

Report of the Strategic Director of Regeneration and Culture to the meeting of Keighley Area Committee to be held on 19th February 2015

AK

Subject:

Nomination to list property as an Asset of Community Value – Ilkley Town Hall, The Library, Kings Hall and Winter Gardens

Summary statement:

The Council has received nominations to list property known as Ilkley Town Hall, The Library, King’s Hall and Winter Gardens as an Asset of Community Value under the Localism Act 2011. This report considers whether the nomination and nominated asset meets the Asset of Community Value Criteria set out in the Localism Act and contains a recommendation as to whether or not the nomination should be approved.

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**Portfolio: Environment, Sport and
Sustainability/Public Service Transformation**

**Overview & Scrutiny Area:
Regeneration and Economy**



Dermot Pearson, Assistant City Solicitor

1. SUMMARY

- 1.1 The Council has received a nomination to list property known as Ilkley Town Hall, The Library, King's Hall and Winter Gardens as Assets of Community Value under the Localism Act 2011. This report considers whether the nomination and nominated asset meets the Asset of Community Value Criteria set out in the Localism Act and contains a recommendation as to whether or not the nomination should be approved.

2. BACKGROUND

- 2.1 The Community Right to Bid provisions of the Localism Act 2011 came into effect on 21st September 2012. The purpose of the provisions is to allow communities time to prepare bids for land and property assessed as being of benefit to the community when those assets come up for disposal.

2.2 The Community Right to Bid

- 2.2.1 Local community groups and parish councils are able to nominate privately and publicly owned land and property for inclusion on a list of assets of community value. The list is maintained by CBMDC which is also responsible for managing the process for determining whether a nomination of a property as an asset of community value is successful. At its meeting of 6th November 2012 the Executive resolved that the determination of nominations be devolved to Area Committee.

- 2.2.2 The listing of land or property as an Asset of Community Value has the effect of preventing owners from disposing of their listed property without first notifying the Council of their intention to sell. The notification of intention to sell triggers a six week moratorium on disposal during which local community groups and parish councils are able to express an interest in bidding for the property. If no expressions of interest are received the owner is free to dispose of his property at the end of the six week period. If an expression of interest is received the initial six week moratorium extends to six months to allow community groups and parish councils to prepare to bid for the property or to negotiate with the property owner. At the end of the six month period the property is removed from the list and the owner is able to sell the property to who ever he wants and by whatever means he wishes.

- 2.2.3 The Community Right to Bid provisions **do not**;

- Give community groups or parish councils a right of first refusal when listed land and buildings come up for sale.
- Give community groups or a parish council the right to purchase land and property listed as assets of community value at a reduced price i.e. less than market value.
- Compel a property owner to sell to a community group or parish council. Once the procedures set out in the Act are complied with property owners are free to sell their property to whomever they wish.
- Restrict how a property owner can use their property.

2.3 Definition of an Asset of Community Value

2.3.1 The Act provides that land or property falls within the definition of asset of community value where its current primary use furthers the social wellbeing or social interests of the local community, **and** where it is realistic to think that this use will continue. Social interests include culture, recreation and sport. A property will also qualify when its main use in the recent past meets the definition, **and** it is realistic to think that its use may again fall within the definition within the next five years (whether or not in the same way as before).

2.3.2 Social interests include a) cultural interests; b) recreational interests; c) sporting interests. Wellbeing is the things that people value in their life that contributes to them reaching their potential (economic, social or environmental).

2.3.3 The Act sets out details of certain types of land and property which are exempt from the Community Right to Bid provisions.

2.4 Who can nominate an asset to be listed

2.4.1 Nominations to list an asset as being of community value can be made by;

- A local voluntary or community group that is [incorporated](#) – this means it has a separate legal status from its members
- A local voluntary or community group that is [not incorporated](#) but has at least 21 members who appear on the electoral roll within CBMDC or a neighbouring authority.
- A parish council
- Neighboring parish councils – if a parish council borders an unparished area it may nominate asset within that area.
- Community interest groups with a local connection which has one of the following structures:
 - a) A charity
 - b) A community interest company
 - c) A company limited by guarantee that is non profit distributing
 - d) An industrial provident society that is non profit distributing.

