

# Constitution



## Preface

Southampton Common is owned and managed by Southampton City Council. It is widely accepted that The Common is one of the City's greatest assets. On 16<sup>th</sup> February 2016 a public meeting was held to which local groups known to have an interest in The Common were invited. At the meeting there was strong support for the establishment of a Forum as a means of focussing the interests of all in the City with an interest in The Common. It would be inclusive, dynamic and transparent. A small group of volunteers was asked to produce terms of reference which were considered at a further public meeting on 7<sup>th</sup> June 2016 and slightly modified as a result of that discussion. This document formalises those Terms of Reference into a draft formal constitution for the Forum. Adoption of a formal constitution by the Forum is a prerequisite for the Forum to be officially recognised by Southampton City Council and for it to make grant applications for and obtain insurance for Forum activities.

This draft constitution will be presented to the Forum meeting on 27<sup>th</sup> September 2016 for discussion, with a view to adopting the constitution and electing the Forum Management Committee at the following meeting of the Forum, which is proposed to be held in January 2017.

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## Summary

This constitution comprises 16 sections whose contents are summarised below.

### 1. Name

Our formal name (Southampton Common Forum), to be used to identify the Forum on grant applications, for bank account purposes and the such like.

### 2. Geographical Area of Interest

The geographic area with which the Forum will concern itself – the entire Common and Southampton Old Cemetery.

### 3. Aim and Objectives

The formal terms of reference for the Forum - what we aim to do, and how we will do it

### 4. Membership, Voting Rights and Subscriptions

Who can join the forum (essentially any group or individual over the age of 18 with an interest in matters relating to The Common), who has a vote at meetings (a representative from each group and also any individual member) and how decisions are reached (by majority vote of both groups and individuals).

What subscriptions can be used for and how they are set and managed.

### 5. Officers and Management Committee

How the forum will be managed for the benefit of its members, how many people will be involved, what their responsibilities will be, how they are elected and how long they can serve for.

### 6. Forum Meetings, Annual General Meeting (AGMs) and Extraordinary General Meetings (EGMs)

How often the Forum will meet (at least twice a year), how these meetings are advertised and organised and how decisions will be made at those meetings.

**7. Accounts**

How the Treasurer will look after any funds awarded, or donated, to the Forum.

**8. Funding**

How we will raise money to do projects agreed by the Forum.

**9. Insurance**

The Forum will hold appropriate insurance to cover its activities and events.

**10. Notices and Communication**

How the Forum Management Committee will communicate with Forum members and with the wider public

**11. External Relations**

As the Forum develops, it may be necessary to join other, wider groups with similar interests, this allows us to do so.

**12. Amendments**

As the Forum develops and external circumstances change, it may be necessary to change the constitution to reflect those changes. This section defines how changes will be made.

**13. Dissolution**

If the Common Forum decides to cease operations, how that will be done.

**14. Data Protection**

In order to communicate with Forum Members, the Management Committee needs to hold an electronic database of member contact details, interests and other personal information supplied by that member. This section defines how we may use that data – essentially only for Forum business, never giving member information to third parties.

**15. Equal Opportunities Statement**

In order to be recognised by Council, we are required to have an equal opportunities policy. This section simply says that we will have one.

**16. Adoption of the Constitution**

When the constitution is formally adopted, all members of the elected Forum Management Committee sign here to confirm that they will adhere to the Constitution. Each successive member of the Forum Management Committee is also required to sign the constitution when elected or co-opted.

**Appendix - Southampton Common Forum - Equal Opportunities Policy**

The actual wording of our Equal Opportunities Policy, committing us to ensuring equal opportunities for volunteers and all those participating in the activities, management and coordination of SCF. The Policy also defines how we will achieve this.

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## 1. Name

The group shall be called Southampton Common Forum (SCF, 'the Forum').

