Recreational Ground Management Committee



Constitution

Recreational Ground Management Committee (RGMC)

Constitution of an Unincorporated Association

This Consitution serves to define roles and responsibilities of the Recreation Ground Management Committee (RGMC) as defined in the 1923 Trust Deed, which is part of the 1923 conveyance and which transfers responsibility for the management of the facility to the RGMC.

1.0 Name

The name of the group shall be 'Recreational Ground Management Committee, hereinafter referred to as the **"RGMC" or "the committee"**.

2.0 Area of Interest

The main village recreational field within the boundary of the surrounding stone walls up to, and including the war memorial. For clarification a map is attached to this document.

3.0 Purpose/Objects

The purpose of the RGMC, which includes aims and objectives wherever mentioned hereinafter, is

- to promote an environment that enhances community engagement and participation, and provide a space for all residents, of all ages and abilities, so as to enhance enjoyment, exercise, recreation, play, build community spirit and promote general well being.
- to raise funds from external sources to assist with the purchase, maintenance and upgrade of equipment, and carrying out any works that are required to improve the ground, as well as those which present a risk to health and safety.
- to develop the recreational field including the installation and maintenance of play, exercise and recreation equipment and facilities, and the maintenance of any shrubs, bushes and trees. This includes repairs to boundary walls where applicable. Permission to use the Recreation Ground for private functions remains with the PC.
- to ensure that the area is safe for people of all ages and abilities.

Cowling Parish Council (hereinafter referred to as the PC) hold the deeds to the land in perpetuity on behalf of the residents of Cowling, and the RGMC will assist the PC in resisting any attempts to build or develop the land other than for that of recreation, as is stipulated in the 1923 Covenant.

4.0 Powers of the RGMC to Achieve its Purpose;

4.1 Raise funds, receive grants and donations

4.2 Apply funds to carry out the work of the committee

4.2 Open bank accounts

4.3 Organise events

4.4 Work with similar Groups and exchange information and advice

4.5 Do anything which is lawful and deemed necessary by the RGMC to achieve the purpose as defined in 3.0 and to enable it to execute its powers as defined in 4.0. This includes registering as a charity for the purpose of accessing grants and funds which may only be used as set out in 3.0. Where a charity is formally adopted the Charity's Governing document will endeavour to accurately reflect the principles contained in this Covenant.

4.6 Authorise, monitor, and supervise any maintenance works with the provision that that Parish Council are made aware of any decisions made by the RGMC to ensure there is no negative impact on insurances. Should the Parish Council believe a decision will pose as a possible breach or negative impact on insurances, the nature and reason for an objection should be made clear to enable the RGMC to alter it's decision in a manner so that it complies.

4.7 At all times the RGMC is to ensure that decisions meet the purpose as set out in 3.0, and 4.6 to ensure that existing relevant insurance policies held by the PC are not negatively impacted.

4.8 Where the RGMC has repeatedly tried and been unsuccessful in raising funds to carry out necessary repairs and maintenance for the area defined in 2.0, the Parish Counci will be obliged to provide necessary funding as per the second clause 4 as defined in the 1923 Trust Deed, which is part of the 1923 conveyance and Trust Deed.

5.0 Membership

5.1 Membership of the RGMC shall be open to any individual who is minimum eighteen years of age and who resides in the Parish of Cowling, without regard to gender, disability, political or religious affiliation, race or sexual orientation who support the work of the group.

5.2 Associate membership may be offered, with the agreement of the RGMC, to those interested in helping the RGMC to achieve its aim. Associate members have the same status as voting members with the single exception that they will have no voting rights and cannot hold any of the officer positions such as Chairman etc.

5.3 The RGMC may remove a person's membership if they believe it is in the best interests of the RGMC. The RGMC must approve this decision by vote. The member has the right to be informed of the reasons for the decision and also have the right to be heard by the committee before the decision is made, and can be accompanied by a friend.

5.4 Notice of any intention to remove a member will be sent by letter by the chairman of the RGMC, to the member who will be given seven days to reply. In the case where it is the Chairman who's membership is being considered for removal, notice is to be issued by the Vice Chairman, Treasurer or Secretary.

6.0 Management and Structure

6.1 The RGMC shall be administered by a Committee of not less than three and not more than 10 individuals elected at the RGMC's Annual General Meeting (AGM). A maximum of three members will be appointed by Cowling Parish Council.

6.2 At the first meeting after the AGM the RGMC will elect a Chairperson, Vice Chair (Optional), Treasurer and Secretary. The role of Treasurer and Secretary may be combined and this is to be agreed at an RGMC meeting by vote.