For a local group to be able to nominate it must be able to demonstrate that its activities are wholly or partly concerned with the local authority area within which the asset is located or with a neighbouring authority (which shares a boundary with Bradford).

2.5 The Nomination

2.5.1 The nomination application is included at Appendix 1.

2.5.2 Officers have assessed the nomination and have found that :

Criteria	Finding	Comment	Criteria met?
The nominator eligible to nominate Assets of Community Value?	Yes	Ilkley Civic Society	✓
Is the nominated asset exempt from listing?	No		✓
The land and buildings are used (and in the past 5 years) to further the social well-being and social interests of the local community (as defined by the Localism Act 2011) and this use is not ancillary.	Yes	Services which benefit the community are delivered from the property.	✓
It is realistic to think that the building or land will continue to be used in a way which will further the social well-being and social interests of the community within the next 5 years.	Yes		✓

2.5.4 Accordingly the Council's Officers have assessed that the criteria for listing have been met and recommend that The Town Hall, Library, King's Hall and Winter Gardens, Ilkley **is** listed as an Asset of Community Value.

3. OTHER CONSIDERATIONS

- 3.1 Property owners (but not occupiers) may appeal against the Council's decision to list their property as an asset of community value. In the first instance the property owner should ask the council to review its decision. If the council upholds its decision to list, the owner may appeal to the First Tier Tribunal.
- 3.2 There is no provision within the Act for nominators to challenge a decision not to list a property or decision to remove a property from the list following a review. However, the Council will be required to provide nominators with reasons why their application is unsuccessful or why a property has been removed from the list.
- 3.4 As mentioned at 2.2.3 above the listing of land or property as an Asset of Community Value does not prevent a land owner from changing the use of the listed asset. The Act provides that a listed asset can be removed from the list if the nature of the asset changes so that it is unrealistic to expect it to be used for social, sporting, environmental benefits in the near future. An example of substantial change would be the progression of development works.

- 4 The listing of an asset is not retrospective and has no effect on binding agreements for sale already in place at the date of listing.

4. OPTIONS

- 4.1 **Option 1:** Accept the nomination on the grounds that it meets the criteria and definition of an Asset of Community Value as set out in the Localism Act 2011.
- 4.2 **Option 2:** Reject the nomination on the grounds that it does not meet the criteria and definition of an Asset of Community Value as set out in the Localism Act 2011.
- 4.3 Option 1 is the preferred option as the nominated land does meet the criteria for listing set out in the Act.

5. FINANCIAL & RESOURCE APPRAISAL

None.

The right of a property owner to compensation for losses incurred as a result of listing does not apply to publically owned assets.

6. RISK MANAGEMENT AND GOVERNANCE ISSUES

None

7. LEGAL APPRAISAL

Land or property may only be listed as an Asset of Community Value where it meets the criteria and definitions set out in the Localism Act 2011.

Property owner's may appeal against the decision to list their property as an Asset of Community Value. In the first instance the decision to list the property will be subject to internal review within the council. If the council upholds the decision to list the owner may appeal to the First Tier-Tribunal.

8. OTHER IMPLICATIONS

8.1 EQUALITY & DIVERSITY

None

8.2 SUSTAINABILITY IMPLICATIONS

None.

8.3 GREENHOUSE GAS EMISSIONS IMPACTS

None

8.4 COMMUNITY SAFETY IMPLICATIONS

None

8.5 HUMAN RIGHTS ACT

None

8.6 TRADE UNION

None

8.7 WARD IMPLICATIONS

None

**8.8 AREA COMMITTEE ACTION PLAN IMPLICATIONS
(for reports to Area Committees only)**

None

9. NOT FOR PUBLICATION DOCUMENTS

None.

10. RECOMMENDATIONS

Recommended -

That in accordance with Option 1 the nomination of known as the Ilkley Town Hall, Library, King's Hall and Winter Gardens, Ilkley as an Asset of Community Value is approved.

11. APPENDICES

Appendix 1 - Nomination form and Plan

12. BACKGROUND DOCUMENTS

Report to the Executive meeting of 6th November 2012; The Localism Act 2011 – The Community Right to Bid.

