



Friends of Dartmouth Community Orchard Constitution

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1. NAME

The name of the organisation shall be: Friends of Dartmouth Community Orchard. This may be abbreviated in local usage to 'Friends of the Orchard' or 'Friends Group'.

[NOTE: The area known as the Dartmouth Community Orchard is situated in Dartmouth between College Way to the North and Ridge Hill / Mount Boone to the South. On its western edge it is bounded by the Fire & Ambulance Service Station. On its eastern edge there are private houses and gardens. The relevant Land Registry title number is DN338846. In local usage, the area is referred to simply as 'the Orchard'.]

2. AIMS

2.1 The aims of the Friends Group are:

- To conserve and enhance the Dartmouth Community Orchard as an open green space with unsupervised access for members of the public.
- To ensure that it is managed as an orchard, but in a way that is sympathetic with public use for quiet recreation and wildlife conservation.
- To act as a focal point for the involvement of the community in consultations concerning the Orchard with the owners, Dartmouth Town Council.
- To promote the use of the Orchard for educational purposes, particularly with young people.
- To use such funds as the Friends may be granted or raise to maintain and improve the facilities in the Orchard, over and above the costs incurred by Dartmouth Town Council in discharging its historic responsibilities for maintenance and health & safety.

2.2 These aims are underpinned by the following principles and beliefs about the Orchard:

- ✓ It is a registered community asset available to all. It should be kept safe and litter free.
- ✓ Members of the public and their well-behaved pets are welcome in the Orchard.
- ✓ It offers a valuable opportunity to conserve West Country fruit tree species, especially apples.
- ✓ It is a valuable place for a range of wildlife, both in itself and as part of a network of green spaces in and around Dartmouth.

2.3 The term 'wildlife' is interpreted widely to include trees and plants, birds, mammals, amphibians and insects. Wildlife conservation involves not only safeguarding individual species or specimens, but in conserving the diversity which enables them to thrive.

3. AUTHORITY

Friends of Dartmouth Community Orchard have the authority to:

- Work in partnership with Dartmouth Town Council.
- Inform the Council about matters requiring its attention.
- Assist in the development and implementation of a management plan.
- Liaise with other organisations where interests overlap.
- Receive contributions through a membership fee.
- Raise funds through such sources as a lottery or by grants from other bodies.
- Recruit volunteers to carry out a range of properly authorised tasks.
- Carry out any other activity, within the law and the policy agreed between the Friends and Dartmouth Town Council, necessary to achieve the Group's aims (for example buying and planting donated memorial trees).

4. MEMBERSHIP

4.1 Membership is open to anyone who shares the aims and underpinning beliefs of the Friends Group.

4.2 To become a member of the Friends Group, a person must sign a brief statement of acceptance of this constitution and pay any membership fee current at the time. On receipt of the signed statement and any fee payable, the Secretary shall enter the applicant's name in the register of members.

[Note: Initially, the membership fee shall be set at zero. This figure may be revised at an Annual General Meeting or at a Special General Meeting. The Committee may waive fees for individuals in appropriate circumstances by simple majority vote.]

4.3 Termination of membership may be considered if an individual member's behaviour is detrimental to the aims of the Group. Termination can take place only by a simple majority vote of the Committee and must be notified in writing to the person concerned with reasons for the termination. The current year's membership fee, if any, will be returned.

5. COMMITTEE

5.1 The Friends Group shall have a Management Committee to co-ordinate its work and make necessary decisions on its behalf.

5.2 The Committee will consist of the following officers, Chair, Treasurer and Secretary, and up to a maximum of five other members, making a maximum of eight.

5.3 Each officer and member of the Committee shall be elected at the AGM and serve for two years unless re-elected. No office holder shall hold any one office for longer than 4 years without a break of at least one year but may be elected to continue on the Committee as a member or as an officer in a different post.

5.4 In the event of a member of the Committee resigning, the Committee may co-opt another member from the larger Friends Group as a replacement to serve until the next AGM. In the

event of more than one person resigning, such that the total membership of the committee falls below half (i.e. below four members), a Special General Meeting shall be called to restore the Committee to an operative size.

5.5 The Committee shall be considered quorate provided at least four members are present. If the Chair is absent, those Committee members present may elect a temporary Chair for the meeting from among themselves.

5.6 Decisions shall be made by a simple majority vote. In the event of a tied vote on any matter, the Chair shall have a casting, as well as a deliberative vote.

5.7 If the Committee is required to discuss any matter in which a member present has a vested interest, the member shall declare it and, if thought appropriate by the other members of the Committee, withdraw from the discussion.

5.8 The Committee shall meet at least four times a year and all meetings shall be minuted. The minutes, once approved, shall be available to any interested party.

5.9 The Committee shall ensure that the Friends Group raises sufficient funds to stay within budget.

6. FINANCE

6.1 The financial year shall run from 1st January to 31st December.

6.2 There shall be a bank account set up in the name, 'Friends of Dartmouth Community Orchard'. All monies received in the form of subscriptions, donations, grants or any other form of financial contribution shall be paid into the bank account.