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## 2. Geographical Area of Interest

The geographical area of interest comprises the public open space owned by Southampton City Council and known as The Common / Southampton Common, designated as parks or pleasure grounds within the meaning of the Public Health Acts by Section 87 of the Southampton Corporation Act 1910 and formally registered as Common land under section 4 of the Commons Registration Act 1965. The area of interest also includes the grounds and site of The Cowherds Public House, The Hawthorns Urban Wildlife Centre (previously Southampton Zoo) and Southampton Old Cemetery, none of which is legally included in the registered Common although these areas lie within it.

The area of interest is bordered approximately by Hill Lane (W), Burgess Road (N), Northlands Road (S) and Westbourne Crescent / Highfield Road / Furzedown Road / University of Southampton Highfield Campus (E). The Avenue (A33) runs north-south through The Common; the area of The Common to its east being referred to as "Little Common"

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## 3. Aim and Objectives

### 3.1 Aim

To be a focal point for issues affecting The Common for everyone who uses, enjoys or appreciates it.

### 3.2 Objectives

1. To see that all those with an interest are **informed** of any issues that may affect The Common.
2. To give all those with an interest a means of **influencing** and contributing to those issues.

The nature of the Forum's response will depend on the issue under consideration. In some cases the Forum will respond as a collective voice. In other cases, the Forum will encourage discussion and debate in order to help its associated groups and others to provide their own, informed and reasoned responses. It will not be possible for all Forum members to be of one view on every issue. Membership of the Forum will not constrain the ability and freedom of its members to hold and express varying / conflicting views.

3. To work alongside the landowner, Southampton City Council, to contribute towards the **positive management** of The Common

This includes contributing to and/or taking the lead in preparing and keeping up to date a management plan for The Common, to be adopted by the City Council in partnership with other stakeholders.

4. To raise **awareness** of The Common and its benefits to the City.
5. To take **any other appropriate action** consistent with the aim of the Forum including, if necessary, to lobby and bring pressure to bear to ensure that The Common is managed and maintained primarily as a recreational resource for the benefit of all sections of the community, as its legal status requires.

To achieve the aim and objectives SCF will:

- adopt a formal constitution and management structure.
- coordinate and cooperate with the local authority, other statutory authorities, voluntary organisations, charities and individuals where they have aims and objectives similar to those of the Forum.
- involve local residents associations, community groups, businesses, enterprises, charities and individuals in the aims through publicity, consultation, engagement and volunteering opportunities and by holding meetings and social events.
- open and maintain a bank account, raise specific funds, and invite and receive contributions and subscriptions, where appropriate, to finance Forum activities and projects.
- operate a www site ([www.southamptoncommon.org](http://www.southamptoncommon.org)) and a facebook page ([www.facebook.com/SouthamptonCommonForum/](http://www.facebook.com/SouthamptonCommonForum/)) and, if appropriate, other “social network” sites for general communication with members and interested parties and for promotional purposes.
- hold an Annual General Meeting (AGM)
- do all other lawful things as are considered necessary to further the aims.

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#### 4. Membership, Voting Rights and Subscriptions

It is hoped that as wide and diverse a range of organised groups and individuals as possible with an interest in The Common will be associated with the Forum. These include, but are not limited to:

**Groups:** local residents’ associations, local “Friends of ...” groups, North Southampton Community Forum, Southampton Commons and Parks Protection Society, parkrun, promoters of events based on The Common (e.g. Common People, Let’s Rock Southampton, CRUK Race for Life etc.), local universities, colleges and schools, local businesses, enterprises and charities, fitness and orienteering groups, natural history groups, etc. etc.

**Individuals:** walkers (including dog walkers and those using The Common as a commuting route), joggers, cyclists, anglers, picnickers, photographers, etc. etc..

Any bona fide interest group or individual can ask to join the Forum.

One of the Forum’s most important aims, and biggest challenges, will be to identify and involve people with an interest in the Common who are not part of any existing group.

Membership of SCF shall be open to any group of individuals or individual over the age of eighteen interested in furthering the aims of the Forum.

