

ARTS NETWORK SUTTON CONSTITUTION

The name of the organisation shall be 'Arts Network Sutton', hereinafter called ANS.

2. Aims

The aims of ANS shall be to promote, champion, nurture, and act as a voice for the diverse range of arts in the London Borough of Sutton. This will be done by encouraging and facilitating the development and enhancement of local arts community activities, facilities, partnerships, and training. This will help to realise the full potential, and benefits, of the arts within the community.

3. Objective

To advance the education of the public in the arts among residents of the London Borough of Sutton.

4. Powers

- a) To act as a co-ordinating and advisory body for individuals and organisations in the furtherance and enhancement of activities which promote its aims and provide the means of liaison between such individuals and organisations and the appropriate bodies (both statutory and other).
- b) To encourage, nurture and facilitate collaboration and partnerships between the arts sector, the voluntary sector, commercial organisations, local government, and regional and national bodies.
- c) To be aware of local, regional, and national policy initiatives and developments and share them with the local arts community.
- d) To seek appropriate external funding and resources – and encourage others to do the same - to increase arts activities within the community.
- e) To organise events.
- f) To fund local arts projects in support of the aims
- g) To undertake other activities in support of the aims.

5. Membership

ANS is a network of individuals and organisations which support the aims of ANS. There are various types of membership available:

- a) Friend of ANS is open to any individual or any organisation who agrees with and supports the aims of ANS. Friends will be entitled to attend General Meetings of ANS, but not vote.
- b) Individual Membership – Any ~~professional/semi-professional individual artist, crafts person, or creative,~~ aged 16 or over, who agrees with and supports the aims of ANS, may become an Individual Member of ANS by paying an individual membership fee. Individual members will be entitled to attend General Meetings of ANS and may vote.

c) Group Membership – Any voluntary/amateur arts/crafts groups or voluntary organisation that delivers arts and cultural events who agrees with and supports the aims of ANS, may become a Group Member of ANS by paying a group membership fee. Group members will be entitled to attend General Meetings of ANS where they will be able to cast one vote.

Each Group Member of ANS shall nominate each year one person to represent it and receive correspondence.

d) Commercial Membership - Any commercial or professional organisation/company (with 10 employees or more) which agrees with and supports the aims of ANS may become a Commercial Member of ANS by paying a commercial membership fee. Commercial Members will be entitled to attend General Meetings of ANS where they will be able to cast one vote.

Each Commercial Member of ANS shall nominate each year one person to represent it and receive correspondence.

Fees payable for Friends, Individual, Group and Commercial Membership and the benefits obtained from each type of association will be decided by the AGM.

Representatives of the Local Authority

Three Councillors will be nominated each year by the London Borough of Sutton. They will be entitled to attend General Meetings of ANS, but not vote.

~~Honorary Members~~

~~ANS, from time to time, may invite individuals specifically qualified and experienced to further its objectives to become Honorary Members. Honorary Members will be entitled to attend General Meetings of ANS, but not vote.~~

Patrons

ANS may invite any person to become a Patron who supports its objectives and has close links with the Borough. Patrons may attend General Meetings of ANS, but not vote. ~~The Patrons of ANS should not exceed four.~~

Councillor Members, ~~Honorary Members~~ and Patrons may also become Individual Members, with the associated benefits, by paying the appropriate membership fee.

The Executive Committee shall have the power to refuse membership and suspend or expel any member and shall adopt procedures for so doing.

6. Officers of ANS

The Officers of ANS shall be:

Chair

Two Vice Chairs

Treasurer

who shall be elected ~~annually~~ at the AGM. [Each Officer will serve for a period of up to three years, and may stand for re-election for a second, three-year term.]

~~There shall be a President of ANS and~~ [After each AGM] the Worshipful the Mayor of the London Borough of Sutton shall be invited to become President of ANS during his or her term of office. [Should they choose not to take up the post, it will remain vacant until the next AGM. The President of ANS is not entitled to vote.]

7. General Meetings and the Annual General Meeting (AGM)

There shall be at least one General Meeting of ANS each year. The first meeting after 1 November each year is to be the AGM. This meeting will elect Officers and Executive Committee members, receive the Independent Examiner's Report on the accounts and an Annual Report, and appoint an Independent Examiner

8. The Executive Committee

The governance of ANS will be vested in the Executive Committee which shall consist of the Officers of ANS, [up to] five other Individual Members or nominees of Group Members of ANS and ~~two~~ [all] Councillors nominated by the London Borough of Sutton. The ~~two~~ Councillors shall not have a vote.

~~The Executive Committee shall invite a senior council officer to attend its meetings and its General Meetings.~~

The Executive Committee may appoint a Secretary and other such officers as may be deemed necessary and may fix their terms of appointment and honorarium. Any such officers in receipt of an honorarium are not formally members of the Executive Committee and are not Trustees.

~~The Executive Committee may invite any person of reputation and standing in the world of arts to serve as a Vice President of ANS. Appointments shall be for an initial period of five years. The number of persons so appointed shall not exceed three.~~

The Executive Committee may fill casual vacancies from Individual Members or nominees of Group Members, until the next Annual General Meeting.

The Executive Committee may co-opt individuals to be members of specific committees and working parties.

The Executive Committee shall not be empowered to wind up ANS or make alterations to the Constitution. These can only be achieved and decided upon by a General Meeting of ANS.

9. Meetings of ANS Executive Committee

The Executive Committee shall meet at least four times a year.