6.2.1 Where the Chair, Vice Chair, Treasure and/or Secretary are no longer serving in their roles, a vote to replace these positions from within the voting membership may take place at a General Meeting. Nominations must be seconded.

6.3 The RGMC shall meet at least FOUR times a year, meetings shall be public. and advertised with three days clear notice given of such meetings.

6.4 At least three RGMC committee members must be present to be considered quorate, for a RGMC meeting to take place.

6.5 Voting at RGMC meetings shall be by a show of hands. If there is a tied vote then the Chairperson shall have a casting vote.

6.6 The RGMC may appoint any other member to the committee during the year, provided that the maximum prescribed is not exceeded.

6.7 If any member of the RGMC has a conflict of interest they must declare it and leave the meeting while this matter is being discussed or decided.

6.7.1 Should the Chair have a conflict of interest the Vice Chair shall stand in as Temporary Chair only for the particular item(s) to be discussed and decided upon.

6.7.2 Should there be no Vice Chair in attendance, a vote shall be taken by the remaining members to choose a temporary Chair only for the particular item(s) to be discussed and decided upon.

6.7.3 For a tie see 6.5 above.

6.7.4 In all cases there must be enough members left to form a quorate (see 6.4 above)

6.8 The RGMC may co-opt onto the Committee, up to three individuals, in an advisory and non-voting capacity that it feels will help to fulfil the aim of the Group.

6.9 Any disputes that cannot be resolved by the RGMC members will be put to the Parish Council who will have over-riding authority to resolve the issues.

6.10 In order to promote effective and unified communications, it will be a duty of the PC members of the RGMC to act as a 'go-between', communicating relevant decisions and actions of both the RGMC and the PC to each respective party, thus ensuring harmony and avoiding any potential misunderstanding.

7.0. Vacancies

7.1 When a non-PC RGMC member resigns from the RGMC, the vacant position will first be offered to RGMC Associate members. Should there be no expressions of interest from any of the RGMC Associates to join as a voting committee member, the RGMC will open up the opportunity to all residents of Cowling.

7.2 In the event of a vacancy of a non-PC committee RGMC seat, a public notice will be issued to residents inviting nominations to fulfil the empty seat. Nominations are to be received in writing and will be considered at an RGMC meeting where a vote will take place to appoint the new committee member

7.3 In the case where a PC RGMC member resigns from the PC, automatically that person is deemed to have resigned from the RGMC. The PC will then have the option to nominate a replacement from within the pool of Parish Councillors.

7.4 Where there is a vacant PC RGMC seat for any other reason (eg PC member no longer wishes to serve on the RGMC), but elects to remain a Parish Councillor, the Parish Council have the option of filling this seat with another nominated serving Parish Councillor

8.0 The Duties of the Officers

8.1 The duties of the Chairperson shall be to:

8.1.1 chair meetings of the RGMC

8.1.2 represent the committee at functions/meetings to which the RGMC has been invited and

8.1.3 act as the spokesperson of the RGMC when necessary

8.2 The duties of the Secretary shall be to:

8.2.1 keep a membership list

8.2.2 prepare in consultation with the Chairperson the agenda for meetings of the RGMC

8.2.3 take and keep minutes of all meetings

8.2.4 collect and circulate any relevant information within the RGMC

8.2.5 provide copies of the minutes from meetings to the Parish Council

8.3 The duties of the Treasurer shall be to:

8.3.1 supervise the financial affairs of the RGMC

8.3.2 keep proper accounts that show all monies received and paid out by the RGMC

8.3.4 Ensure audits are conducted where required

9.0 Finance

9.1 All monies received by or on behalf of the RGMC, or a registered charity set up to support 3.0, shall be applied to further the aims and objectives of the RGMC or registered charity, in accordance with 3.0 above, and for no other purpose

9.2 Any bank accounts opened for the RGMC shall be in the name of the RGMC, or in the name of a registered charity which the RGMC chooses to register as. Where a charity is registred this must only be to support the purpose as set out 3.0 above. All monies will be held in the RGMC's bank account and/or the RGMC's registered charity name. Where an RGMC bank account is set up prior to the registration of a charity, all funds in the RGMC account must be accounted for in the financial reports along with those of the registered charity if one is registered.

9.3 Any cheques issued, or any electronic payments, shall be signed or authorised electronically by any two of the three nominated officers of the RGMC, or by the nominated Trustees of the charity if one is registered, who are not related and do not reside at the same address.

9.4 Members of the RGMC and/or registered charity cannot receive any money or property from the RGMC, except to refund reasonable out-of-pocket expenses.