The following membership categories shall exist

- group - for formally-constituted groups and other organised, interested groups.
- individual – any individual with an interest in The Common is welcome to join and participate in the Forum, irrespective of whether they belong a formal group represented on the forum.

Voting Rights:

- For the purposes of (a) adopting this Constitution and of (b) electing each member of the initial Forum Management Committee, each person present at the

meeting at which these matters shall be decided (17<sup>th</sup> January 2017) shall vote individually.

Thereafter:

- Each member group shall have a single vote on Forum matters and shall (1) nominate an individual from within the group to be the voting member on its behalf, and (2) inform The Management Committee of that nomination.. A register of voting members shall be maintained by the Management Committee.
- Each individual member of the Forum shall also have a vote.
- In determining the outcome of any vote, the result will need to be supported by both a majority of votes of group voting members present and a majority of votes of individual members present. If this condition is not satisfied, then the Forum will record that it was unable to reach a consensus on that matter.
- If it becomes clear to the Forum that multiple, individual members are following a singular, joint and specific agenda, they shall be required to register as a group with a single voting representative.

Membership is registered through completion of a membership form.

Subscriptions may be levied in order to raise funds for Forum projects and events and to fund Forum meetings, operations and publicity.

An annual subscription may be proposed by the Management Committee.

Any annual subscription rate will be determined at each AGM and voted upon, with a majority ruling of registered Members present and entitled to vote.

The rates of subscription shall only be altered by consent of the majority of registered members present and entitled to vote at the AGM.

If subscription fees are levied, the subscription year shall run from 1st January - pro-rata subscription for groups joining during the subscription year will be set at one tenth of the annual rate for each full or part month remaining.

The Management Committee may, at its discretion, enter into reciprocal agreements with other groups with shared objectives such that each is a 'member' of the other but no subscription payments are made.

Membership / Registration is terminated:

- if the member dies
- or if it is a group, it ceases to exist
- or if the member resigns by written notice to the Secretary
- or, if subscriptions are levied, if his / her / its subscription is not paid in full within three months of the due date.

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## **5. Officers and Management Committee**

In order to:

- arrange, host and report Forum meetings
- coordinate action on Forum decisions
- organise Forum project activities

- submit grant applications on behalf of the Forum
  - undertake other fundraising for Forum projects
  - formally represent the Forum at other meetings
  - research and notify Forum member of current issues
  - maintain Forum social media
  - help prepare a management plan for The Common
  - undertake any other function considered necessary for Forum administration
- the Forum will be coordinated by a Management Committee.

The Forum Management Committee shall manage the Forum on behalf of its members.

The Forum's Management Committee will comprise (1) a group of elected officers (2) up to 4 other elected members of the Forum.

- The Officers of SCF shall normally consist of a Chair, Vice Chair, Secretary and Treasurer. each of whom may serve for a term of up to three years, commencing at the Annual General Meeting (AGM) at which they are elected, after which the post shall be eligible for re-election. Officers may stand for re-election.
- Up to four other members of the wider Forum, chosen annually by majority vote of The Forum at its AGM, shall comprise the other members of the Forum Management Committee ("ordinary members"). These ordinary Committee members may stand for re-election. Ordinary members of the Forum Management Committee may undertake specific and designated roles and responsibilities at the request of the Committee Officers (e.g. communications (web and social media), development plan coordination research and drafting, event organisation, fund raising, publicity, liaison, grant application development, chair of working group etc.).

Nominations for the election of Officers of the Forum Management committee shall be made in writing to the Secretary no later than seven days before the AGM in order to allow nominations to be publicised. Nominations for Officers shall be supported by a proposer and a seconder and the consent of the nominee must first have been obtained.

Nominations for the election of ordinary members of the Forum Management Committee can be made either in writing to the Secretary (preferably no later than seven days before the AGM) or may be made at the AGM itself (i.e. no prior notification is required). Members of the Forum seeking election as ordinary members of the Forum Management Committee can self-nominate (in which case only a seconder is also needed). If not by self-nomination, nominations for these positions shall be supported by a proposer and a seconder and the consent of the nominee must first have been obtained.

