



Registered Charity No. 292284

LYME REGIS TOWN BAND

CONSTITUTION

1. Title

The name of the band shall be “THE LYME REGIS TOWN BAND” hereinafter referred to as “the Band”.

2. Objectives

The objectives for which the Band was established are:

- 2.1 To advance the education of the public in the art of music making and, in particular, brass band music by the presentation of concerts, workshops and other activities.
- 2.2 To advance education and training in the art of music and in particular brass band music.

3. Powers

In furtherance of the above objectives the Trustees (hereinafter called the Committee), on behalf of the Band, shall have the following powers:

- 3.1 To purchase, take on lease or in exchange, hire or otherwise acquire any property and any rights and privileges necessary for the promotion of the said objectives and construct, maintain and alter any buildings or erections necessary for the work of the Band.
- 3.2 Subject to such consents as may be required by law, borrow or raise money for the said objectives.
- 3.3 Raise funds and invite and receive contributions from any person or persons whatsoever by way of subscription donation and otherwise provided that the Band shall not undertake any permanent trading activities in raising funds for its charitable objectives.

- 3.4 Do all such lawful things as are necessary for the attainment of the said objectives.
- 3.5 It shall be the intention of the band to serve the community in any way that is commensurate with its musical ability.

4. Membership

- 4.1 Membership of the band shall be open to any person or persons resident in Lyme Regis and the surrounding area. Applications can be in writing or made verbally by contacting the Secretary.
- 4.2 All applications for membership shall be assessed on an objective basis and shall not take into account age, gender, ethnicity, religion or financial circumstances and any other non-objective and irrelevant factors.
- 4.3 The Committee shall have the right to approve or reject any application provided that any person whose application is refused shall have a right of appeal.
- 4.4 Each band member shall complete a membership form which they will update and sign annually prior to the Annual General Meeting (AGM). Membership forms will be kept by the Secretary. Only band members with up-to-date documentation will be empowered to vote.
- 4.5 Each band member shall complete a confidential Conduct Declaration Form to be updated annually prior to the Annual General Meeting (AGM). Information contained therein will be kept by the Safeguarding Officer under confidential cover.

5. Officers and Committee

- 5.1 The management of the Band shall be in the hands of a Committee of Trustees consisting of Chairman, Vice-Chairman, Secretary/ies, Treasurer, Musical Director and Assistant Musical Director who shall all be elected annually at the AGM and who shall remain in office for twelve months until the following AGM. Any officer of the band shall be removable at any time by majority of three quarters of the membership present at a Special General meeting called for that purpose.
- 5.2 The Committee shall also consist of up to seven other members of the band. The members of the Committee shall be elected at the AGM.
- 5.3 A minimum of four committee members are required to form a quorum.
- 5.4 The Committee has the right to co-opt further members as required.
- 5.5 The President and Vice President will be appointed at the AGM and will have the right to attend any meeting called but shall have no power to vote at such a meeting.
- 5.6 The President or the Vice President will preside over the AGM.

6. Management

- 6.1 The day to day administration of the band shall be the responsibility of the Committee.
- 6.2 All Committee decisions must be proposed, seconded and a vote taken with the outcome recorded in the minutes, including any abstentions.
- 6.3 Committee meetings will be held once a month or at an interval deemed necessary by the Committee. Any member of the Committee being absent without

