



CONSTITUTION OF

Bucklebury Commoners Association (BCA)

Adopted BETWEEN the persons whose names are set out at the end of this Constitution.

1 BACKGROUND

- 1.1 R.D Hartley Russell Esq of Bucklebury Estate is the freehold owner of Bucklebury Common ("The Common") situated within Bucklebury Parish ("The Parish"). The Common, which is registered common (CL28) covering some 340.5ha of heathland, grassland, woodland and scrubland and shown edged red on the plan titled 'Bucklebury Common' at Appendix 1 hereto.
- 1.2 The Commoners are those with registered holdings as per the 1965 Commons Registration Act, 1965 and the subsequent Commons Commissioners Regulations, 1971.
- 1.3 A Commoners Association is required to support a Countryside Stewardship application on the Common.
- 1.4 Members of the BCA will be considered as Haywards of Bucklebury Common.
- 1.5 The BCA has no finances and is a 100% voluntary organisation.

2 NAME

- 2.1 The name of the association shall be Bucklebury Commoners Association, it may use the acronym BCA and is referred to as such in this Constitution.

3 NATURE AND PURPOSE OF THE BCA

- 3.1 BCA is a community based unincorporated association, non-party political and non-partisan.
- 3.2 The purpose of BCA is to achieve the aims and objectives described in article 4.

4 AIMS & OBJECTIVES

The aims and objectives of BCA are:

- 4.1 To represent and safeguard the rights of Commoners.
- 4.2 To promote the conservation, enhancement and protection of the natural beauty and biodiversity of the Common.
- 4.3 To receive and distribute notifications of proposed works to be carried out on the Common.

5 REMIT

BCA's remit is:

- 5.1 To do all lawful things that are necessary for the achievement of BCA's aims and objectives.
- 5.2 The arrangements described in this Constitution do not amount to a delegation of the Owner's legal obligations, in relation to the Common.

6 MEMBERSHIP AND VOTING

6.1 Membership of BCA shall be open to:

- Commoners, i.e., those holding registered rights of common on the Commons.
 - The legal owners of the Common.
 - All persons over the age of 18 residing in a property which holds registered common rights.
 - Those eligible to be on the Management Committee under article 7.2
- 6.2 A member shall cease to be a member if he/she resigns from the BCA in writing to the Secretary.
- 6.3 Any person who disagrees with a decision taken by the Committee can ask the Committee to re-consider its decision.

7 MANAGEMENT COMMITTEE

- 7.1 The management and business of BCA shall be vested in its Management Committee appointed in accordance with articles 7.2.1 and 7.2.2; and elected in accordance with articles 7.2.3 at the inaugural meeting of BCA and hereafter as elected at each Annual General Meeting in accordance with article 7.3
- 7.2 The Management Committee will consist of a maximum of five Members constituted as follows:
- 7.2.1 Permanent Voting Members
- A representative of the Owners of the Commons to be appointed by the Owners.
- 7.2.2 Elected Members
- Four other members of BCA who have been proposed and seconded by BCA members. A proposer and seconder cannot be from the same household. Where an Election is necessary it will be by secret majority ballot.
- 7.3 At every other AGM (i.e., bi-annually) the members appointed under article 7.2.2 shall retire and the resulting vacancies shall be filled by majority vote, with retiring members eligible for re-appointment.
- 7.4 The Management Committee will, subject to articles 7.5 and 7.6.3 elect a Chair and, subject to articles 8.1 to 8.3, a Secretary ("Officers") by a majority vote at its first meeting following BCA's inaugural meeting and thereafter at each AGM.
- 7.5 The Committee, by a majority vote, shall have the powers to temporarily fill Committee vacancies by co-opting Members until the next AGM.
- 7.6 In addition to the five Members appointed under article 7.2, specialists may be co-opted onto the Committee for a specific purpose in an advisory capacity only.

8 OFFICERS AND CHAIR

- 8.1 Any Officer so appointed under article 7.4 may be removed or replaced by a vote of BCA at an Extraordinary General Meeting (EGM) convened and attended by twenty members, which

number must include at least three Members of the Management Committee, on 21 days written notice to all members of the proposed removal or replacement.

8.2 Officers shall be elected bi-annually and no Member shall hold more than one position.

8.3 Officers must inform the Committee if they have any personal or pecuniary interest in a matter which the Committee has requested they deal with.

8.4 As required the Committee shall appoint a nominated spokesperson(s) to represent the Association in discussions with other bodies who will act upon the instruction of the Committee.

8.5 CHAIR

8.5.1 The Chair shall provide direction on procedural questions but not on the substantive aspects of matters under discussion.

8.5.2 The Chair shall be elected bi-annually but may serve no more than two consecutive terms although he/she may remain a Member of the Committee if so elected and may be re-elected as Chair if she/he has not held that office during the preceding 12 months.

8.5.3 The representative of the owners of the commons should be specifically precluded from being elected Chair.

8.5.4 The Chair shall:

Ensure that all present at meetings of BCA and the Management Committee can contribute without interruption or intimidation.

Lead and support BCA in achieving its aims.

Ensure the Committee works as a team.

8.6 SECRETARY

8.6.1 The Secretary shall be responsible for arranging meetings of BCA and its Management Committee, giving sufficient notice of such meetings.

