

MALVERN HILLS DISTRICT FOOTPATH SOCIETY

CONSTITUTION AS AMENDED AT THE A.G.M ON 24th MARCH 2010

1. THE NAME of the SOCIETY shall be THE MALVERN HILLS DISTRICT FOOTPATH SOCIETY.
2. OBJECTS: The objects of the Society are:
 - [a] To make every endeavour to safeguard access to the countryside by the preservation and improvement of public rights of way, especially those within or on the periphery of Malvern Hills District as defined by the Local Government Act 1972 plus the 14 parishes added to the new Malvern Hills District during the 1998 local government re-organisation.
 - [b] To encourage people to enjoy recreational walking and to foster an understanding of the value of public rights of way in the countryside by:
 - i. Organising walks in a varied programme designed to further the objects of the Society.
 - ii. Making information available
 - iii. Working towards achieving a satisfactory and serviceable rights of way network.
 - [c] To cooperate with other organisations with similar aims and interests.
 - [d] To foster among members a care for the welfare and protection of the countryside.
3. MEMBERSHIP is open to all who support the objects of the Society and pay the due subscription.
 - 3.1 PAID UP MEMBERS are those who have completed a form of application and paid the annual subscription for the current year.
 - 3.2. SUBSCRIPTIONS shall become due on the first day of the Society's financial year {1st Feb. -31st Jan.). The amount of subscription shall be set by the General Committee and published in January each year.
 - 3.3 PAID UP MEMBERS have the right to attend general meetings and meetings of sections (see para. 5); elect officers and stand for election; receive Newsletters; enjoy social functions, holidays and walks organised by the Society.
 - 3.4 HONORARY LIFE MEMBERSHIP for outstanding service to the Society may be conferred at the discretion of the General Committee and announced at the A.G.M.

4. MANAGEMENT & CONTROL of the Society shall be vested in a General Committee elected by the members at the A.G.M.

4.1 THE GENERAL COMMITTEE shall consist of the following:

Honorary Executive Officers

Chairman
Vice Chairman
Secretary
Treasurer

Officers with Specific responsibility as follows:

Walks Programme Organiser
Publicity Officer

One member to be nominated by each of the Sections (see para5.)

Two. additional members without specific responsibility

There shall be three other Honorary Officers with specific responsibility elected at the A.G.M.

namely:

Membership Secretary.
Newsletter Editor
Leisure Walks Organiser

These officers will liaise with the General Committee but need only attend those meetings which they consider necessary in connection with their office or when specifically requested to do so. They have full voting rights at those meetings which they attend.

4.2. All members of the Committee shall retire at the A.G.M. They shall be eligible for re-election except that:

The maximum term for which they may serve shall be five (5) consecutive years plus optional additional years for the Secretary only.

Two years must elapse before a member relinquishing a particular position is eligible for re-election to that position.

In the event of there being a vacancy the Committee may exercise its powers under paragraph 4.5.[a].

4.3. The Committee shall decide when and where it shall meet.

4.4. Six members shall form a quorum.

4.5. The Committee shall have power to:

[a] Fill vacancies by co-option.

[b] Invite anyone to participate, without voting rights, in debates on specific subjects.

[c] Appoint sub-committees and create sections and to determine their powers and terms of reference.

4.6. VOTING.

Each member of the Committee shall have ~ single vote. In the event of an equality of votes the Chairman shall have an additional casting vote.

4.7. TREASURER.

The Honorary Treasurer shall keep proper financial accounts and shall keep the Committee informed as to the financial position of the Society.

4.8. A SPECIAL MEETING of the Committee shall be called by the Secretary at the request of the Chairman, or of not less than six members of the Committee.

5. SECTIONS.

Rights of Way, Survey & Mapping, and Social Sections shall act as standing committees undertaking the specific duties as described in the Terms of Reference appended in A, B & C. Each section will report to, have one vote on, and where appropriate, seek the approval of the General Committee, normally via their nominated representative.

5.1. MEMBERSHIP.

Any member may join a section without the formality of election.

5.2 The name of the Chairman and Secretary of each section shall be announced at the A.G.M.

6. GENERAL MEETINGS

6.1. ANNUAL GENERAL MEETING.

In March of each year the General Committee shall convene an Annual General Meeting in order that the membership may:

[a] receive the Annual Report of the Committee,

[b] receive the audited Statement of Accounts for the previous year,

[c] appoint the Honorary Officers,

[d] elect the Committee.

[e] appoint the Auditor or Auditors,

[f] discuss, consider and vote on motions, notice of which shall have been given in writing to the Secretary by the 1st. January in order that they may be included as notices to the membership,

[g] propose matters for consideration and report by the General Committee.

6.2. EXTRAORDINARY MEETINGS:

The Chairman and Secretary may at any time, and shall within twenty eight days of receiving a request to do so, signed by not less than one twentieth of the members and giving reasons for the request. call an Extraordinary General Meeting of the Society.