The election of Officers shall be completed prior to the election of ordinary members.

The Forum Management Committee shall have the power to fill casual vacancies on the Committee by co-opting volunteers from the membership until the next AGM where the post will be eligible for election.

The Forum Management Committee shall have the power to convene specific working groups to undertake specific projects, activities, liaison and research. Each working group shall include at least one member of the Forum Management Committee and shall report to the Chair of the Forum Management Committee. Working groups shall be regulated by, and dissolved by, the Forum Management Committee.

The Forum Management Committee shall have the power to co-opt further members (who shall attend in an advisory and non-voting capacity).

The Forum Management Committee shall meet as frequently as deemed necessary for managing the Forum (usually at least bi-monthly). The Secretary shall give Forum Management Committee members not less than fourteen days notice of each meeting. The quorum shall comprise one-half of the voting members of the Management Committee and, excepting exceptional circumstances, include the Chair.

Any registered member of the Forum is entitled to ask for relevant business to be discussed under “Any Other Business” at the next scheduled Forum Management Committee meeting.

The names of Officers and Committee Members, and a means of contact, shall be publicised on the Forum’s www site.

The Committee shall maintain minutes of all Committee meetings, which, excepting reserved matters, shall be made available on the Forum’s www site within a reasonable time frame.

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## **6. Forum Meetings, Annual General Meeting (AGMs) and Extraordinary General Meetings (EGMs)**

The Forum itself will meet at least twice a year. These will be open, public meetings and one of these Forum meetings will also include the AGM.

Meetings will be advertised on the Forum’s www site and facebook page and by email to registered Forum members who have notified the Secretary of a current and valid email address.

The AGM will receive reports and accounts from the Forum Management Committee and elect Officers (if elections are due) and ordinary members of the Forum Management Committee for the relevant periods.

Under exceptional circumstances an AGM may be postponed and rescheduled for not later than fifteen months after the previous AGM.

Extraordinary General Meetings (EGM) shall be held at the request of a simple majority of the Forum Management Committee, or at the written request of ten or more registered voting Members (whose subscriptions are fully paid up if subscriptions are levied) or one tenth of the registered Forum membership (whose subscriptions are fully paid up if subscriptions are levied), whichever is the greater. Any request to hold an EGM received from a registered Member will be posted on the Forum’s www site and facebook page to notify other registered Members and a period of up to 5 days will be allowed for the required number of written requests to be received.

The Committee shall give the Forum no less than twenty one days’ notice of any general meeting or AGM and no less than seven days notice of any EGM and of any special motions to be discussed, (from the date on which sufficient requests to hold the EGM have been received),. Notice shall be given on the Forum’s www site, facebook page and by email to all registered members who have notified the Secretary of a current and valid email address.

A minimum of half the Forum Management Committee and half of the registered Forum membership shall constitute a quorum for an AGM or EGM.

Matters of policy may be debated from time to time at AGMs and EGMs at the request of a proposer and seconder who are both registered members of the Forum. Decisions shall be made by simple majority vote of those members present and eligible to vote. In the event of a tied vote the Chair of the meeting shall have the casting vote in addition to any other vote he or she may have.

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## **7. Accounts**

Accounts shall be kept by the Forum's elected Treasurer and each individual receipt and payment recorded, including details of the provider (unless anonymous donation) and recipient.

Accounts shall be available for inspection by any registered member on giving of reasonable notice to the Forum's treasurer.

Accounts shall be submitted for inspection and approval by the registered members at each AGM.

Accounts will be independently examined if the level of financial activity is considered by the Forum Management Committee to be sufficient to make this action prudent.