8.6.2 He/she will take minutes at meetings and ensure these are distributed to members of BCA within one calendar month of meetings.

8.6.3 Under the guidance of the Chair, the Secretary will deal with all the formal correspondence of BCA.

9 MANAGEMENT COMMITTEE MEETINGS

9.1 2 Elected Members of the Management Committee, and the Permanent Voting Member representing the owners of the common must be present at any meeting to be quorate.

9.2 The Committee will arrange an AGM and propose further meetings throughout the year as necessary with the dates to be agreed at the AGM, except where the Committee considers an urgent meeting is required in which case as much advanced notice as is practicable shall be given to members. A complete and accurate record of meetings and decisions taken shall be kept.

9.3 Minutes of these meetings will be taken and approved at the next meeting of the Committee. Once approved, minutes will be available to the commoners within one calendar month.

9.4 All members of BCA may attend meetings of the Committee as observers. The Chair shall allow adequate time for members of the BCA to address the meeting.

- 9.5 All decisions shall be decided by a majority of the Management Committee members present and voting at the meeting in question. In the case of an equality of votes the Chair shall have a casting vote.
- 9.6 Members of the Management Committee must declare any personal, pecuniary or conflicts of interest in matters under discussion. The Committee will determine whether the Committee member(s) should withdraw, be allowed to speak but not to vote, or be allowed to speak and vote.
- 9.7 The format of committee meetings (other than the AGM) is either in person or can be by video conferencing to be determined by the Secretary.

10 ANNUAL AND EXTRAORDINARY MEETINGS OF BCA

- 10.1 An Annual General Meeting (AGM) shall be held each year and no more than 15 months may elapse between AGMs. At least 21 days written notice (as per 10.4) shall be given to BCA members indicating the date, time and venue of the AGM and of the business to be transacted.
- 10.2 The business of the AGM shall comprise:
 - 10.2.1 The annual report of the Management Committee concerning the work carried out by, or on behalf of, the BCA since the previous AGM.
 - 10.2.2 Election of Members of the Management Committee under article 8.2
 - 10.2.3 The appointment of Officers.
 - 10.2.4 Such other business as may have been contained in the notices of the meeting.
- 10.3 An Extraordinary General Meeting (EGM) may be called as required either by the decision of the Management Committee or at the written request of at least three members of BCA. (Chair and two members)
- 10.4 Not less than 21 days' notice of meetings shall be given to all members of the date, time, venue and of the business to be transacted at the meeting. This notice may be given by email or via appropriate web sites, or by notice in an appropriate local publication in conjunction with posters in appropriate locations. Postal notification to each individual member is not required.

11 PROCEEDINGS AND VOTING AT GENERAL MEETINGS

- 11.1 The Chair shall preside at all General Meetings.
- 11.2 A quorum for a General Meeting shall be three members (Chair and two members)
- 11.3 If within half an hour of the time appointed for the meeting a quorum is not present the meeting shall stand adjourned to a time and place specified by the Committee. All members of BCA shall be given such notice as is practicable of the date, time and place of the adjourned meeting.
- 11.4 The Chair will decide the method of voting at each meeting, proxy votes will be accepted at any meeting of BCA, providing the person eligible to vote has given the Chair and Secretary written notice of the appointment of the proxy.
- 11.5 All matters to be determined shall be decided by a simple majority of members of BCA. All members shall have one vote. In the event of a tied vote the Chair shall have a second and casting vote.
- 11.6 Decisions taken at a General Meeting shall be recorded and shall be binding.
- 11.7 BCA shall cause proper minutes to be kept of all meetings, which shall be submitted for approval at the next meeting.

12 ALTERATION TO THE CONSTITUTION

- 12.1 The Constitution may be rescinded or amended at any Extraordinary General Meeting (EGM) called for that purpose only or at the AGM. Any motion which seeks to fundamentally change the aims and objectives described in article 4 can only be presented and voted upon at the AGM (this does not apply to motions to dissolve BCA in its entirety).
- 12.2 Proposed changes to the Constitution must be made in writing to the Secretary at least 28 days prior to the EGM or AGM.
- 12.3 Proposals to amend or rescind the Constitution shall be circulated to all Members with the notice of the meeting.
- 12.4 Changes to the Constitution must be agreed by all members providing a minimum of three members are present. (Chair and two members).
- 12.5 The Management Committee, shall review the Constitution annually.

13 DISSOLUTION

- 13.1 The BCA may only be dissolved at an EGM called for that purpose and must be advertised at least 21 days before the meeting.
- 13.2 A proposal to dissolve the Association shall take effect only if agreed by all members.

CONSTITUTION AGREED & SIGNED OFF AT A MEETING of BCA ON 10th February 2023

Amendments to the Constitution	
Created at the inaugural meeting of BCA	
Date: 18.01.2023	

Original Document Signed by the following

Name	Signed	Date
<i>Alan J. DA</i>	<i>H. James Parsons</i>	<i>13th Feb 2023</i>
JASON ALLUM	<i>[Signature]</i>	<i>13th February 2023</i>
DAVID SOUTHGATE	<i>[Signature]</i>	<i>13 Feb 2023</i>