

FELIXSTOWE YOUTH DEVELOPMENT GROUP

LEVEL 2 YOUTH PROJECT

ADOPTED 1993

AMENDED 2017

**1. NAME**

The name of the association is the Felixstowe Youth Development Group.

**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 Management Committee, constituted by clause 7 of this constitution.

**3. AIMS AND OBJECTIVES**

*To advance the education of children and young people aged 7-25 years and for the relief of young people in need in Felixstowe and the surrounding area.*

By securing appropriate accommodation the charity will seek to provide information, advice, support and counselling services for young people.

**4. POWERS**

In furtherance of the objects but not otherwise the Management Committee may exercise the following powers :-

- i) power to establish and maintain a drop-in centre for children and young people where information, guidance and pre-vocational training may be provided for such children and young people.
- ii) power to raise funds and to invite and receive contributions provided that in raising funds the Management Committee shall not undertake any substantial permanent trading activities and shall conform to any relevant requirements of the law.
- iii) power to buy, take on lease or in exchange any property necessary for the achievement of the objects and to maintain and equip it for use.
- iv) power subject to any consents required by law to sell, lease or dispose of all or any part of the property of the Charity.
- v) power subject to any consents required by law to borrow money and to charge all or any part of the property of the Charity with repayment of the money so borrowed.
- vi) power to employ such staff (who shall not be members of the Management Committee) as are necessary for the proper pursuit of the objects and to make all reasonable and necessary provision for the payment of pensions and superannuation for staff and their dependants.

- vii) power 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.
- viii) power to establish or support any charitable trusts, associations or institutions formed for all or any of the objects.
- ix) power to appoint and constitutes such advisory committees as the Management Committee may think fit.
- x) power to do all such other lawful things as are necessary for the achievement of the object.

## **5. MEMBERSHIP OF THE FELIXSTOWE YOUTH DEVELOPMENT GROUP**

- i) Membership is open to any person aged 12 years or over who is interested in supporting the aims and objectives of the Felixstowe Youth Development Group.
- ii) Persons wishing to enter into membership of the association are required to register their name and contact details with the secretary.
- iii) Persons wishing to vote at the annual general meeting must register as members 7 days or more before an annual general meeting.
- iv) Every member shall have one vote.
- v) The management Committee may unanimously and for good reason terminate the membership of any individual provided that the individual concerned shall have the right to be heard by the Management Committee, accompanied by a person of their choice before final decision is made.

## **6. HONORARY OFFICERS**

At the first meeting of the Management Committee immediately following an annual general meeting the member shall elect from amongst themselves a chairperson, a secretary and a treasurer, who shall hold office until the next annual general meeting.

## **7. MANAGEMENT COMMITTEE**

- i) The Management Committee shall consist of not less than six members and not more than twelve members, being :-
  - a) the honorary officers as specified in the preceding clause;
  - b) not less than three and not more than nine members;
  - c) not less than one third of whom are users of the charity's services.
- ii) The Management Committee may co-opt the services of 'ex officio' members as advisors to the committee as they see fit.

- iii) All members of the Management Committee shall retire annually at the Annual General Meeting but they may be re-elected or re-approved.
- iv) The proceedings of the Management Committee shall not be invalidated by any vacancy among their number or by any failure to appoint or any defect in the appointment or qualification of a member.
- v) No person shall be entitled to act as a member of the Management Committee whether on a first or on any subsequent entry into office until after signing in the minute file of the Management Committee a declaration of acceptance and willingness to act as a trustee of the Charity.

## **8. DETERMINATION OF MEMBERSHIP OF MANAGEMENT COMMITTEE**

A member of the Management Committee shall cease to hold office if he or she :

- i) is disqualified from acting as a member of the Management Committee by virtue of section 45 of the Charities Act 1992 (for any statutory re-enactment or modification of the provision);
- ii) becomes incapable by reason of mental disorder, illness or injury or managing and administering his or her own affairs;
- iii) is absent without permission of the Management Committee from all their meetings held within a period of six months and the Management Committee resolve that his or her office be vacated, or
- iv) notifies to the Management Committee a wish to resign (but only if at least three members of the Management Committee will remain in office when the notice of resignation is to take effect).

## **9. MANAGEMENT COMMITTEE MEMBERS NOT TO BE PERSONALLY INTERESTED**

- i) subject to the provisions of sub-clause
- ii) of this clause no member of the Management Committee shall acquire any interest in property belonging to the Charity (otherwise than as a member of the Management Committee) in any contract entered into by Management Committee.
- iii) Any member of the Management Committee for the time being who is a solicitor, accountant or other person engaged in a profession may charge and be paid all the usual professional charges for business done by him or her on his or her firm when instructed by the other members of the Management Committee to act in a professional capacity on behalf of the Charity : Provided that at no time shall a majority of the members of the Management Committee benefit under this provision and that a member of the Management Committee shall withdraw from any meeting at which his or her own instruction, or that of his or her firm, under discussion.