The Committee shall, out of the funds of the forum, pay all proper expenses of administration, development, and management of the Forum. After the payment of each such expense, and the setting aside of a reserve if deemed necessary, the remaining funds shall be applied by the Forum Management Committee to further the aims of the Forum.

Cheque payments from forum funds shall require the signatures of at least two unrelated Management Committee Officers.

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## **8. Funding**

The Forum shall have the power to raise funds by means of contributions, legacies, grants, subscriptions and fundraising by lawful means.

All funds and property of the Forum shall be used solely to promote its aims as detailed in this Constitution.

No funds of the Forum shall be paid or transferred directly or indirectly by way of profit or wage to any member of the Forum.

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## **9. Insurance**

The Forum shall obtain and maintain sufficient and appropriate liability insurance in respect of risks to its members and for injuries to third parties and damage to property arising from any activities and events organised by the Forum.

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## **10. Notices and Communication**

The Forum will operate a www site ([www.southamptoncommon.org](http://www.southamptoncommon.org)) and a facebook page ([www.facebook.com/SouthamptonCommonForum/](http://www.facebook.com/SouthamptonCommonForum/)) and, if appropriate, other “social network” sites for general communication with members and interested parties and for promotional purposes.

Any formal notice required by this Constitution shall be given via electronic communication on the Forum’s www site and facebook page and by email to any registered member who has notified the Secretary of a current and valid email address.

Any notice shall be deemed to have been given three days after it was sent.

Any registered member present in person at any meeting shall be deemed to have received notice of the meeting and of the purposes for which it was called.

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## **11. External Relations**

At appropriate times the Forum may need to formally link with, register with or join other local and national groups and organisations with shared purposes or interests, such as the Open Spaces Society.

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## **12. Amendments**

This Constitution may be amended by a simple majority of registered voting members present at an AGM or EGM of the Forum, provided that (1) not less than twenty one days notice of the proposed amendment has been given to all registered members (in the case of an AGM) or 7 days’ notice (in the case of an EGM) and (2) that said AGM or EGM is quorate.

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## **13. Dissolution**

The Forum may be dissolved by the combination of a two-thirds majority of registered members present and entitled to vote at an AGM or EGM of the Forum and a two-thirds majority of the Forum Management Committee, provided that not less than twenty eight days’ notice of the proposed winding up has been given to all registered members and that said meeting is quorate.

Any assets shall be returned to their providers, should they require it, else shall be passed to another group / groups with similar aims (to be decided by those present at the winding up meeting).

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## **14. Data Protection**

The Forum Management Committee will maintain an electronic database of personal information relating to its members solely for the purposes of Forum administration. This may include any information which that member supplies to us for the purpose, including (but not limited to); name, address, email address, telephone number(s), relevant interests and skill sets.

These data shall remain private to the Forum and shall not be shared with any third party.

For the purposes of the Data Protection Act 1998, the Forum Secretary shall be responsible for the security of member information and for compliance with relevant Data Protection legislation.

All email correspondence to the membership shall be by blind copy.

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### **15. Equal Opportunities Statement**

The Forum Management Committee shall endeavour to ensure that the Forum membership is broad, transparent and inclusive, reflecting the diversity of Common users and interest groups.

There shall be no discrimination on the basis of gender, age, nationality, disability, race, religion, sexual orientation or alignment.

The Management Committee shall maintain an equal opportunities policy, which shall be available from its www site.

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## 16. Adoption of the Constitution

This Constitution was adopted as the Constitution of The Southampton Common Forum at its first Annual General Meeting held at Richard Taunton Sixth Form College on 17<sup>th</sup> January 2017 where the following persons were formally elected as Officers and Ordinary Members of the Forum Management Committee.