- valid excuse from three consecutive meetings shall cease to be a member of the Committee.
- 6.4 A meeting of the Committee may be held either in person or by suitable alternative means agreed between the Committee in which all participants may communicate simultaneously with all other participants.
 - 6.5 If Committee members have a conflict of interest they must declare it and leave the meeting while this matter is being discussed or decided.
 - 6.6 The Chairman/Vice Chairman shall preside over all formal meetings of the band and shall have a casting vote in the event of a tied decision.
 - 6.7 The Secretary/ies shall carry out the directions of the Committee. Duties will include attending all meetings and taking minutes of the proceedings, informing all officers, Committee members and co-opted members of the date and venue of meetings. Where there is more than one Secretary duties will be allocated between Secretaries as decided by the Committee.
 - 6.8 The Treasurer shall receive all monies belonging to the band and shall keep such accounts and pay such expenses as the Committee shall direct. He/she shall, when required to do so, render to the Committee or General Meeting, an account of all transactions carried out on behalf of the band.
 - 6.9 At the AGM a Librarian and if possible Assistant Librarians shall be appointed. The Librarian(s) shall at all times hold the library of the band in safe keeping at a place chosen by the Committee. He/she/they shall be responsible for the distribution of those items from the library which are needed for rehearsal or performance on instruction from the Musical Director or Assistant Musical Director.
 - 6.10 The Committee shall have the power to discipline or expel any member who shall infringe any rule, or whose conduct shall in the opinion of the Committee render him/her unfit for membership of the Band. However no member shall be disciplined or expelled without first being invited by the Committee to explain his/her conduct, nor unless a majority of the Committee shall vote for his/her disciplining or expulsion.
 - 6.11 The Committee shall have the power to give orders for such goods to be supplied and work to be done as may be necessary for carrying out the purpose for which the Band is established but nothing in this rule shall empower the Committee to incur expenditure other than for this purpose. No officer of the Band shall by virtue of his/her appointment have power to order goods or dispose of property or funds of the Band.
 - 6.12 The Committee shall have power to lend musical instruments, music, uniforms or any other property to members of the band, and guest players, and each member shall be responsible for damage (accidental being excepted) to any property of the band whilst in his/her possession. The style of uniform worn by the band at any performance shall be decided by the Committee in consultation with that person who shall be acting as Musical Director or Assistant Musical Director for the occasion. The provided uniform must never be worn at any time other than at engagements with the Lyme Regis Town Band unless with express permission of the Chairman/Vice Chairman.
 - 6.13 The Musical Director and the Assistant Musical Director shall jointly have complete control over the band at all rehearsals or performances and total control of the choice of music.

- 6.14 If the Musical Director and the Assistant Musical Director consider that any member has not sufficient musical ability to become a good player, the matter must be referred to the Committee.
- 6.15 In the event of the resignation or dismissal of the Musical Director or the Assistant Musical Director the Committee shall be empowered to fill either vacancy after suitable interview.

7. Finance

- 7.1 All monies raised for or on behalf of the Band, either collectively or individually, shall be the property of the Band and shall be used for the benefit of the Band as a whole.
- 7.2 The Treasurer shall be responsible for receiving monies on behalf of the Band either in cash or via the Band's credit card machine; for invoicing appropriate persons or organisations for services provided and for the deposit of monies received into banking accounts agreed by the Committee. All monies received or paid shall be officially recorded by the Treasurer.
- 7.3 The general level of fees charged by the Band shall be decided by the Committee and shall be reviewed from time to time.
- 7.4 The committee shall maintain a bank account in the name of the band. All financial transactions, including cheques, BACS and Faster Payments must be authorised by at least two designated signatories. For electronic payments, this shall be achieved through a dual-authorisation system where one signatory (normally the Treasurer) initiates the payment and a second signatory provides independent approval. The named signatories, additional to the Treasurer, are the Chair, the Secretary and a committee member.
- 7.5 Band members can apply for re-imbusement when items are purchased for Band use, as authorised by the Committee. Receipts will be required before payment can be made. There is no facility for Band members or Committee members to apply for personal expenses.
- 7.6 The committee will be empowered to pay any of its members for the supply of services to the band, or of goods that are supplied in connection with the provision of those services, where that is permitted in accordance with, and subject to the conditions in, Section 185 of the Charities Act 2011. Any member being considered for receipt of such a payment/payments will take no part in any committee discussion concerning it/them. A clear written contract setting out the committee's requirements and terms of payment will be exchanged between the committee and the member before the supply of services begins.

8. Independent examination of finances

The books and accounts shall be examined in accordance with at least the minimum requirements of the Charities Act 2006 or any subsequent amendments.

There shall be appointed at the AGM in each year an independent examiner to examine the books and accounts, if required under the Act or any subsequent amendments, who shall either sign the same as found by them to be correct, or shall specially report to the Committee in what respects they find them incorrect.

9. Annual Accounts

The financial year shall end on the thirty-first day of December and at this time the Treasurer shall present the band accounts to the Independent Examiner appointed by the Committee to be independently reviewed. A copy of the accounts must be made available to all band members prior to the Annual General Meeting and at such other times as the Committee shall decide.

10. Annual General Meeting

The AGM of the band shall be held during the month of January on a day fixed by the Committee of which fourteen days notice shall be posted in the band room.

