CONSTITUTION

Croydon Borough Neighbourhood Watch Association

Constitution

Adopted on the 19th day of September 2000

Modified 9th July 2001

Modified 1st November 2010

Modified 1st December 2014

Modified 6th November 2021

A Name:

The name of the Association is the

Croydon Borough Neighbourhood Watch Association

(“the Charity”)

B 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 Executive Committee, constituted by clause **H** of this constitution (“the Executive Committee)

C Objects:

The Charity’s aims and objects “the aims and objects”, are:

To promote good citizenship and greater public participation in the prevention and solution of crime and, in so doing, to promote, encourage and develop, through effective lines of communication, close co-operation between the public and the Metropolitan Police Service.

D Powers:

In furtherance of the aims and objects, but not otherwise, the Executive Committee may exercise the following powers:

(1) In pursuit of mutual advantage, as detailed in **C**, to liaise and co-operate with other bodies having similar purposes such as other Neighbourhood Watch Groups, Police bodies and other voluntary and statutory bodies.

(2) To maintain an Association to provide support for Neighbourhood Watch Groups in the London Borough of Croydon through distribution of information, publications and practical help and advice.

(3) To promote and develop new Neighbourhood Watch Groups.

(4) To assist existing and new Neighbourhood Watch groups through the media, publicity, meetings, and practical help.

(5) To raise greater public awareness of Neighbourhood activities and participation in prevention and solving of crimes.

(6) To seek to achieve the charity’s aims through effective communication between the public and police to support a high standard of policing in the London Borough of Croydon.

(7) To liaise with other Neighbourhood Watch Associations at area and national level in the interchange of ideas and development of good practice.

(8) To develop close liaison with the London Borough of Croydon and Croydon, Sutton & Bromley Police (Metropolitan Police Service) in line with the requirements for all organisations to work in Partnership as set down in the Crime and Disorder Act.

(9) To ensure that the Croydon Borough Neighbourhood Watch Association is recognised within the London Borough of Croydon and is entitled to a seat on the Croydon Borough Police Consultative Committee.

(10) To have a recognised borough Neighbourhood Watch office as a liaison point, and other media as points of contact for the public, police, Croydon Council, and other community organisations.

(11) To raise funds and to invite and receive contributions provided that, in raising funds, the Executive Committee shall not undertake any substantial permanent trading activities and shall conform to any relevant requirements of the law.

(12) To buy, take on lease or in exchange any property necessary for the achievement of the aims and objects and to maintain and equip it for use.

(13) Subject to any consents required by law, to sell, lease or dispose of all or any part of the property of the Charity.

(14) 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.

(15) To employ such staff (who shall not be members of the Executive Committee) as are necessary for the proper pursuit of the aims and objects and to make all reasonable and necessary provision for the payment of pensions and superannuation for staff and their dependents.

(16) 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.

(17) To establish or support any charitable trusts, associations or institutions formed for all, or any, of the aims and objects.

(18) To appoint and constitute such advisory committees as the Executive Committee may think fit.

(19) To do all such other lawful things as are necessary for the achievement of the aims and objects.

**E Membership:**

(1) Membership of the Charity shall be open to any volunteer who wishes to become a Neighbourhood Watch Co-Ordinator and is interested in furthering the aims and objects and who has agreed to be subject to any reasonable checks.

(2) Any member attending a general meeting shall have a single vote.

(3) The Executive Committee may, by majority vote and for good reason, terminate the membership of any individual; provided that the individual concerned shall have the right to be heard by the Executive Committee, accompanied by a friend, before a final decision is made.

(4) A Co-Ordinator must have access to a computer and email.

**F Corporate Membership:**

Excepting where provision has already been made, there will be no corporate or company membership.

**G Honorary Officers:**

At the annual general meeting of the Charity the members shall elect from amongst themselves a chairman, a secretary, and a treasurer, who shall hold office from the conclusion of that meeting.

**H Executive Committee:**

(1) The Executive Committee shall consist of not less than 7 members nor more than 15 members being:

(a) the honorary officers specified in the preceding clause and:

(b) not less than 4 and not more than 12 members elected at the annual

general meeting who shall hold office from the conclusion of that

meeting.

(2) The Executive Committee may, in addition, appoint not more than 4 co-opted members but so that no-one may be appointed as a co-opted member if, as a result, more than one third of the members of the Executive Committee would be co-opted members. Each appointment of a co-opted member shall be made at a special meeting of the Executive Committee called under clause **K** and shall take effect from the end of that meeting unless the appointment is to fill a place which has not then been vacated, in which case the appointment shall run from the date when the post becomes vacant. Co-opted members shall not have a vote on the Executive Committee.

(3) All the members of the Executive Committee shall retire from office together at the end of the annual general meeting next after the date on which they came into office, but they may be re-elected or re-appointed.

