

HINTLESHAM & CHATTISHAM COMMUNITY COUNCIL

Charity No. 274948

DRAFT AMENDMENTS TO THE HCCC CONSTITUTION DECEMBER 2020

6. Meetings

a) Annual General Meeting

- A General Meeting open to all persons on the electoral rolls of Hintlesham and Chattisham shall be held at least once a year during **February**, or two weeks either side, for the following purposes:-

To read

- *A General Meeting open to all persons on the electoral rolls of Hintlesham and Chattisham shall be held at least once a year during **April**, or two weeks either side, for the following purposes:-*

Line 6:

- Presentation of **audited** accounts

To read

- *The presentation of accounts **prepared in accordance with legal and regulatory requirements of The Charity Commission.***

7. Trustees

- The Council shall appoint four Trustees who are empowered, on instruction from the Executive Committee, to sign any necessary documents on behalf of the Council. **Such Trustees are not debarred from being members of the Executive or any other Committee. (deleted)** In the event of a Trustee dying or moving away from the village, a new Trustee shall be **elected** at the next Annual General Meeting.

To read

- ***a) The four Officers of the Council plus the five members of the Executive Committee shall be the Trustees of the Community Council***
- *b) The Council shall appoint four **of these** Trustees to be empowered, on instruction from the Executive Committee, to sign any necessary documents on behalf of the Council (**Trustee Signatory**).*
- *c) In the event of a **Trustee Signatory resigning**, dying or moving away from the village **during the year, the Executive Committee shall have power to fill up by co-option the vacancy.** A new Trustee Signatory shall **then be appointed** at the next Annual General Meeting.*

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11. Accounts

- a) An account shall be opened in the name of the Community Council, to be called "The Hintlesham and Chattisham Community Council Account", at a Bank to be approved by the Executive Committee, into which all monies received on behalf of the Community Council shall be paid by the Treasurer or other responsible official.
- b) Cheque signatories for the payment of all accounts shall be the Chairman, the Treasurer and one other Executive Committee member; two signatories are required on each cheque. **For cheques over £500, one signatory must be the Chairman.**
(deleted) At the Annual General meeting in every year, the Executive Committee shall lay before the members a detailed **audited** statement of the accounts of the Council for the past twelve months. A copy of such statement shall be available at the Annual General Meeting.

To read

- a) *An account shall be opened in the name of the Community Council, to be called "The Hintlesham and Chattisham Community Council Account", at a Bank to be approved by the Executive Committee, into which all monies received on behalf of the Community Council shall be paid by the Treasurer or other responsible official. **Additional accounts maybe opened, as agreed by the Executive Committee.***

b) Payments and Authorisations

Payment by cheque *Cheque signatories shall be the Chairman, the Treasurer and one other Executive Committee member; two signatories are required on each cheque, Authorisation levels shall be agreed by the Executive Committee.*

Payment by Direct Debit or Bank Transfer *Executive Committee shall agree the appropriate payment methods for the regular payment of utilities and overhead expenses, Other payments made through the bank shall be subject to authorisation as agreed by the Executive Committee and reviewed on an annual basis after the AGM.*

Statement of Expenditure *A statement of expenditure shall be presented to the Chairman and/or the Executive Committee for approval on a regular basis, as agreed, but no less than four times a year.*

Contracts *Any contract for future goods or services shall be subject to authorisation as agreed by the Executive Committee*

- c) *At the Annual General meeting in every year, the Executive Committee shall lay before the members a detailed **statement of the accounts** of the Council for the past twelve months, **prepared in accordance with legal and regulatory requirements of The Charity Commission.** A copy of such statement shall be available at the Annual General Meeting.*

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12. Auditor

The Accounts shall be audited by **an auditor to be elected at the Annual General Meeting each year. (deleted)**

To read

12. Examination of Accounts

The Accounts shall be examined by a suitable independent person in accordance with legal and regulatory requirements of the Charity Commission.

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NOTES ON THE AMENDMENTS

The original Constitution was drawn up in 1993 and this governing document has stood the test of time with very little amendment. However, in the intervening 27 years, there have been a number of changes in the regulations governing charities, and much tighter controls implemented. The Executive feels the moment is right to make some minor adjustments to the HCCC Constitution, to bring it into line with the new provisions and to clarify, with experience, the original provisions.

6. Date of the AGM

The purpose of this paragraph is to ensure that the HCCC holds a members' meeting annually, in reasonable time after the financial end of year. However, by setting the AGM in February, it gives a short time for the preparation and review of the year end accounts. In recent years, the meeting has been held in early March, within the two week extension for this reason. By moving the month to April, it still gives the firm commitment to hold the AGM but allows the Executive to set a date around the Easter holiday, and allows more time for the accounting work to be completed.

6. Line 6 Audited Accounts - See Para 11

7. Trustees

The original paragraph nominated four Trustees who would act as signatories on legal documents on behalf of the HCCC.

Under the Charity Commission rules, all members of the governing body, ie. The four Officers of the Council and the five members of the Executive Committee, are regarded as Trustees. The paragraph has been adjusted to make this completely clear, and to differentiate between the nine Trustees and the four trustees named as signatories. The changes also expands on the process of Trustee Signatory retirement and how that Trustee Signatory is replaced. This procedure mirrors that used for the Executive Committee.

11. Accounts

a) The amendments to this paragraph, extends the original instruction to open a single bank account, to allow the Executive to authorise the opening of additional accounts, either for separate activities ie. 200 Club, or as deposit accounts to earn interest.

b) Cheque authorisation has been retained for the very few occasions when cheques are now used.

The majority of payments are by direct debit from the provider of services for the utilities and main overheads. Direct debit authorities will be approved by the Executive and will continue without further authorisation.

Bank transfers for other services or goods will be subject to authorisation by the Treasurer, the Chairman or the third signatory according to the size of the payment and will be in line

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with the authorisation levels for cheque payments. These levels will be agreed by the Executive and reviewed each year.

A statement of expenditure will normally be presented to Executive Committee at its Meeting, but this shall be no less than four times a year. The Committee will then examine what payments have been made.

Any contracts or commitments to ongoing payments will have be approved by the Executive Committee.

c) The stipulations around the preparation and presentation of annual accounts have now been linked to the requirements of the Charity Commission, rather than separately itemised. This should avoid any further amendment being needed should regulations change again.

12. Auditor

As mentioned above, the requirement for audited accounts, and therefore an auditor, no longer applies to HCCC; the requirement is linked to the level of revenue and only charities earning more than £250,000 per annum or with a very high asset value, need to be audited. HCCC does not qualify on either count. HCCC can take advantage of the simpler recording procedures and preparation of year-end accounts.