The business of the meeting shall be:

- (a) To confirm the minutes of the previous Annual General Meeting or Special General Meeting.
- (b) To receive the Chairman's report, Musical Director's Report and Treasurer's Report relating to the previous year.
- (c) To elect the Officers and Committee for the ensuing year.
- (d) To elect a Musical Director and Assistant Musical Director.
- (e) To appoint a Librarian and Assistants.
- (f) To transact any other business relating to the affairs of the band of which due notice has been given.

11. Special General Meeting

The Committee shall have power to call at any time a Special General Meeting, notice of which shall be given to members at least seven days previous to such meeting.

Any member, being dissatisfied by any decision of the Committee, may demand a Special General Meeting by producing a request signed by at least seven members of the band, and which shall be submitted to the Secretary in writing, giving details of the matter to be discussed. The Special General Meeting shall be held within one month of receipt by the Secretary of the request and band members shall be given at least fourteen days notice.

12. Alterations to the Constitution

The Constitution may be altered at the AGM or Special General Meeting called for that purpose, but notice of any proposed alteration shall be notified to band members at least seven days prior to the meeting.

No part of the Constitution may be altered unless such alteration be supported by a clear majority of at least one third of the members present at the meeting, provided at least three quarters of the total membership be present.

No alteration to clause 1 (“Title), clause 2 (“Objectives”), clause 14 (“Dissolution”) or this clause shall take effect until the approval in writing of the Charity Commission, or other authority having charitable jurisdiction, shall have been obtained and no alteration shall be made which would have the effect of causing the band to cease to be a charity in law.

13. Sub-Committees

The Committee shall have power to form Sub-Committees and to co-opt members to serve on such Committees as may be deemed necessary. Such Sub-Committees shall periodically report their proceedings to the Secretary, and shall conduct their business in accordance with the band’s constitution.

14. Dissolution

The band shall not be dissolved as long as there are six active members who are willing to attend regularly and work to rebuild the band to normal strength.

Upon dissolution any property remaining after the satisfaction of all debts and liabilities shall not be paid to or distributed among the members of the band but shall be given or transferred to such other charitable institution or institutions having objects similar to some or all of the objects of the band as the band may determine and if and in so far as effect cannot be given to this provision then to some other charitable purpose.

15. Safeguarding

Lyme Regis Town Band is fully committed to the welfare and safety of all band members and volunteers in accordance with its Safeguarding Policy and other policies.

16. Policies

The band has in place a range of Policies all of which are available to band members, either electronically, or in hard copy via the Secretary. These include:

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| Anti-Bullying Policy | Health and Safety Policy |
| Code of Conduct | Privacy Policy |
| Complaints Procedure | Reserve Policy |
| Data Protection Policy | Safeguarding Policy |
| Environmental Policy | Social Media Policy |
| Equal Opportunities Policy | Whistleblowing Policy |

Revised Constitution adopted:
Charity Commission notified

18th March 2025
31st March 2025

GKW
05.05.26

For Reference:

Our original Constitution was drawn up in 1982

It was updated in April 1996 and approved by the Charity Commission

Amendments April 1999 re Equal Opportunities

Amendment May 2008 re accounts – notified to Charity Commission

Amendments May 2013 re Introduction of registration forms; MD given voting rights; Secretary's duties may be divided; Trustees' 10 mile limit rule abolished; where necessary members of the committee may be fewer than seven - notified to Charity Commission

Amendment May 2015 re change of date of AGM – notified to Charity Commission.

Amended April 2026 (notified to Charity Commission) as follows:

- Historical information previously listed at the front of the document is now shown on the back page.
- Headings have been inserted to make it easier to navigate around the document.
- We have inserted the role of Assistant Musical Director alongside the role of Musical Director.
- We have added the role of Assistant Librarian.
- At paragraph 4.1 re membership - applications to the band can be in writing or verbally by contacting the Secretary.
- All new members will be required to complete a confidential Conduct Declaration Form (paragraph 4.4).
- When band members sign their membership forms annually they will also be required to update their confidential Conduct Declaration Form (paragraph 4.5).
- At paragraph 6.4 there is a reference to the ability to hold committee meetings via Facetime or similar, if the need should arrive.
- We have included a reference to donations via credit card machine at paragraph 7.2.
- In paragraph 7.3 we have included the need for a regular review by the committee of charges made for public engagements.

Reserve Policy added to list of policies on page 6 in November 2025

Amendment May 2026 at paragraph 7.4 relating to financial controls - notified to Charity Commission