

CONSTITUTION OF savetherisingsun.org



1. Name

The official name of this unincorporated association shall be savetherisingsun.org ('the organisation'). The public name of the organisation shall be 'savetherisingsun.org' or 'Save The Rising Sun at Stockcross'.

2. Aims and objectives

The organisation seeks to be a 'community interest organisation' as set out in S89 of the Localism Act 2011 save that there shall be no requirement as to a minimum number of members. The aims of the organisation are to prevent the loss of a public house in Stockcross and, in particular, to seek to assist or facilitate the reopening of the Rising Sun pub and to prevent the development of the Rising Sun property and any adjacent land for use other than a public house so as to preserve the character of the area, recruit members and to take all steps and undertake all activities ancillary to those aims.

3. Powers

Subject to the limitations and constraints set out at the end of this section, in order to achieve its aims the organisation may:

- (a) raise money;
- (b) open bank accounts;
- (c) take out insurance;
- (d) retain professional or other advisers and procure services;
- (e) organise events;
- (f) manage and control its members' personal and other data with their consent.
- (g) work with other groups and exchange information;
- (h) do anything that is lawful which will help it to fulfil its aims;
- (i) To seek a moratorium on the sale of the Rising Sun
- (j) Procure the incorporation of companies, in particular *savetherisingsun.org Ltd* as a company limited by guarantee ;
- (k) Run a public house or other leisure or retail facilities;
- (l) Acquire or lease property.

Limitations and constraints: The organisation does not have the power to borrow money. Save in respect of any obligation to pay professional advisers or procure services approved by the committee in advance, the organisation does not have the power to pledge its members' credit.

4. Organisation & Management

The organisation will comprise a committee (who will also be the members of the organisation) and members of the organisation, who will also be known as supporters.

5. The Committee

The organisation shall be managed by a committee of the members. The committee shall comprise not less than three but no more than seven individuals who have agreed to further the aims of the organisation.

The duties of committee members are:

- (a) to further and promote the aims of the organisation and to discharge the responsibilities set out in this constitution;
- (b) by the agreement of the committee, to act as spokesperson for the organisation or as signatory to emails, letters or other documents on behalf of the organisation;
- (c) members of the committee shall also be Directors of any company incorporated at the behest of the organisation, to further the aims of the organisation and shall exercise their powers as directors to ensure that the company shall at all times act in accordance with the aims and objectives of the organisation save as required by law.

The rules governing the committee are:

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- (d) The founding committee comprises the individuals who have agreed this constitution and whose names appear at the end of this document.
- (e) Subject to appointment at the Annual General Meeting, committee membership shall be open to members over the age of 18 without regard to gender, race, nationality, disability, sexual preference or religion or belief. Committee membership is unpaid.
- (f) Members of the committee will be appointed or re-appointed at the Annual General Meeting.
- (g) In the event of need, such as resignation or illness of a committee member or to share the workload, the committee may co-opt additional individuals from the organisation's members as committee members at any time.
- (h) Appointment of committee members is for a maximum period of one year from Annual General Meeting or date of co-option to the next Annual General Meeting. At each Annual General Meeting, the existing committee members must put themselves up for re-election if they wish to be re-appointed to the committee.
- (i) The committee shall appoint a Treasurer. The duties of the Treasurer are to supervise the financial affairs of the organisation; to keep proper accounts that show all monies collected and paid out, and to produce a set of accounts annually at the AGM.
- (j) Committee members are free to resign at any time and such resignation will take place with immediate effect unless stated to the contrary.

6. Committee Meetings

- (a) Committee members shall meet as regularly as they deem to be required in order to progress the aims of the organisation. Such meetings may be held by physical presence or by using such electronic media as the members agree upon.
- (b) The quorum for any Committee meeting shall be three Committee members attending, or four if the Committee has more than five members at that time.
- (c) The Committee members will open a meeting by electing a chairman for that meeting.
- (d) Minutes recording all decisions and agreed actions shall be taken and distributed to all members within seven days of each meeting.
- (e) Should a vote be called for by any member of the Committee on any issue discussed, voting shall be by a show of hands or by verbal indication. In the event of a tied vote, the chairman shall have a casting vote.

7. General Meetings

- (a) In circumstances where the members have to consider more substantial issues such as raising of funds, significant expenditures (a limit to be set by the AGM and to be £50 pending the first AGM), co-option of members, and certainly for considering any amendment to this constitution, a General Meeting shall be called.
- (b) In addition, an Annual General Meeting will be held in the month of November each year. The business of the Annual General Meeting should include receiving a report from the Chair appointed for the Annual General Meeting, receiving a report from the Treasurer; electing a new committee; electing a new Treasurer for the next approximately 12 month period to the next Annual General Meeting, and consideration of any other business.
- (c) 14 calendar days' notice of any General Meeting (including the Annual General Meeting) shall be given to members by the member appointed as Chair at the previous General Meeting, whom failing any Committee member. A proposed agenda shall be circulated to all members at that time.
- (d) The quorum for any General Meeting is not less than five members.
- (e) For each General Meeting, the Committee members will have agreed in advance who is to chair the meeting and who is to take the minutes. The Chair of the General Meeting may be changed by resolution of the members.
- (f) There shall be one vote per member at any General Meeting to be given by a show of hands or

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verbally. In the event of a tied vote, the Chair of the General Meeting will have a casting vote.

8. **Members X**

(a) The committee will recruit as many members to the organisation as it deems fit and may seek to raise funds from those members to further the aims of the organisation.

(b) Members will be kept informed of the organisation's activities from time to time via the organisation's website and by email newsletter. In particular, members will be given notice of activities for which funding will be required and may be asked to contribute.

(c) Member's views will be canvassed from time-to-time as to the direction and activities of the organisation.

(d) All members of *savetherisingsun.org Ltd* will also be members of the organisation.

(e) All members will be asked for their consent in accordance with GDPR and any other relevant legislation regarding their personal data.

9. **Finance**

(a) All monies received by the organisation shall be applied to further the aims of the organisation.

(b) Any annual surplus shall be carried forward to further the aims of the organisation in subsequent years.

(c) Any bank accounts opened for the organisation shall be in the name of savetherisingsun.org.

(d) Any payments shall be authorised by the Treasurer and one other person nominated by the Committee.

(e) The organisation may pay reasonable out of pocket expenses including travel and subsistence costs to any party assisting the organisation at its request.

10. **Alterations to the constitution**

This constitution can be amended at any General Meeting. Any alterations to the constitution shall be agreed by no less than 75% of the members present in person or remotely at the meeting.

11. **Dissolution of the organisation**

(a) The organisation may be wound up at any time if agreed by no less than 75% of the members who shall be present and voting at a General Meeting.

(b) Should the organisation be wound up any surplus funds shall be paid to any local not for profit organisation as the General Meeting may direct. In this context 'local' shall mean within 10 miles of Stockcross.

This constitution was adopted by the founding Committee and founding members on **16 November 2021**

Founding Committee Members

- 1) Edward Vandyk
- 2) Tony Hersch
- 3) Steve Kirby