

## **FRIENDS OF BRIXHAM LIBRARY: CONSTITUTION**

### **1. Name**

The organisation shall be called the Friends of Brixham Library, abbreviated to FoBL.

### **2. Purpose**

To offer practical support for all services provided from Brixham Library by:

- a) Promoting the role and value of the library service.
- b) Providing and enhancing local awareness of the services available at Brixham Library.
- c) Assisting the staff in the maintenance and improvement of the library's services, facilities and amenities.
- d) Being a forum for consultation on library service developments.
- e) Providing a programme of social and cultural activities.
- f) Organising and executing fund-raising and other activities for the benefit of the library.
- g) Co-operating with other groups of Friends within Torbay Library Services.
- h) Engaging in other activities which enhance the role of FoBL.

### **3. Membership**

- a) Membership is open to any individual who is interested in the purpose and activities of FoBL. Members do not have to be registered members of Torbay Library Services.
- b) Application for membership of FoBL will be made on the appropriate application form, and be submitted to the Treasurer.
- c) All members shall pay an annual subscription which shall be agreed by resolution each year at the Annual General Meeting. The membership year will be from 1<sup>st</sup> April to 31<sup>st</sup> March, but those joining between 1<sup>st</sup> January and 31<sup>st</sup> March will have their membership extended to 31<sup>st</sup> March of the following year.
- d) Membership shall cease if the annual subscription is unpaid 6 months after it is due.
- e) All new Friends will be issued with a copy of the Constitution.
- f) Every member shall have one vote.

- g) The Committee may, by unanimous vote, and for good reason, terminate the membership of any individual. The person concerned shall have the right to be heard by the Committee, and accompanied by a friend, before a final decision is made.

#### **4. Committee**

- a) There will be a managing Committee consisting of a Chairman, Secretary, Treasurer, and up to 4 other members. All officers and Committee members must be members of FoBL.
- b) The officers and other Committee members will be elected at the Annual General Meeting, and be eligible for re-election.
- c) A representative of the Head of Library Services will be an ex officio member of the Committee, and will act in an advisory capacity. The representative will normally be the Branch Librarian, Brixham.
- d) The Committee will have the power to co-opt up to 3 additional members to serve for the current year.
- e) The Committee shall be responsible for the general management of FoBL and its funds, and may:
  - i. nominate any Committee member to serve on another body.
  - ii. fill casual vacancies on the Committee, with members serving until the next Annual General Meeting.
  - iii. appoint such other sub-committees from amongst the general membership as may be necessary for the efficient conduct of FoBL business. All decisions made by a sub-committee shall be subject to ratification by the Committee.
- f) The first meeting of the Committee shall be called by the Secretary, and shall normally be no more than one month after the Annual General Meeting. All subsequent meetings of the Committee shall be called by the Secretary in accordance with the resolution of the Committee.
- g) Four members of the Committee shall constitute a quorum.
- h) In the absence of the Chairman, those present may elect a chairman for the duration of the meeting from amongst their number.
- i) The Secretary will be responsible for minuting all meetings of FoBL. A substitute will be appointed by the Chairman where necessary.

#### **5. Meetings**

- a) Annual and Special General Meetings
  - i. The quorum at all Annual and Special General Meetings shall be 10 members or 10% of the membership – whichever is greater.

- ii. Unless otherwise provided by these rules, resolutions considered at an Annual or Special General Meeting shall be decided by a simple majority of those present and entitled to vote. In the case of an equality of votes, the Chairman shall have a second or casting vote.

b) Annual General Meetings

- i. A printed notice of every Annual General Meeting and agenda shall be sent to each officer, Committee Member and member of FoBL at least 14 days prior to the date fixed for such a meeting.
- ii. The Annual General Meeting shall take place during the month of April each year. The business of the Annual General Meeting is to receive a report from the Chairman, to receive the annual audited accounts, to appoint auditors, to elect officers and members of the Committee, set the level of membership subscriptions for the year, and to consider any proposals which have been notified to the Secretary and appear in the notice of the meeting.
- iii. Nominations for officers and members of the Committee, together with the names of proposers and seconders, must be supplied in writing to the Secretary before the Annual General Meeting. The consent of nominees must be obtained prior to submission. In the event of insufficient nominations being received prior to the meeting, nominations may be sought from the floor. If more names are proposed than the number required to fill the vacancies, and sufficient names are not withdrawn at or before the meeting, the election shall be by ballot.

c) Special General Meetings

- i. A Special General Meeting may be called at any time at the discretion of the Committee. In addition, such a meeting will be called upon receipt of a request to do so in writing signed by at least 10 members. Every such request shall specify the business for which the meeting is to be convened, and no other business shall be transacted at the meeting.
- ii. The Secretary shall give at least 14 days written notice of such a meeting to every member, specifying the business to be transacted. Only members who are entitled to vote on any matter relating to FoBL business may be present.

**6. Finance**

- a) FoBL shall have the power to raise funds by subscriptions, grants, donations, loans or other means.
- b) The Committee shall have the power to open a bank account on behalf of FoBL. Cheques issued on this account must be signed by any 2 of the following: Chairman; Secretary; Treasurer; Member of the Committee specially nominated by the Committee for that purpose.
- c) An auditor, or auditors, shall be appointed to audit the accounts each year for presentation to the following Annual General Meeting. An officer or a Committee member may not be appointed as auditor.

- d) The financial year of FoBL shall commence on 1 April.

## **7. Constitution**

### a) Amendments to the Constitution

Amendments to the Constitution require the approval of at least two-thirds of the members present and voting at a General Meeting or Special General Meeting of FoBL. Notice of any amendment to the Constitution must be received by the Secretary in writing at least 21 days before the meeting at which the matter is to be resolved. The Secretary must give at least 14 days notice of such a meeting to members, and must include details of the amendment proposed.

### b) Interpretation

Interpretation of the Constitution shall rest with the Committee, which shall also have the power to decide any question not provided for within the Constitution. However, any such decision is subject to the agreement of the Head of Library Services. Torbay Council shall reserve the right to recommend amendments to the Constitution. Any dispute arising from the Constitution and other matters between FoBL and Torbay Council will be resolved by presenting the facts to the appropriate decision-making body within the Council whose decision shall be final.

## **8. Data Protection Act**

Each member of FoBL shall be deemed to have given his or her consent, for the purpose of the Data Protection Act, for the inclusion of his or her name, address, and telephone number, and any other relevant information in or on any data processing media or system which, in the absence of consent, might otherwise have to be registered under the provisions of the said Act. Such information will not be disclosed to any outside organisation.

## **9. Dissolution**

- a) FoBL shall only be dissolved by a resolution passed by a majority of at least 75% of the members present and voting at a Special General Meeting called for the purposes of considering such a dissolution.
- b) In the event of dissolution, any assets, including balance of cash remaining in hand after the payment of any debts, shall not be distributed among the members of FoBL, but shall be given to Torbay Library Services for the benefit of Brixham Library.

## **10. Adoption of Constitution**

This Constitution was adopted on 18 January 2006.