Assessment of Validity – nomination to list land and property as an Asset of Community Value under the Community Right to Bid. Localism Act 2011

Property Ilkley Town Hall, Library, Kings Hall and Winter Gardens,
Station Road, Ilkley

Nominator Ilkley Civic Society

Test	Comments	Test met
<p>Eligible to nominate;</p> <p>Incorporated local voluntary group</p> <p>Unincorporated voluntary group with 21 members registered to vote locally</p> <p>Parish council</p> <p>Neighbouring parish council</p> <p>Community interest group with a local connection which is;</p> <ul style="list-style-type: none"> - a charity or, - a community interest company or - company limited by guarantee - an industrial provident society 	<p>This is a local charity</p>	<p>Yes</p>
<p>Activities of the nominator are wholly or partly concerned with the Bradford District</p>	<p>Yes</p>	<p>Yes</p>
<p>Land and property exempt from listing?</p>		<p>No</p>

Assessment made by Andrew Horrocks and Carole Coates Date : 10.12.14

ACV 0032

Ilkley Civic Society



Carol Coates
Bradford Metropolitan District Council
Jacob's Well
Bradford

'Thorndale',
3, Margerison Crescent,
Ben Rhydding,
Ilkley,
West Yorkshire,
LS29 8QZ.

Tel 01943 609154
E mail helen.kidman3@btinternet.com
4th December 2014

Dear Carol,

ASSETS OF COMMUNITY VALUE ILKLEY TOWN HALL COMPLEX

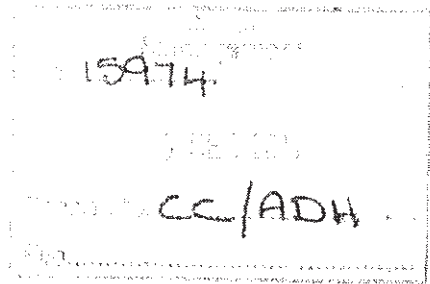
I enclose an application to register the Town Hall, Library, Kings Hall and Winter Garden in Ilkley as Assets of Community Value. I hope that you can treat these four linked buildings on one application.

There are extra names on the reverse of the list of names as one or two people have not given their full names.

Please acknowledge receipt of this application and advise the panel hearing date in due course.

Yours sincerely,

Helen Kidman
Chair
Ilkley Civic Society



The Localism Act 2011 Community Right to Bid

Application to Nominate Assets of Community value

Asset Management	
No.....	
9 DEC 2014	
Passed to.....	
File.....	



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You will need to complete this application form if you wish to nominate an asset of community value for listing. The responses to the questions in your application will enable the Council to reach a decision about your nomination. In the event that the information you supply is insufficient to make a decision, your application will be rejected.

Before completing this application **please read** the information about the Assets of Community Value provisions available on the Council website at http://www.bradford.gov.uk/bmdc/leisure_and_culture/parks_and_open_spaces/assets_of_community_value

This information will help you to better understand whether the asset you propose to nominate meets with the definition of an 'asset of community value'. It also provides additional information about your rights to nominate and bid for assets as well as the rights of asset owners.

Your completed application should be sent to:

Assets of Community Value
The Operational Estate Manager
Estate Management
City of Bradford Metropolitan District Council
7th Floor Jacobs Well
Bradford
BD1 5RW

For information, the table below summarises the 'assets of community value' nominating and bidding process in four simple stages.

Stage one: Identify an asset for nomination

If an eligible community or voluntary group thinks that a local asset meets the definition of an 'asset of community value' they can fill in an application form and ask the Council to list the property as an 'asset of community value'. If the nomination meets the relevant criteria and is approved by the Council, the asset will be included on the list. A list will also be compiled for any unsuccessful nominations that do not meet the criteria.

Stage 2: The owner wants to sell their asset

If the owner wants to sell their asset they must notify the Council, which will then notify the community group that nominated the asset and publicise the proposed sale to the wider community. If within six weeks of informing the Council of their intention to sell their asset an eligible community interest group does not come forward, the owner is free to sell their asset for a period of eighteen months from the date that they notified the Council of their intention to sell the asset.

Step 3: A designated community group wants to bid for the asset

If an eligible community interest group *does* express an interest in bidding for the asset, this group or groups will be granted extra time to prepare a business plan and gather the finance needed to purchase the asset. All in all, the time-frame for groups to put together their bids is six months starting from the time the asset owner informs the Council of their intention to sell the asset.