6.3 Money and other assets may be used only if

- It is for a purpose of furthering the aims of the Friends Group.
- It is not for the sole personal or individual benefit of any Member.
- That use has been approved by either the Committee or by a simple majority vote of the Friends Group at either an Annual or Special General Meeting.

6.4 There shall be a minimum of two signatories for the account from members of the Committee, one of whom must be the Treasurer or such other Officer as may be authorised by the Committee.

6.5 The Treasurer shall be responsible for

- Keeping proper accounting records of the Friends Group's financial transactions to allow the Friends Group's financial position to be readily ascertained
- Preparing annual financial statements for presentation at each Annual General Meeting.
- Providing financial information to the Committee as the Committee determines.

6.6 All financial transactions shall be compliant with bank regulations and with any other relevant regulations.

6.7 The annual accounts shall be independently verified by a person appointed by the Committee and the books made available for inspection on request at the Annual General Meeting.

7. ANNUAL GENERAL MEETINGS

7.1 The Annual General Meeting shall be held between the beginning of February and the end of April.

7.2. For the meeting to be quorate, a minimum of 10% of the membership must be present. The Committee Chairperson (or such other person designated by the Committee) shall chair it, and the business shall include:

- Election of Chair, Secretary and Treasurer together with other Committee members.
- Receiving a report from the Committee on the activities of the Friends Group during the previous year.
- Receiving a report from the Treasurer on the Group's finances for the previous year.
- Reviewing and, if necessary re-setting the Group's objectives for the current and forthcoming years, and its financial requirements.

7.3 Notices of the meeting shall be circulated to all members of the Friends Group either by email or post and posted on the website and social media pages. Notices shall also be displayed at the entrances to the Orchard, The Guildhall, and Townstal Community Hall. The process and timeline for notification shall be as follows:

- Four weeks before the meeting, a preliminary notice of the meeting shall be circulated containing the following information: date and venue of the meeting; minutes of the previous meeting; a deadline date for submitting 'matters arising' and 'Any Other Business' to the Chair; a reminder of voting rights; the date on which the definitive agenda will be issued.
- Two weeks before the meeting, a definitive notice shall contain: the agenda with Any Other Business specified, a form for nominations to the Committee with a deadline for submission.

7.4 Members of the wider community may attend the Annual General Meeting but may vote only if their names are on the register of members.

7.5 In the event of a tied vote on any matter, the Chair shall have a casting, as well as a deliberative vote.

8. SPECIAL GENERAL MEETINGS

A Special General meeting shall be convened by the Committee within 28 days of receipt of a written request, signed by at least four members and setting out the detailed reasons for the request. It shall be notified and conducted under the same rules as an AGM except that only registered members may attend.

9. EVENTS AND ACTIVITIES

9.1 All events organised in the Orchard and managed by the Friends Group shall be with the prior consent of Dartmouth Town Council and subject to reasonable notice.

[Note: An event is an occasion advertised to all Group members and / or members of the general public inviting them to participate in an activity that will help enhance their awareness and enjoyment of the Orchard, or involve their help in maintaining or developing its facilities. The event will have been planned with the consent of Dartmouth Town Council. Arranging to meet for a walk, to pick up litter, to observe the wildlife in the Orchard, etc. shall not be deemed 'planning an event'.]

9.2 All Friends Group members acting as volunteers shall comply with the Town Council's general requirements for volunteers and with any specific requirements dictated by the nature of the event. The Town Council's safeguarding policies shall be followed. Appropriate risk assessments shall be carried out as required. Any questions shall be resolved in consultation with the Council and its insurers.

9.3 All events must also be conducted within the terms of the Friends Group's own public liability insurance.

10. ALTERATION OF THE CONSTITUTION

The constitution can be amended only by a two-thirds majority vote at the AGM.

11. DISSOLUTION OF THE FRIENDS GROUP

11.1 The Friends Group may be wound up at any time if two thirds of members present at an Annual or Special General Meeting elect to do so.

11.2 Should the Group be dissolved, any residual funds shall be paid to Dartmouth Town Council provided the Council undertakes to use the full amount of the monies paid towards one or more projects directed towards the enhancement of the Orchard. If agreement on this cannot be reached, funds shall be donated to other similar groups with similar aims as determined by the Committee. Assets of the Friends Group already assigned to Dartmouth Town Council, in accordance with an inventory drawn up by the Committee and regularly updated, shall continue in the Council's ownership. Those on loan from a third party, group or individual, shall be returned to their owners.

The original constitution was adopted at the Special (Inaugural) Meeting of the Friends of Dartmouth Community Orchard held at The Guildhall, Dartmouth on 5th December 2014. This revised constitution was formally adopted at the Annual General Meeting held at Dartmouth Yacht Club on 19th March 2019.

Signed

Chairperson

Secretary

Treasurer