9.4 The RGMC and/or registered charity shall ensure that its accounts are independently examined every year and conform to regulations set out.

9.6 A business plan will be presented to the Parish Council outlining any financial assistance required to carry the RGMC's aims and objectives no later than November of each year so that the Parish Council can give due regard prior to budget setting decisions.

10.0 Annual General Meeting.

10.1 The RGMC shall hold an Annual General Meeting (AGM) in the month of March.

10.2 All members, and the public, shall be given 14 days notice

10.3 The business of the AGM shall include:

10.3.1 Receiving a report from the Chairperson on the RGMC's activities over the year

10.3.2 Receiving a report from the Treasurer on the finances of RGMC

10.3.3 Considering any other matter as may be decided.

10.3.4 At least 5 members, or 50% of the total membership, whichever is the greater, must be present for the Annual General Meeting.

11.0 Meetings

11.1 If the RGMC consider it necessary to change the constitution, or wind-up the RGMC, they must call a General Meeting so that the membership can make the decision. Any changes to the Constitution must also be agreed with the Parish Council as both the RGMC and the Parish Council are required to sign the update and to ensure all the provisions of 12.0 (Insurancess and Services) are considered. No changes can be made that would change the RGMC's purpose

11.2 The chairman must also call a General Meeting if they receive a written request from the majority of members. All members must be given 14 days notice and told the reason for the meeting. All decisions will be taken by a show of hands or a secret ballot. Minutes must be kept.

11.5 The Consitution may be reviewed annually to ensure it remains relevant.

12.0. Dissolution

The RGMC may be wound up at any time if agreed by two-thirds of those voting members present and voting at any General Meeting.

If a charity is registered and is to be disolved, dissolution must be carried out according to the charity rules and governing document.

In the event of winding up any assets remaining after all debts have been paid shall be transferred to Cowling Parish Council, except for any monies awarded to the RGMC or registered charity that would otherwise have been unavailable to a PC (e.g. charity funding) or with special conditions attached. In which case the monies shall follow the rules set out by the donor.

13.0 Insurances and Services

13.1 Insurances and services which are provided to the entire village by the PC will continue to include the Recreation Ground. Accordingly, it is the responsibililty of the PC to ensure relevant and necessary insurances are in place.

13.2 PC employees are managed directly by the PC and not the RGMC. Any requests to re-direct an employee of the PC, for the benefit of the Recreation Ground, shall be passed to the PC Clerk by the RGMC. Any decision of the PC, in this respect, shall be final.

13.3 Services such as grass cutting, carried out at various sites within Cowling Parish under one contract, and services provided by the Lengthsman to Cowling Parish, shall continue to include the Recreation ground. Given these services extend to the entire Parish, the PC retains all responsibility for the negotiation of relevant contracts, services, staff employment , relevant insurances and management.

13.4 Provision of permission to use the Recreational space to be retained by the PC with the addition that the RGMC be consulted prior to any decision for approval or refusal to ensure alignment with any future works planned or pending.

13.5 Annual safety inspections (eg ROSPA) to remain under the budget, management and direction of the Parish Council and will continue to include the Recreation Ground.

14.0 Formation

14.1 Where the RGMC has been dissolved as per 11 (Dissolution), and where there is no Charity in existence aimed at the improvement, development and maintenance of the Recreation Ground, and there is a desire to re-establish the RGMC, a minimum of 7 residents are required to notify the Parish Council. Such notification should provide an intent of the reason for the re-formation of the RGMC, as well as a plan as to what it intends to achieve, noting that the 1923 Covenant mandates that the management of the Recreation Ground is to be by a committee

14.2 In order to be eligible to re-form the RGMC, volunteers must qualify as per 5.0 (membership).

14.3 Where there are more than 7 volunteers, the volunteers themselves are to hold a vote to determine which of the 7 will form the voting members of the RGMC

14.4 At a meeting of the Parish Council, the proposed 7 RGMC members and the aims of the proposed committee are to be presented. At this meeting the Parish Council will identify which Parish Councillors will occupy the remaining 3 seats on the RGMC as per 6.1

14.5 The Parish Council will then formally appoint the Committee.

14.6 The RGMC must manage itself according to the RGMC Consittution as it has been agreed between the RGMC and the Parish Council

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This Consitution and terms herein were agreed by the Cowling RGMC at a General Meeting:

..... 17/10/2023.....

RGMC Chairman **Date**

This Constitution and terms herein were agreed by the Cowling Parish Council

..... 6/11/2023.....

Cowling Parish Council Chairman **Date**

Cowling Recreation Ground and War Memorial