Step 4: The point at which the asset is to be sold

The six month window of opportunity is only for eligible community interest groups to put their business plans together and gather necessary funding. Once the six month window has expired, the asset owner is free to sell their property to who they want. They are under no obligation to sell the asset to any eligible community interest group or groups who bid to purchase the asset.



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Nomination Form

Ref.....
(for Council use)

Section 1: About You

Title	Mrs
First Name	Helen
Surname	Kidman
Address	3 Margerison Crescent, Ben Rhydding, Ilkley, West Yorks.,
Postcode	LS29 8QZ
Telephone number	01943 609154
Email address	helen.kidman3@btinternet.com
Your relationship to the nominating organisation	Chair

Section 2: About your Organisation

Please provide evidence that you are eligible to make a nomination. See the Appendix for information about who can nominate.

2.1 Name of organisation	Ilkley Civic Society	
2.2 Organisation type	Place a cross against all those that apply	Registration number of charity and/or company (if applicable)
Neighbourhood forum		
Parish Council		
Charity	X	1092549
Community interest company		
Unincorporated body		



If the blue stamp covers the details, the details have been moved, removed or added, verify that the data points to the correct file and location.

2.5 Local connection

Your organisation must have a local connection, which means that its activities are wholly or partly concerned with the administrative area of Bradford Council or a neighbouring local authority. In some cases this will be obvious, e.g. an organisation whose activities are confined to the city. If it is not obvious, please explain what your organisation's local connection is.

Ilkley Civic Society has been active, taking the initiative in local issues in Ilkley since 1966.

2.6 Distribution of surplus funds (applicable to certain types of organisations only)

If your organisation is an unincorporated body, a company limited by guarantee, or an industrial and provident society, its rules must provide that any surplus funds are not distributed to members, but are applied wholly or partly for the benefit of the local area (i.e. within the administrative area of Bradford or a neighbouring local authority). If relevant, please confirm that this is the case, and specifically which area this applies to.

N/A

2.7 More about your organisation

What are the main aims and activities of your organisation?

To promote high standards of planning and architecture in Ilkley including Ben Rhydding and Middleton.

To educate the public in the geography, history, natural history and architecture.

To secure the preservation, protection, development and improvement of features of historic or public interest.

If your organisation isn't a registered charity or company please provide evidence of its status such as trust deed, Articles of Association, constitution where appropriate.

3. Details of the land or building(s) that you are nominating.

Please provide information which helps to clarify the exact location and extent of the asset being nominated. This could include:

- Where the land is registered, the Land Registry Title Information document and map with boundaries clearly marked in red (less than one month old). Provision of Land Registry information is not essential but it may help us to reach a decision on the nomination more quickly.
- A written description with ordinance survey location, and explaining where the boundaries lie, the approximate size and location of any building/s on the land and details of any roads bordering the site.

If the boundary is not clearly defined you may be required to submit further evidence prior to your nomination application being accepted.

- A drawing or sketch map with boundaries clearly marked in red – websites which might help you in plotting boundaries include: <http://maps.google.co.uk>

Name of the asset	The Library, Town Hall, King's Hall and Winter Garden
Address or location of the asset	Station Road, Ilkley
Description of the asset and its boundaries	All four inter-related buildings and their curtilage, including the canopy at the Winter Garden

4. Owners and others with an interest in the building or land

Please supply the following information. If any information is not known to you please say so.

Current owner's name and address (if known)	Bradford Council
Current leaseholder(s) name and address	
Names and addresses of all current occupants of the land	Bradford Council

5. Reasons for nomination ; Why you think the land or building is of community value

Please note that the following are not able to be assets of community value:-

- A building wholly used as a residence, together with land "connected with" that residence. This means adjoining land in the same ownership. Land is treated as adjoining if it is separated only by a road, railway, river or canal.
- A caravan site.
- Operational land. This is generally land belonging to the former utilities and other statutory operators.

5.1 Does the use of the asset currently further the social wellbeing or social interests* of the local community, or has it done so in the recent past? If so, how?

