be not less than 5.
7. 2. The Association will meet at least twice per annum to review and improve the service delivery of the facility.
- 7.3. When matters are put to a vote, except an election, the issue will be decided by a simple majority. The Chairperson shall have a deliberative vote and in the event of equality of voting, they shall then have a casting vote. With this sole exception no person shall exercise more than one vote. In the case of an election an equality of votes shall be resolved by drawing lots.

8. Annual General Meeting:

- 8.1. Each year the Committee shall convene an Annual General Meeting of members. All users of the facility will also be invited to this public meeting.
- 8.2. No business shall be transacted at any Annual General Meeting unless a quorum of 5 members eligible to vote is present.
- 8.3. If the quorum required under the preceding article is not present within half an hour after the time appointed for the meeting, or if during a meeting such a quorum ceases to be present, the meeting shall stand adjourned to such time and place as may be fixed by the chairperson of the meeting.
- 8.4. The Chairperson of the Committee (or, in their absence, the Vice-Chairperson) shall preside as chairperson of the meeting. If neither the Chairperson nor the Vice-Chairperson is present and willing to act as chairperson within half an hour of the time appointed for holding the meeting, the committee members present shall elect one of their number to act as chairperson.
- 8.5. Advance notice of the meeting shall be shared with members and users not less than 14 days before the date of the meeting. Notice of the proposed meeting shall be displayed

within the facility for 14 days prior to the meeting and a copy of the agenda of items to be dealt with at the meeting will also be displayed for at least 5 days prior to the meeting.

- 8.6. Any member wishing to raise any matter at the Annual General Meeting shall give notice in writing to the Chairperson no less than 7 days before the meeting. (Where such an item is brought to the notice of the Chairperson less than 7 days before the meeting, the chairperson shall have power to accept the matter for discussion at the meeting if at the commencement the item is intimated to the meeting and accepted for consideration by the meeting). Otherwise, it shall not be competent to deal at the Annual General Meeting with any item not on the agenda.
- 8.7. At every Annual General Meeting (other than the first) Committee membership shall be reviewed and new association membership sought.
- 8.8. On any voting matters, every member of the Association present at an Annual General Meeting shall have one vote which must be given personally.
- 8.9. In the case of an equality of votes, whether on a show of hands or on a poll, the chairperson of the meeting shall be entitled to a casting vote in addition to any other vote they may have. In elections any equality of votes shall be resolved by drawing lots.

9. Extraordinary General Meeting:

- 9.1. The Chairperson of the Committee may, at any time at their discretion or within 7 days of receiving a written request to do so signed by either (i) at least one-third of the voting members of the Committee or (ii) at least 30 of those eligible to vote at an AGM, give notice of an Extraordinary General Meeting, such meeting to be held within one calendar month of receipt of such written request.
- 9.2. Such notice shall be shared with the membership not less than 14 days before the date of the meeting.
- 9.3. The Notice of the Extraordinary General Meeting shall state the business proposed to be transacted and shall include the terms of proposed resolutions.
- 9.4. The Extraordinary General Meeting shall be open to all those eligible to vote, the meeting shall be chaired by the Chairperson of the Committee or his/her nominee, and the quorum shall be 5.
- 9.5. Every member of the Association present at an Extraordinary General Meeting shall have one vote which must be given personally.
- 9.6. In the case of an equality of votes, whether on a show of hands or on a poll, the chairperson of the meeting shall be entitled to a casting vote in addition to any other vote they may have, except in the case of election where in the event of equality in voting the matter shall be resolved by drawing lots.
- 9.7. An Extraordinary General Meeting shall not transact any business other than as specified in the notice of the meeting.

10. Changes to the Constitution:

- 10.1. The terms of this Constitution may be altered at an Annual General Meeting of the Association or at an Extraordinary General Meeting of the Association provided that (a) the notice of such meeting shall have stated the terms of the resolution to be proposed; (b) not less than two-thirds of the voting members attending the meeting vote in favour of the resolution.

11. Dissolution:

- 11.1. If the Committee, by a two-thirds majority of its members presents, decides at any time that it is necessary or advisable to dissolve the Association, a Committee Meeting shall be called of those eligible to vote. Such notice shall be given not less than 14 days before the date of the meeting and intimation of the meeting shall be shared not less than 7 days prior to the meeting; such notice to state the terms of the resolution to be proposed.
- 11.2. If such a decision shall be confirmed by a simple majority of those present and voting at such a meeting, the quorum of which shall be 5 such members, the Committee shall have the power to dispose of any assets held by or in the name of the Association. Any assets remaining after satisfaction of all proper debts and liabilities shall be transferred to the Parent Council to be applied towards furthering the objectives of the Community facility. It shall not be competent to alter the provisions of this Clause by resolution at an Annual General Meeting, or at an Extraordinary General Meeting.