



Constitution of Eagley Band

Registered UK Charity 1181741

Updated and Ratified at AGM – 25th March 2025

1. Registered Address

- Eagley Band
 - Debra Lyons
 - 31 Churnet Close. Westhoughton. Bolton. BL5 3LF
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2. The band exists to:

- Promote music and music education through rehearsals, public performances, and other activities.
- Provide musical and community opportunities to all.

All activities must support these aims and must benefit the public.

3. To carry out its purpose, the band can:

1. Raise funds (but not through taxable trading).
 2. Apply for and receive grants or donations.
 3. Buy, lease, or rent property and equipment.
 4. Sell or dispose of property.
 5. Set membership rules and conditions.
 6. Employ staff or use volunteers.
 7. Work with other charities or organizations.
 8. Do anything else legal that helps the band achieve its aims.
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4. Membership

1. Membership is open to anyone.
 2. Members must follow any membership rules set by the trustees.
 3. The trustees can refuse or end someone's membership if they harm the charity or break the rules.
 4. The person can appeal to the trustees to review the decision.
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5. General Meetings

1. The band must hold a General Meeting every year (AGM).
2. Members must get at least 14 days' notice.
3. Trustees will report on the band's activities and finances.

4. Members can vote to:
 - Elect trustees
 - Approve accounts
 - Make changes to the constitution
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6. Special (Extraordinary) Meetings

1. A special meeting can be called at any time by:
 - The trustees, or
 - At least 10% of the members.
 2. Members must get at least 14 days' notice.
 3. Only the topic listed in the notice can be discussed.
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7. Quorum for General Meetings

A meeting can only make decisions if **at least five members** are present.

8. Chairing Meetings

The Chair of the trustees may lead general meetings. If they are not present, the committee will elect someone else at the meeting.

9. Voting at General Meetings

1. Each playing member gets one vote.
 2. Decisions are made by majority vote.
 3. If there's a tie, the Chair gets the deciding vote.
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10. Trustees

1. The band must have at least **three trustees**, and no more than **twelve**.
 2. Trustees manage the band and make sure it achieves its aims.
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11. Appointment of Trustees

1. Trustees are elected by members at the AGM.
 2. The trustees may also appoint someone mid-year if needed, until the next AGM.
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12. Powers of Trustees

Trustees are responsible for the overview of the running of the band and the committee, are responsible for the day-to-day affairs including:

- Managing finances and property
 - Making policies
 - Ensuring compliance with charity law
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13. Trustee Roles

The Trustees must ensure that the following roles are appointed at the Annual General Meeting:

1. A **Chair** – leads meetings and represents the band.
 2. A **Secretary** – handles admin and communication.
 3. A **Treasurer** – manages money and prepares accounts.
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14. Trustee Conflicts of Interest

If a trustee might benefit from a decision, they:

1. Must declare the interest.
 2. Must not vote or be counted in the quorum for that decision.
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15. When a Trustee Must Step Down

A trustee must stop being a trustee if:

1. disqualified under the Charities Act 2011.
 2. Are declared by a doctor (in writing) to be physically or mentally unfit to act as a trustee, and this is likely to continue for more than 3 months.
 3. Resign by giving written notice, **but** only if at least two trustees will still remain after the resignation.
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16 Conflicts of Interest

Trustees must ensure that the committee:

1. Declare any personal interest (e.g., financial or other benefit) in something the band is doing or plans to do.
2. Leave the room and not take part in the discussion or vote if a conflict of interest might arise.

That trustee also doesn't count towards the quorum for that specific decision.

17. Validity of Decisions

1. Decisions made at meetings are still valid even if a trustee voted when they:
 - Were disqualified

- Had already resigned or been removed
- Had a conflict of interest

As long as the vote still passed without that trustee's participation and the meeting had a quorum.

2. But this **does not allow** a trustee to keep any benefit they shouldn't have received due to a conflict of interest.

18. Delegating Tasks

1. Trustees can delegate tasks to a sub-committee of **at least two trustees** and must record this in the minutes.
2. Conditions can be added, such as:
 - The committee must act alone on the delegated powers.
 - They cannot spend money outside of the agreed budget.
3. Trustees can change or cancel the delegation at any time.
4. All actions by committees must be reported back to the full trustees.

19. Keeping Records

Trustees must ensure that the committee keep records of:

1. All appointments of trustees and officers.
2. All charity meetings.
3. All trustee and committee meetings, including:
 - Who attended
 - What decisions were made
 - Why certain decisions were made (if needed)

21. Accounts and Reports

Trustees must ensure that the committee follow the Charities Act 2011, including:

1. Keeping financial records.
2. Preparing annual accounts.
3. Sending the accounts to the Charity Commission.
4. Writing an annual report and sending it to the Commission.
5. Completing an annual return for the Commission.

Accounts must follow guidance from the Charity Commission (or another official body if required).

22. Updating the Charity Register

Trustees must ensure that the committee tell the Charity Commission **as soon as possible** if there are any changes to the information listed about the charity on the official charity register.

23. Managing Property

1. Trustees must make sure that:
 - Land owned by the band is **not** in the name of the Official Custodian for Charities.
 - Investments are held by either:
 - A proper custodian trustee (e.g., a corporation), or
 - At least **three individuals** as holding trustees.
2. Holding trustees must follow written instructions from the trustees and won't be held responsible for trustee/member actions if they do.
3. Trustees can remove holding trustees at any time.

24. Repairs and Insurance

Trustees must ensure that the committee:

- Keep all charity-owned buildings in good repair (unless a tenant is responsible).
- Fully insure buildings against risks like fire.
- Have proper insurance for public liability and employer's liability.

25. Notices (How Communication Works)

1. Any required notice must be:
 - In person
 - By email or other electronic means
2. Notices to members can be delivered:
 - In person
 - By email or other electronic means
3. Attending a meeting in person means you're considered to have received notice of it.

26. Additional Rules and Byelaws

1. Trustees can give advice for how the band runs.
 2. This may cover:
 - How people become members, their rights, and any fees.
 - When and how parts of the band's premises are used.
 - How meetings are run (if not already covered in this constitution).
 - Keeping and signing records, including electronic ones. If signatures are recorded electronically, the method must be secure and verifiable.
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27. Changing the Constitution

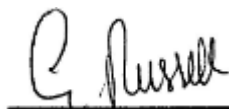
1. Members can vote to change the constitution at a general meeting.
 2. At least **two-thirds** of those voting must agree.
 3. The Charity Commission must approve changes to:
 - The charity's purpose
 - Who can be a trustee
 - How trustees are appointed or removed
 - Rules on what happens if the charity closes
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28. Closing the Charity

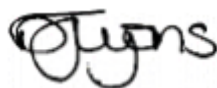
1. The charity can close if members vote for it at a general meeting, with at least **two-thirds** in favour.
 2. Trustees must ensure that the committee:
 - Pay off any debts
 - Give remaining funds to another charity with similar aims
 3. Trustees cannot receive any personal benefit from the closure.
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29. SIGNATURES

TRUSTEE – CHAIR - MR G RUSSELL



BAND CHAIR MRS D LYONS



20th April 2025