10. Trustees of ANS

The Trustees of ANS shall be the members of the Executive Committee (excluding the Councillor members) for the period of their office, provided they are aged over eighteen.

11. Finance and Assets

ANS shall have power to raise money by means of membership fees, donations or legacies, sponsorship, grants-in-aid from statutory authorities, loans and such other sources.

ANS may, subject to such consents that may be required by law, purchase, take a lease, or exchange, hire or otherwise acquire any real or personal property and any rights or privileges which ANS may feel necessary for the promotion of its objective, and construct, maintain and alter any buildings or erections as necessary for the work of ANS.

All monies belonging to and borrowed by ANS shall be held securely in a bank or similar institution (specified by the Executive Committee). The income and assets of ANS shall be applied solely towards the promotion of the aims of ANS as set out in this Constitution. No proportion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise howsoever by way of profit to any member (as defined in Section 5) of ANS. Provided that nothing herein shall prevent the payment in good faith of:

- a) a reasonable and proper honorarium to any officer or servant of ANS;
- b) out of pocket expenses to any Member of ANS;
- c) remuneration for services rendered including fees and charges for services as professional artists at public performances organised or sponsored by ANS;
- d) financial grants to Members of ANS;
- e) interest on money lent to ANS;
- f) rent for premises let to ANS.

On condition that no Member shall be entitled to vote on a resolution concerning his or her appointment to a remunerated office, or any payment or grant to him or her or the organisation that he or she represents.

All monies drawn from the ANS account must be authorised by two officers of ANS using e-mail or written signatures. The four nominated to give authorisation shall be the Chair, the two Vice Chairs and the Treasurer. The Treasurer shall be the sole operator of the on-line banking account. Two nominated signatories, being the same as those listed above, shall be required for cheque payments.

The Treasurer will be responsible for keeping proper accounts for all monies received and payable by ANS, and will at the end of each financial year prepare accounts which shall be subject to an Independent Examiner's Report and submitted to Individual and Group Members on or before the date of the AGM.

The financial year for ANS will run from 1 April to 31 March.

ANS's accounts shall be examined every year by a qualified person. As the turnover remains below the Charity Commission threshold, LBS agrees that an Independent Examiner's Report is acceptable in place of audited accounts.

The Executive has the right to create a separate fund in their accounts to be used for specific purposes.

12. Meetings

A General Meeting may be convened by the Chair whenever necessary or at any time upon request of not less than ten Individual, Group or Commercial Members of ANS. All Friends, Individual Members, one nominated person from each Group or Commercial Member, ~~Honorary Members~~, Patrons and [all] ~~the three~~ Council members shall be invited to a General Meeting. The invitation to Group/Commercial Members may be extended by the nominated person to other members of the group, but they should be aware that they will not have a vote. Fourteen days' notice of a General Meeting shall be given to those entitled to attend the meeting

Nominations for Officers for the coming year shall be sent to [ANS] ~~the Secretary~~ at least five days before the date of the Annual General Meeting and shall not be accepted at the Annual General Meeting itself. Nominations for members of the Executive Committee may also be submitted at least five days in advance but will also be accepted from the floor at the General Meeting. Nominations shall not be put to the vote unless the consent of nominees has been confirmed.

Only Individual, Group and Commercial Members whose membership fee has been paid may nominate or be nominated as Officers or members of the Executive Committee, and vote or act as proposers or seconders at General Meetings. Members will each have one vote. The Chair may have the casting vote.

The quorum for a General Meeting shall be not less than one-quarter of total potential votes, subject to a maximum of 20 votes.

The quorum for an Executive Committee meeting shall be one half of the membership of the Executive Committee entitled to vote.

The Executive Committee is also empowered to appoint such other sub-committees or working groups as may be needed from time to time to plan, organise, or coordinate activities which support the object of ANS. Such sub-committees or working groups shall elect their own Chair and where necessary a Secretary and may, in appropriate cases, be allocated a budget by the Executive Committee. They shall not have executive authority unless this has been specifically delegated by the Executive Committee and their recommendations shall be submitted to the Executive Committee for consideration and approval.

13. Dissolution

ANS may at any time be dissolved by a resolution passed by a two-thirds majority of those present and entitled to vote at a meeting of ANS convened for that purpose, of which at

least twenty-one clear days' notice shall have been sent to all those entitled to be present at a General Meeting of ANS. Such resolution may give instructions for the disposal of any assets held by or in the name of ANS, provided that if any property remains after the satisfaction of all debts and liabilities, such property shall not be paid to or distributed among the Individual or Group Members of ANS but shall be given or transferred to such other institution or institutions having aims similar to the aims of ANS.

14. Alterations to the Constitution

Subject as hereinafter provided the Constitution of ANS as set out in this schedule may be added to repealed or amended by resolution at a General Meeting provided that no such resolution shall be deemed to have been passed unless it be passed by a majority of at least two-thirds of those Individual, Group and Commercial Members of ANS present at the meeting and entitled to vote. A resolution for the alteration of the Constitution shall be received by ~~the Secretary~~ of ANS at least twenty-one clear days before the meeting at which the resolution is to be brought forward. At least fourteen clear days' notice in writing of such a meeting shall be given by [ANS] ~~the Secretary~~ to all those entitled to be present at the General Meeting and shall include notice of the alterations proposed. Provided that no alteration to clauses 2, 3, 4, 13 or 14 shall be made without the approval of the Court or Charity Commission or any other authority having charitable jurisdiction and provided that no alteration shall be made so as to permit any object other than a charitable object or having the effect of causing the organisation to cease to be a charity at law.

21 March 2019