## **10. MEETINGS AND PROCEEDINGS OF THE MANAGEMENT COMMITTEE**

- i) Meetings of the Management Committee shall be called at the groups discretion, but not less than four meetings a year.
- ii) The Management Committee shall be considered quorate if there are at least 50% of the current membership or three members present whichever is greater.
- iii) Every matter shall be determined by a majority of votes of the members of the Management Committee present and voting on the question but in the case of equality of votes the chairperson of the meeting shall have a second or casting vote.
- iv) The Management Committee shall keep minutes in files kept for the purpose, of the proceedings at meetings of the Management Committee and any sub-committee.
- v) The Management Committee may from time to time make and alter rules for the conduct of their business, the summoning and conduct of their meetings and the custody of documents. No rule may be made which is inconsistent with this constitution.
- vi) The Management Committee may appoint one or more sub-committees consisting of two or more members of the Management Committee for the purpose of making any inquiry or supervising or performing any function or duty which in the opinion of the Management Committee would be more conveniently undertaken or carried out by a sub-committee : provided that all acts and proceedings of any such sub-committee shall fully and promptly be reported to the Management Committee.

## **11. RECEIPTS AND EXPENDITURE**

- i) The funds of the Charity, including all donations, contributions and bequests, shall be paid into an account operated by the Management Committee in the name of the Charity at such bank as the Management Committee shall from time to time decide. All cheques drawn on the account must be signed by at least two members of the Management Committee.
- ii) The funds belonging to the Charity shall be applied only in furthering the objects.

## **12. PROPERTY**

The Management Committee shall cause the title to :

- a) all land held by or in trust for the Charity which is not vested in the Official Custodian for Charities; and
- b) all investments held by or on behalf of the Charity :

to be vested in not less than three individuals appointed by them as holding trustees. Holding trustees may be removed by the Management Committee at their pleasure and act in accordance with the lawful directions of the Management Committee. Provided they act

only in accordance with the lawful directions of the Management Committee, the holding trustees shall not be liable for the acts and defaults of its members.

### **13. ACCOUNTS**

The Management Committee shall comply with their obligations under the Charities Act 1992 (or any statutory re-enactment or modification of the Act) with regards to :

- i) the keeping of accounting records for the Charity;
- ii) the preparation of annual statements of account for the Charity;
- iii) the auditing or independent examination of the statements of account of the Charity;  
and
- iv) the transmission of the statements of account of the Charity to the Commissioners.

### **14. ANNUAL REPORT**

The Management Committee shall comply with their obligations under the Charities Act 1992 (or any statutory re-enactment or modification of that Act) with regard to the preparation of an annual report and its transmission to the Commissioners.

### **15. ANNUAL RETURN**

The Management Committee shall comply with their obligations under the Charities Act 1992 (or any statutory re-enactment or modification of that Act) with regard to the preparation of an annual return and its transmission to the Commissioners.

### **16. ANNUAL GENERAL MEETING**

- i) There shall be an annual general meeting of the Charity, the first of which shall be held in the month of October.
- ii) Every annual general meeting shall be called by the Management Committee not less than nine months and not more than fifteen months apart.
- iii) The Secretary shall give at least 21 days notice to all members. All the members of the Charity shall be entitled to attend and vote at the meeting.
- iv) The Management Committee shall be responsible for appointing an independent chairperson for each annual general meeting.
- v) The Management Committee shall present to each annual general meeting the report and accounts of the Charity for the preceding year.
- vi) Nominations for election to the Management Committee must be made known to the Secretary at least 24 hours prior to the annual general meeting. Should nominations exceed vacancies election should be by vote.

## **17. PROCEDURE AT GENERAL MEETING**

- i) The Secretary or other person specially appointed by the Management Committee shall keep a full record of proceedings at every general meeting of the Charity.
- ii) Ordinary business at the annual general meeting shall be decided by a simple majority of those members of the Felixstowe Youth Development Group present and voting. Rule changes require a two third majority of those members of the Felixstowe Youth Development Group present and voting.
- iii) There shall be a quorum when at least one tenth of the number of members of the Charity for the time being or ten members of the Charity, whichever is the greater, are present at any general meeting.

## **18. ALTERATIONS TO THE CONSTITUTION**

- i) Subject to the following provisions of this clause the constitution may be altered by a resolution passed by not less than two thirds of the members of the Felixstowe Youth Development Group present and voting at a general meeting. The notice of the general meeting must include notice of the resolution, setting out the terms of the alteration proposed.
- ii) Any such resolution should be made in writing and passed to the Secretary at least 28 days before the general meeting in order for the Secretary to include notice of the resolution in the agenda to be sent to members (21 days before the meeting ) – see 16 iii).
- iii) No amendment may be made to clause 1 (the name of the charity clause), clause 3 (the objects clause), clause 9 (Management Committee members not to be personally interested clause), clause 19 (the dissolution clause) or this clause without the prior consent in writing of the Commissioners.
- iv) No amendment may be made which would have the effect of making the Charity cease to be a charity at law.
- v) The Management Committee shall promptly send to the Commissioners a copy of any amendment under this clause for their approval.

## **19. DISSOLUTION**

If the Management 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 a two-thirds majority of those present and voting the Management Committee shall have power to realize any assets held by or on behalf of the Charity. Any assets remaining after the satisfaction of any debts and liabilities shall be given or transferred to such other charitable institution or institutions 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 account and statement, for the final accounting period of the Charity must be sent to the Commissioners.

This constitution was originally adopted on 30 March 1998.

A handwritten signature in black ink that reads "Stephen Wyatt". The signature is written in a cursive style with a large initial 'S' and a long horizontal stroke extending to the right.

S WYATT, Vice Chair Management Board