(4) The proceedings of the Executive Committee shall not be invalidated by any vacancy among their number, or by failure to appoint, or any defect in the appointment or qualification of a member.

(5) Nobody shall be appointed as a member of the Executive Committee who is aged under 18 or who would, if appointed, be disqualified under the provisions of the following clause.

(6) No person shall be entitled to act as a member of the Executive Committee whether on a first or any subsequent entry into office until after signing in the minute book of the executive Committee a declaration of acceptance and of willingness to act in the trusts of the Charity.

(7) The role of the Executive Committee Member is the same as detailed for a Trustee under the Charities act.

I Determination of Membership of Executive Committee:

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

(1) is disqualified from acting as a member of the executive Committee by virtue of section 72 of the Charities Act 1993 (or any statutory re-enactment or modification to that provision);

(2) becomes incapable by reason of mental disorder, illness, or injury of managing and administering his or her own affairs.

(3) is absent without the permission of the Executive Committee from all their meetings held within a period of six months and the Executive Committee resolve that his or her office be vacated; or

(4) notifies to the Executive Committee a wish to resign (but only if at least three members of the executive Committee will remain in office when the notice of resignation is to take effect).

J Executive Committee members not to be personally interested:

(1) [Subject to the provisions of clause (2) of this clause] no member of the Executive Committee shall acquire any interest in property belonging to the Charity (otherwise than as a trustee for the charity) or receive remuneration or be interested (otherwise than as a member of the Executive Committee) in any contract entered into by the Executive Committee.

(2) Any member of the Executive 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 or his or her firm when instructed by other members of the Executive 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 Executive Committee benefit under this provision and that a member of the executive Committee shall withdraw from any meeting at which his or her own instruction or remuneration, or that of his or her firm, is under discussion.

K Meetings and Proceedings of the Executive Committee:

(1) The Executive Committee shall hold at least two ordinary meetings each year. A special meeting may be called at any time by the chairman or by any two elected members of the Executive Committee upon not less than 4 days’ notice being given to other members of the Executive Committee of the matters to be discussed but if the members include an appointment of a co-opted member, then not less than 21 days’ notice must be given.

(2) The chairman shall act as chairman at meetings of the Executive Committee. If the Chairman is absent from any meeting, the members of the Executive Committee present shall choose one of their number to be chairman of the meeting before any other business is transacted.

(3) There shall be a quorum when at least one third of the number of members of the Executive Committee for the time being or three members of the Executive Committee, whichever is the greater, are present at a meeting.

(4) Every matter shall be determined by a majority of votes of the elected members of the Executive Committee present and voting on the question but in the case of equality of votes the chairman of the meeting shall have a second or casting vote.

(5) The Executive Committee shall keep minutes, in books, or on computer or digital file, kept for the purpose, of the proceedings at meetings of the Executive Committee and any sub-committee.

(6) The Executive Committee may from time to time make and alter rules for the conduct of their business, the summoning and conduct of their meetings and custody of documents. No rule may be made which is inconsistent with this constitution.

(7) The Executive Committee may appoint one or more sub-committees consisting of three or more members of the Executive Committee for the purpose of making any inquiry or supervising or performing any function or duty which, in the opinion of the Executive Committee, would be more conveniently undertaken or carried out by a sub-committee: provided that all acts and proceedings of any such sub-committees shall be fully and promptly reported to the Executive Committee.

L Receipts and Payments

(1) The funds of the charity, including all donations, contributions, and bequests, shall be paid into an account operated by the Executive Committee in the name of the Charity at such bank as the Executive Committee shall from time to time decide. All payments drawn on the account must be signed by at least two authorized signatories

(2) The funds belonging to the Charity shall be applied only in furthering the objects.

M Property:

(1) Subject to the provisions of sub-clause (2) of this section, the Executive 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 either in a corporation entitled to act as custodian trustee or in not less than three individuals appointed by them as holding trustees. Holding trustees may be removed by the Executive Committee at their pleasure and shall act in accordance with the lawful directions of the Executive Committee. Provided they act only in accordance with the lawful directions of the Executive Committee, then holding trustees shall not be liable for the acts and defaults of its members.

(2) If a corporation entitled to act as custodian trustee has not been appointed to hold the property on behalf of the Charity, the Executive Committee may permit any investments held by, or in trust for the Charity to be held in the name of a clearing bank, trust corporation or any stockbroking company which is a member of the International Stock Exchange (or any subsidiary of any such stockbroking company) as nominee for the Executive Committee and may pay such a nominee reasonable and proper remuneration for acting as such.

N Accounts

The Executive Committee shall comply with their obligations under the Charities Act 1993 (or any statutory re-enactment of that Act) with regard to:

(1) the keeping of accounting records for the Charity.

(2) the preparation of annual statements of account for the Charity.

(3) the auditing or independent examination of the statements of account of the Charity; and

(4) the transmission of the statements of account of the Charity to the Commission.