** These could be cultural, recreational and/or sporting interests – please say which one(s) apply.*

These four inter-related buildings are at the centre of Ilkley life and vital to its cultural and commercial wellbeing.

The Kings Hall and Winter Garden provide space for a wide range of activities from exhibitions, shows and fairs, concerts, films and plays to weddings, social events and civic functions.

The Library is very well used. It additionally provides IT facilities, has a sizeable local history collection and puts on events for children.

The Town Hall is occupied by the Parish Council and the Visitor Information Centre and informal work space for council staff. The council chamber is particularly important, containing the original panelling, the original furniture made by Waring and Gillow and the original carpets. On display are a war memorial, a record of all the council chairmen and several works of art. The Town Hall has a number of offices vacated by the district council which could be used for other activities, in order to produce an income. This could be used to maintain the building.

All four buildings are over 100 years old, are listed Grade II and are important in Ilkley's history and in the street scene.

5.2 How could the building or land be acquired and used in future?

If it is listed as an asset of community value, community interest groups (not limited to your organisation) will get the opportunity to bid for it if it comes up for sale. Please set out how you think such a group could fund the purchase of the building or land, and how they could run it for the benefit of the community.

We wish to see the buildings continuing in public ownership to offer the current full range of services. If, following re organisation BMDC do not need offices in the town hall alternative activities might be housed. This could include the provision of meeting rooms for community organisations, more space for art exhibitions, office facilities for community interest groups.

6. Submitting your nomination

6.1 What to include

- Your organisation's constitution, Articles of Association or Trust Deed (section 2.7)
- Your sketch plan of the asset that you are nominating (section 3).