<b>Position</b>	<b>Sign</b>	<b>Print</b>
Chair		
Vice Chair		
Secretary		
Treasurer		
Committee Member 1		
Committee Member 2		
Committee Member 3		
Committee Member 4		
<b>Date:</b>		

## **Southampton Common Forum - Equal Opportunities Policy**

### **1. Principles**

The Equal Opportunities Policy of the Southampton Common Forum (SCF, the Forum) is designed to promote the Forum's aims and objectives, with equal treatment for all, regardless of the protected characteristics of age, disability, gender reassignment, marriage and civil partnership, race, religion or belief, sex and sexual orientation and also with respect to the grounds of employment status and family unit composition.

This policy is concerned with ensuring equal opportunities for volunteers and all those participating in the activities, management and coordination of SCF.

It has due regard for the The Equality Act 2010: the main purpose of the Act is to unify the all the Acts and Regulations, which formed the basis of anti-discrimination law in Great Britain.

The Equality Act 2010 requires equal treatment in access to employment as well as private and public services, regardless of the protected characteristics of age, disability, gender reassignment, marriage and civil partnership, race, religion or belief, gender and sexual orientation. In the case of gender, there are special protections for pregnant women. However the Act allows transsexual people to be barred from gender-specific services if that is "*a proportionate means of achieving a legitimate aim*". In the case of disability, employers and service providers are under a duty to make reasonable adjustments to their workplaces to overcome barriers experienced by disabled people. In this regard, the Equality Act 2010 did not change the law.

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### **2. Aims & Objectives**

1. That the membership and services of SCF are open to all those living within the area of benefit, without discrimination of any kind.
  2. That access to activities associated with SCF are open to all those living within the City, without discrimination of any kind
  3. That SCF will aim to ensure that, wherever possible, developments and formal events on The Common will aim to accommodate the widest possible range of user groups, ages, abilities and activity levels.
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### **3. Disabled Access**

All meetings and associated events staged by SCF will use facilities that, within reason, will be designed to provide facilities for disabled access.

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### **4. Statement of Equal Opportunity**

SCF recognises that certain people or groups of people may be discriminated against, deliberately or otherwise. SCF is opposed to this and this policy is in place to ensure that this does not happen. This policy is set within the current legislative framework.

This Equal Opportunities Policy will be publicised on the Forum's www site ([www.southamptoncommon.org](http://www.southamptoncommon.org)) and Forum members will be expected to comply with and to implement this policy.

SCF is opposed to any form of discrimination on the grounds of any of the protected characteristics of:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Race
- Religion or belief
- Sex
- Sexual orientation

and also on the grounds of employment status and family unit composition.

We aim to provide fair and just treatment in all our activities and services to the community.

SCF aims to encourage cooperation from all individuals or associated groups in the implementation of this policy.

SCF will encourage and support people from under-represented groups in the community to participate in its activities and to contribute to its aims.

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## **5. Harassment**

Action will be taken against those who commit any type of hate crime and harassment - for clarification of these words, please follow the link: <http://www.southampton.gov.uk/hatecrime>

All forms of harassment, either against, or by, a volunteer will be dealt with promptly and sensitively.

Instances of harassment can be reported directly to the Police on 101 or 0845 045 45 45. Alternatively, there is a hate crime reporting number; 023 8083 4114.

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## **6. Reporting.**

If a case of what appears to be discrimination is reported or observed by members of SCF during SCF activities, it will be the duty of the Forum Management Committee to investigate and take appropriate action.

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## **7. Volunteer workers**

The same policy and process will be followed for Forum Management Committee members and for volunteer workers in the case of physical aggression or harassment.

Physical aggression will not be tolerated. After due process of investigation, anybody found to have been physically aggressive will lose their position within the organisation.

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### 8. Forum activities

All persons or groups formally associated with the delivery of SCF activities will be made aware of this Equal Opportunities Policy and procedures by the Forum Management Committee member responsible for coordinating that activity.

If the guidelines are not adhered, to the person / persons breaking the guidelines will be asked to desist association with the activity and to leave the area. If those person/s do not desist and leave when asked, the police will be informed.

This document will be regularly updated and amended in line with legal requirements.

Policy Approved	Signed:
Date:	Printed Name:
	Chair SCF