6.3. 14 DAYS NOTICE shall be given in writing by the Secretary for all general meetings. The notice of the meeting shall contain details of the matters to be discussed and the terms of any motion which it is intended to move. A quorum for a general meeting shall be 1/10 of the membership.

6.4. Any motion which is deemed to be carried at a general meeting shall take effect forthwith.

6.5. Voting shall be determined by a simple majority of members present and voting except where there is a change to the constitution (see clause 7). In the event of an equality of votes the Chairman shall have an additional casting vote.

7. AMENDMENT TO THIS CONSTITUTION .

Insofar as any alteration or amendment is not inconsistent with the objects of the Society, the Constitution may be amended at any General Meeting in accordance with the approval of a two thirds majority of members present and voting. Any proposal for such alteration must be delivered in writing to the Secretary not less than twenty eight days before the meeting of the Society at which it is to be discussed and not less than fourteen days notice of this meeting shall be given to members of the Society, stating the terms of the proposed alteration.

8. DISSOLUTION.

In the event of the dissolution of the Society, confirmed by a simple majority of members present and voting at a General Meeting of the Society, any assets remaining after satisfaction of its debts and liabilities shall be distributed in accordance with a lawful decision of the Dissolution Meeting to one or more organisations having similar objects.

9 THE SOCIETY RESERVES THE RIGHT to refuse or terminate the membership of any person under the following circumstances:

(i) There is any money owed by the member to the Society in respect of membership or other fees after the time lapse of three months;

and/or;

(ii) That a member act in a way which is prejudicial Society or brings it into disrepute.

Refusal or termination of membership to be secured by a two thirds majority of the General Committee.

Notification of the General Committee's decision will be given in writing to the person concerned.

10. If any dispute arises over the interpretation of this constitution, the General Committee shall consider the matter and their decision shall be final.

This Constitution was ratified by A.G.M. of the Society held on the 24th March 2010.

APPENDIX 'A' TO THE CONSTITUTION
RIGHTS OF WAY SECTION
TERMS OF REFERENCE

1. PUBLIC PATH ORDERS

Monitoring of Orders under:-

1.1. Highways Act 1980 & Town & Country Planning Act 1990. By means of:-

- (a) Pre-Order consultation.
- (b) Objecting to 'Made' Orders.
- (c) Maintaining objections to 'Made' Orders by written Representations to D of E or at a Local Public Inquiry

1.2. Temporary Closure Orders. Road Traffic (Temporary Restrictions) Act 1991.

No pre-order consultation or specified procedure for objection.

1:3. Planning Applications.

Monitoring applications where RoWs are affected

2. DEFINITIVE MAP

2.1 Keeping an up to date copy of the Definitive Map. (Sections
Copies are on LOAN from County Council}

2.2. Claiming additions to the Definitive Map by means of Definitive Map
Modification Orders. (DMMO)

3. OBSTRUCTIONS

3.1 Monthly Collation and submission to the Highways "Authority of reports
of obstructed RoWs (from MHDFS members. R.A. members or members of the
public). Inspected where necessary to determine details.

3.2. Removal or rectification of obstructions. Clearance, erection of signposts,
stiles and bridges. Practical work carried out at the request of County
Council Rights of Way Department.

4. LIAISON WITH OTHER ORGANISATIONS.

Open Spaces Society: Consultation with Local Correspondent on Path Orders.

Ramblers Association: Acting as Local Footpath Secretariat with
representation on Area Footpath Committee. Notification of Made Orders via
R.A. General Office. Act as R.A. -Public Path Order Recipient.

N.B. Work is carried out using the following as Guidance. Job Description of

R.A. Footpath Officer, Guidance for R.A. Footpath Workers in. England and Wales R.o.W. -A Guide to Law & Practice' .

5. Where appropriate; in matters outside the immediate terms of reference; matters which involve Society Policy; or where there is lack of agreement. reference shall be made to the General Committee.

APPENDIX 'B" TO THE CONSTITUTION
SURVEY & MAPPING SECTION
TERMS OF REFERENCE

1. Continued updating of the 60 published walks. Finding adopters for these walks and keeping them informed of the updates.
Holding an Adopt-a-Walk-Day at least once a year.
2. Compiling and production of Country Walks Folders
3. Providing the Malvern Gazette with Walks.
4. Providing new Walks.
5. Conducting Surveys and re-surveys
6. Removal or rectification of obstructions. Clearances, erection of signposts. stile and bridges. Practical work carried out at the request of County Council Rights of Way Department.
7. Where appropriate; in matters outside the immediate terms of reference; matters which involve Society Policy; or where there is lack of agreement. reference shall be made to the General Committee .

APPENDIX 'C' TO THE CONSTITUTION
SOCIAL SECTION
TERMS OF REFERENCE

- 1 Facilitating social functions including special interest walks in liaison with the Walks Programme Organiser.
2. Co-ordinating Society Holidays in the tradition of the M.H.D.F.S.
3. Where appropriate; in matters outside the immediate terms of reference; matters which involve Society Policy; or where there is lack of agreement, reference shall be made to the General Committee.