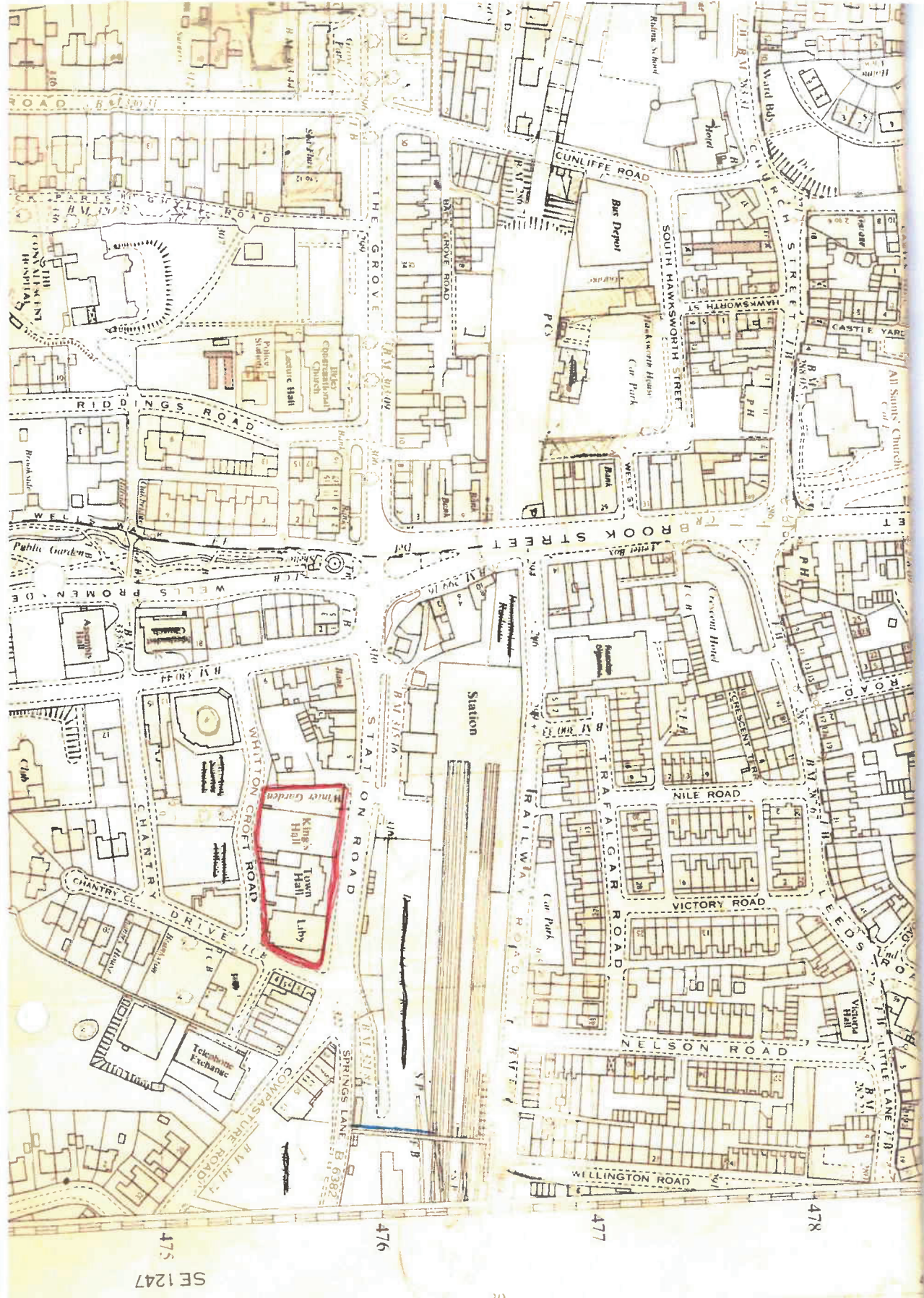
6.2 Signature

By signing your name here (if submitting by post) or typing it (if submitting by email) you are confirming that the contents of this form are correct, to the best of your knowledge.

Signature.. ..

Date. 4th December 2014 ..

11kley Town Centre
Town Hall complex outlined in red.



SE 1247

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ILKLEY CIVIC SOCIETY - Constitution (adopted October 2001)

1. NAME

The name of the Society shall be the Ilkley Civic Society.

2. OBJECTS

The Society is established for the public benefit for the following purposes in the area comprising the town of Ilkley including Ben Rhydding, Middleton and the surrounding countryside, which area shall hereinafter be referred to as "the area of benefit".

- (i) To promote high standards of planning and architecture in or affecting the area of benefit.
- (ii) To educate the public in the geography, history, natural history and architecture of the area of benefit.
- (iii) To secure the preservation, protection, development and improvement of features of historic or public interest in the area of benefit.

In furtherance of the said purposes but not otherwise the Society through its Executive Committee shall have the following powers:-

- (1) To promote civic pride in the area of benefit.
- (2) To promote research into subjects directly connected with the objects of the Society and to publish the results of any such research.
- (3) To act as a co-ordinating body and to co-operate with the local authorities, planning committees, and all other statutory authorities, voluntary organisations, charities and persons having aims similar to those of the Society.
- (4) To promote or assist in promoting activities of a charitable nature throughout the area of benefit.
- (5) To publish papers, reports and other literature.
- (6) To make surveys and prepare maps and plans and collect information in relation to any place, erection or building of beauty or historic interest within the area of benefit.
- (7) To hold meetings, lectures and exhibitions.
- (8) To educate public opinion and to give advice and information.
- (9) To raise funds and to invite and receive contributions from any person or persons whatsoever by way of subscription, donation and otherwise; provided that the Society shall not undertake any permanent trading activities in raising funds for its primary purpose.

(10) To acquire, by purchase, gift or otherwise, property whether subject to any special trust or not.

(11) Subject to such consents as may be required by law, to sell, let, mortgage, dispose of, or turn to account, all or any of the property or funds of the Society as shall be necessary.

(12) Subject to such consents as may be required by law, to borrow or raise money for the purposes of the Society on such terms and on such security as the Executive Committee shall think fit, but so that the liability of individual members of the Society shall in no case extend beyond the amount of their respective annual subscriptions.

(13) To do all such other lawful things as are necessary for the attainment of the said purposes.

3 MEMBERSHIP

Membership shall be open to all who are interested in actively furthering the purposes of the Society. No member shall have power to vote at any meeting of the Society if his or her subscription is in arrears at the time. Junior members shall be those aged less than 18 years at the time their subscription is due; and they shall not be entitled to vote at any meeting of the Society. Corporate members shall be such societies, associations, educational institutions or businesses as are interested in actively furthering the purposes of the Society. A corporate member shall appoint a representative to vote on its behalf at all meetings but before such representative exercises his or her right to vote the corporate member shall give particulars in writing to the Honorary Secretary of such representative. The subscription of a member joining the Society in the three months preceding 1st April in any year shall be regarded as covering membership for the Society's year commencing on 1st April following the date of joining the Society.

