

APPENDIX 1: Dunoon Pier Community Trust Constitution (Draft)

CONSTITUTION OF DUNOON PIER COMMUNITY TRUST SCIO

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of
DUNOON PIER COMMUNITY TRUST [SCIO]

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GENERAL

Type of organisation

1 The organisation will, upon registration, be a Scottish Charitable Incorporated Organisation (SCIO).

Scottish principal office

2 The principal office of the organisation will be (WHAT ADDRESS??)(in Scotland and must remain in Scotland).

Name

3 The name of the organisation is "DUNOON PIER COMMUNITY TRUST [SCIO]".

Purposes

4 The organisation's purposes are:

4.1 To preserve, reconstruct, enhance and maintain the structure of Dunoon Pier (hereinafter referred to as "the Pier") as a building and structure of special architectural and historical importance

4.2 To promote the use of the Pier for recreational purposes and as a community and heritage building for the general use and benefit of all the inhabitants of and visitors to the town of Dunoon and the surrounding area.

4.3 To promote the operation of the Pier structure in whatever way as a viable, sustainable and vibrant addition to the economic future of Dunoon and Cowal

4.4 To operate the Pier as part of the tourism infrastructure of the town of Dunoon and surrounding area.

4.5 To develop safe access to the pier and to the sea from the pier for everyone

4.6 To promote high standards of planning and architecture including environmental and ecological considerations in the Pier.

Powers

5 The organisation has power to do anything which is calculated to further its purposes or is conducive or incidental to doing so.

- 6 No part of the income or property of the organisation may be paid or transferred (directly or indirectly) to the members- either in the course of the organisation's existence or on dissolution -except where this is done in direct furtherance of the organisation's charitable purposes.

Liability of members

- 7 The members of the organisation have no liability to pay any sums to help to meet the debts (or other liabilities) of the organisation if it is wound up; accordingly, if the organisation is unable to meet its debts, the members will not be held responsible.
- 8 The members and charity trustees have certain legal duties under the Charities and Trustee Investment (Scotland) Act 2005; and clause 7 does not exclude (or limit) any personal liabilities they might incur if they are in breach of those duties or in breach of other legal obligations or duties that apply to them personally.

General structure

- 9 The structure of the organisation consists of:-
- 9.1 the MEMBERS - who have the right to attend members' meetings (including any annual general meeting) and have important powers under the constitution; in particular, the members appoint people to serve on the board and take decisions on changes to the constitution itself;
- 9.2 the BOARD - who hold regular meetings, and generally control the activities of the organisation; for example, the board is responsible for monitoring and controlling the financial position of the organisation.
- 10 The people serving on the board are referred to in this constitution as CHARITY TRUSTEES.

MEMBERS

Qualifications for membership

- 11 Membership is open to any individual aged 16 or over who, or a Corporate body which, has an interest in the restoration and heritage of the Pier.
- 12 Employees of the organisation are not eligible for membership.

Application for membership

- 13 Any person or body who or which wishes to become a member must sign a written application for membership; the application will then be considered by the board at its next board meeting.

14 The board may, at its discretion, refuse to admit any person or corporate body to membership.

15 The board must notify each applicant promptly (in writing or by e-mail) of its decision on whether or not to admit him/her/it to membership.