O Annual Report:

The Executive Committee shall comply with their obligations under the Charities Act 1993 (or any statutory re-enactment or modification of that Act) with regard to the preparation of an annual report and its transmission to the Commission.

P Annual Return:

The Executive Committee shall comply with their obligations under the Charities Act 1993 (or any statutory re-enactment or modification of that Act) with regard to the preparation of an annual return and its transmission to the Commission.

Q Annual General Meeting:

(1) There shall be an annual general meeting of the Charity which shall be held in the month of June in each year, or as soon as practicable thereafter. This may be carried out my means of video or virtual conferencing, if deemed appropriate by the Executive Committee.

(2) Every annual general meeting shall be called by the Executive Committee. The Secretary shall give at least 21 days’ notice of the annual general meeting to all the members of the Charity (members as defined in sub-section E1). All members of the Charity shall be entitled to attend and vote at the meeting.

(3) Before any other business is transacted at the first annual general meeting the persons present shall appoint a chairman of the meeting. The chairman shall be the chairman of subsequent annual general meetings, but if he or she is not present, before any business is transacted, the persons present shall appoint a chair of the meeting.

(4) The Executive Committee shall present to each annual general meeting the report and accounts of the Charity for the preceding year.

(5) Nominations for election to the Executive Committee must be made, in writing, by members of the Charity (members as defined in sub-section E1) and must be in the hands of the secretary of the Executive Committee at least 14 days before the annual general meeting. Should nominations exceed vacancies, election shall be by ballot.

R Special General Meetings:

The Executive Committee may call a special general meeting of the Charity at any time. If at least ten members request such a meeting in writing, stating the business to be considered, the secretary shall call such a meeting. At least 21 days’ notice must be given. The notice must state the business to be discussed.

S Procedure at General Meetings:

(1) The secretary, or other person specially appointed by the Executive Committee, shall keep a full record of proceedings at every general meeting of the Charity.

(2) 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 the general meeting.

T Notices:

Any notice required to be served on any member of the Charity shall be in writing and shall be served by the secretary or the Executive Committee on any member either personally or by sending it through the post in a prepaid letter addressed to such member at his or her last known address in the United Kingdom and any letter so sent shall be deemed to have been received within 10 days of posting.

U Alterations to the Constitution:

(1) 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 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.

(2) No amendment may be made to clause **A** (the name of charity clause), clause **C** (the aims and objects clause), clause **J** (Executive Committee members not to be personally interested clause), clause **V** (the dissolution clause) or this clause without prior consent in writing of the Commissioners.

(3) No amendment may be made which would have the effect of making the Charity cease to be a charity at law.

(4) The Executive Committee should promptly send to the Commission a copy of any amendment made under this clause.

V Dissolution:

If the Executive 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 Executive Committee shall have the power to realise any assets held by, or on behalf of, the Charity. Any assets remaining after the satisfaction of any proper debts and liabilities shall be given or transferred to such other charitable institution or institutions having objects similar to the aims and 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 Commission.

**W** **Arrangements until the first Annual General Meeting**:

Until the first annual general meeting takes place this constitution shall take effect as if references in it to the Executive Committee were references to the persons whose names appear below.

This constitution was adopted on the 19th September 2000 and modified on 9th July 2001 by the persons shown below.

Brian Barnes Esq. Chairman.

George G. Hammond Esq. Treasurer.

John Cheetham Esq. Secretary.

**X** **Constitution as modified 1st November 2010**

Amendments to sections D1, E1, E2, H1, Q2 and Q5 were proposed and accepted by unanimous vote at the Annual General Meeting on 16th October 2010. These are incorporated in the above and were duly adopted at the meeting of the Executive Committee on the 1st November 2010 as verified by the persons whose signatures appear below.

Brian Udell Hon. Chairman

Malcolm Saunders Hon. Secretary

Brian Barnes Trustee

Helen Harris Trustee

Penny Byrne Trustee

**Y Constitution as modified 1st December 2014**

Amendments to section H1 were proposed and accepted by unanimous vote at the Annual General meeting on 15th November 2014.

These are incorporated in the above and were duly adopted at the meeting of the Executive Committee on 1st December 2014 as verified by the persons whose signatures appear below.

Brian Udell Hon. Chairman

Malcolm Saunders Acting Hon. Secretary

Brian Barnes Trustee

**Z Constitution as modified 25th November 2021**

Amendments to section D main paragraph D8 & D10, E1, E3, & E4 new, H7 new, I1, K1, K5, L main paragraph L1, M1, M2, N main paragraph Q1, Q2, Q5

The above changes were approved unanimously at the AGM on the 6th of November 2021. These are incorporated in the above and were duly adopted at the meeting of the Executive Committee on the 25th of November 2021 as verified by the persons who signatures appear below.

Brian Udell Hon Chairman

John Gilhooly Hon Secretary

Chris Thacker Hon Treasurer