4 SUBSCRIPTIONS

The subscription shall be:-

Life members

£ 50

Two or more life members in the same household, each

£ 50

Full members per annum

~~£ 5~~ £15

Two or more full members in the same household, each per annum

~~£ 3.75~~ £25

Junior members per annum

£ 2.50

Corporate members per annum

£ 5

or such other reasonable sum as the Executive Committee shall determine from time to time, and it shall be payable on or before 30th June each year. Membership shall lapse if the subscription is unpaid three months after it is due.

5 MEETINGS

An Annual General Meeting shall be held in or about May of each year to receive the Executive Committee's report and audited accounts and to elect Officers and Members of the Committee. The Committee shall decide when ordinary meetings of the Society shall be held.

Special General Meetings of the Society shall be held at the written request of fifteen or more members whose subscriptions are fully paid-up.

15 members personally present shall constitute a quorum for a Meeting of the Society. The Committee shall give at least 7 days' notice to members of all Meetings of the Society.

6 OFFICERS

Nominations for the election of Officers shall be made in writing to the Honorary Secretary at least 14 days before the Annual General Meeting. Such nominations shall be supported by a seconder and the consent of the proposed nominee must first have been obtained. The elections of Officers shall be completed prior to the election of further Committee members. Nominees for election as Officers or Committee members shall declare at the Annual General Meeting at which their election is to be considered any financial or professional interest known or likely to be of concern to the Society.

The Officers of the Society shall consist of:

Chairman
Vice Chairman
Honorary Secretary
Honorary Treasurer

all of whom shall relinquish their office every year and shall be eligible for re-election at the Annual General Meeting. A President and Vice-Presidents may also be elected at a General Meeting of the Society, for periods to be decided at such a meeting. The Executive Committee shall have the power to fill casual vacancies occurring among the Officers of the Society.

7 THE EXECUTIVE COMMITTEE

The Executive Committee shall be responsible for the management and administration of the Society. The Executive Committee shall consist of the Officers and not less than 1 (one) and not more than 4 (four) other members. The Committee shall have power to co-opt further members (who shall attend in an advisory and non-voting capacity).

The President and Vice-Presidents may attend any meeting of the Executive Committee but shall not vote at any such meeting. In the event of an equality in the votes cast, the Chairman shall have a second or casting vote. Nominations for election to the Executive Committee shall be made in writing to the Honorary Secretary at least 14 days before the Annual General Meeting. They must be supported by a seconder and the consent of the proposed nominee must first have been obtained. If the nominations exceed the number of vacancies, a ballot shall take place in such manner as shall be determined. Members of the Executive Committee shall be elected annually at the Annual General Meeting of the Society, and outgoing members may be re-elected. The Executive Committee shall meet not less than six times a year at intervals of not more than two months and the Honorary Secretary shall give all

members not less than seven days' notice of each meeting. The quorum shall, as near as may be, comprise one third of the members of the Executive Committee. The Executive Committee shall have the power to fill up to three casual vacancies occurring among the members of the Executive Committee between General Meetings.

8 SUB-COMMITTEES

The Executive Committee may constitute such sub-committees from time to time as shall be considered necessary for such purposes as shall be thought fit. The Chairman and Secretary of each sub-committee shall be appointed by the Executive Committee and all actions and proceedings of each sub-committee shall be reported to and be confirmed by the Executive Committee as soon as possible. Members of the Executive Committee may be members of any sub-committee. Sub-Committees shall be subordinate to and may be regulated or dissolved by the Executive Committee.

9 DECLARATION OF INTEREST

It shall be the duty of every member who is in any way directly or indirectly interested financially or professionally in any item discussed at any meeting of the Society (including any meeting of any Committee or Sub-Committee at which he or she may be present to declare such interest and he or she shall not discuss such item except by invitation of the Chairman) or vote thereon.

10 EXPENSES OF ADMINISTRATION AND APPLICATIONS OF FUNDS

The Executive Committee shall, out of the funds of the Society, pay all proper expenses of administration and management of the Society. After the payment of the administration and management expenses and the setting aside to reserve of such sums as may be deemed expedient, the remaining funds of the Society shall be applied by the Executive Committee in furtherance of the purposes of the Society.

11 INVESTMENT

All moneys at any time belonging to the Society and not required for immediate application for its purposes shall be invested by the Executive Committee in or upon such investment, securities or property as it may think fit, subject nevertheless, where appropriate, to such authority, approval or consent by the Charity Commissioners as may for the time being be required by law or by the special trusts affecting any property in the hands of the Executive Committee.

12 TRUSTEES

Any freehold and leasehold property acquired by the Society shall, and if the Executive Committee so directs any other property belonging to the Society may, be vested in trustees who shall deal with such property as the Executive Committee may from time to time direct. Any trustees shall be at least three in number or a trust corporation. The power of appointment of new trustees shall be vested in the Executive Committee. A trustee need not be a member of the Society but no person whose membership lapses by virtue of clause 4 hereof shall thereafter be qualified to act as a trustee

unless and until re-appointed as such by the Executive Committee. The Honorary Secretary shall from time to time notify the trustees in writing of any amendment hereto and the trustees shall not be bound by any such amendments in their duties as trustees unless such notice has been given. The Society shall be bound to indemnify the trustees in their duties (including the proper charge of a trustee being a trust corporation) and liability under such indemnity shall be a proper administrative expense.

13 ACCOUNTS

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

- (1) the keeping of accounting records for the Society;
- (2) the preparation of the annual statements for the Society;
- (3) the auditing and independent examination of the statements of account of the Society; and
- (4) the transmission of the statements of account of the Society to the Charity Commission.

14 ANNUAL REPORT

The Executive Committee shall comply, where appropriate, with their legal 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 Charity Commission.

15 ANNUAL RETURN

The Executive Committee shall comply, where appropriate, with their legal 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 Charity Commission.

16 AMENDMENTS

This Constitution may be amended by a two-thirds majority of members present at an Annual General Meeting or Special General Meeting of the Society, provided that 28 days' notice of the proposed amendment has been given to all members, and provided that nothing herein contained shall authorise any amendment the effect of which would be to cause the Society at any time to cease to be a charity in law, and provided further that no amendment shall be made to Clause 2, Clause 18 or this Clause until the approval in writing of the Charity Commissioners or other authority having charitable jurisdiction shall have been obtained.

17 NOTICES

Any notice required to be given by this Constitution shall be deemed to be duly given if left at or sent by prepaid post addressed to the address of that member last notified to the Secretary.

18 WINDING-UP

The Society may be dissolved by a two-thirds majority of members voting at an Annual General Meeting or Special General Meeting of the Society confirmed by a simple majority of members voting at a further Special General Meeting held not less than 14 days after the previous Meeting. If a motion for the dissolution of the Society is to be proposed at an Annual General Meeting or a Special Meeting this motion shall be referred to specifically when notice of the Meeting is given. In the event of the dissolution of the Society the available funds of the Society shall be transferred to such one or more charitable institutions having objects similar to those herein before declared as shall be chosen by the Executive Committee and approved by the Meeting of the Society at which the decision to dissolve the Society is confirmed. On dissolution the minute books and other records of the Society shall be deposited with the Civic Trust.

14 ANNUAL REPORT

The Executive Committee shall comply, where appropriate, with their legal 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 Charity Commission.

15 ANNUAL RETURN

The Executive Committee shall comply, where appropriate, with their legal 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 Charity Commission.

16 AMENDMENTS

This Constitution may be amended by a two-thirds majority of members present at an Annual General Meeting or Special General Meeting of the Society, provided that 28 days' notice of the proposed amendment has been given to all members, and provided that nothing herein contained shall authorise any amendment the effect of which would be to cause the Society at any time to cease to be a charity in law, and provided further that no amendment shall be made to Clause 2, Clause 18 or this Clause until the approval in writing of the Charity Commissioners or other authority having charitable jurisdiction shall have been obtained.

17 NOTICES

Any notice required to be given by this Constitution shall be deemed to be duly given if left at or sent by prepaid post addressed to the address of that member last notified to the Secretary.