

# **THE BODENHAM FLOOD PROTECTION GROUP**

## **CONSTITUTION**

### **STATUS AND NAME OF THE ORGANISATION**

1. The organisation was established in 2008 by decision of Bodenham Parish Council to be a permanent sub-group of the Council tasked with taking action to protect residents, businesses and property in the Parish from flooding, such as had occurred in 2007. The name of the organisation shall be the Bodenham Flood Protection Group (“the BFPG” or “the Group”).

### **OBJECTS OF THE ORGANISATION**

2. The objects of the Bodenham Flood Protection Group shall be:

a. To monitor the watercourses and drainage systems in Bodenham Parish, with particular reference to those areas where flooding has taken place in the past, and to identify where action needs to be taken to minimise the risk of future flooding.

b. To take all necessary action to alert the appropriate authorities <sup>(1)</sup> whenever the latter fail to discharge their responsibilities for the regular and proper maintenance of drains and watercourses and for taking other precautions necessary to prevent flooding.

c. Where the authorities fail to discharge these responsibilities in a timely manner, to identify, prioritise and undertake on a self-help basis any work needed to prevent or minimise the risk of flooding.

d. To identify and assist those in the Parish who through age or infirmity require help in taking precautions against the possibility of flooding to their properties and/or assistance in the event of the risk of flooding becoming imminent or of flooding actually occurring.

e. To procure and maintain stocks of filled sandbags and to distribute these about the Parish (including, where necessary, to individual householders) as most appropriate.

f. To take all necessary measures, including the provision of insurance cover, to ensure the health and safety of members while engaged on the Group’s work.

g. To seek funding to support all aspects of the work required to meet the Group’s objects.

### **MEMBERSHIP**

3. Membership of the Group is open to individuals over eighteen who apply and are approved by the Committee.

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(1) For the purposes of this Constitution “the authorities” include, but are not limited to, Herefordshire County Council, The Highways Authority, the Environment Agency, the River Lugg Internal Drainage Board and Bodenham Parish Council

4. Membership is not transferable.
5. The Committee:
  - a. May only refuse an application for membership if, acting reasonably and properly, they consider it to be in the best interests of the Group to refuse the application.
  - b. Must inform the applicant in writing of the reasons for the refusal within 21 days' of the decision.
  - c. Must consider any written representations the applicant may make about the decision. The Committee's decision following any written representations must be notified to the applicant in writing but shall be final.
6. **Register of Members.** The Committee must keep a register of the names and addresses of all members.
7. **Termination of Membership.**
  - a. A person's membership of the BFPG shall be terminated if:
    - (1) He or she dies; or
    - (2) He or she submits a written letter of resignation to the Secretary of the BFPG; or.
    - (3) He or she is removed from the membership by a resolution of the Committee that it is in the best interests of the BFPG that his or her membership should be terminated.
  - b. A resolution to remove a member from membership may only be passed if:
    - (1) The member has been given at least 21 days' notice in writing of the meeting of the Committee at which the resolution will be proposed; and
    - (2) The member or, at the option of the member, the member's representative has been allowed to make representations on behalf of the member to the meeting.

## **THE COMMITTEE**

8. A committee shall be elected to carry out the business of the BFPG.
9. The Committee shall comprise the following members whose responsibilities are:
  - a. Chairman, who shall be responsible for acting as the Group's leader and for chairing its monthly meetings.
  - b. Treasurer, who shall be responsible for all financial matters relating to the Group and for maintaining the Group's Account with the Parish Clerk.
  - c. Secretary, who shall be responsible to the Chairman, the Treasurer and the Group for all aspects of the Group's administration and for preparing the Agenda and Minutes for its Meetings. All Minutes and end of year Schedule of Works are to be filed with the Parish Clerk.

- d. Operations Manager, who shall be responsible for planning and organising all the Working Parties. All works undertaken by the Group are to be noted in the Schedule of Works. The Operations Manager may nominate an assistant if so required.
- e. Area Representatives, who shall be members representing the different areas of the Moor and Bodenham Village, *i.e.* the Moor Road, Chapel Lane, Orchard Close, Brockington Road (North - 2 representatives), Brockington Road (South), Ash Grove Close, Ash Grove View, Siward James Close (Warden), Millcroft Road, Bodenham Village with the Church and Bodenham Cottages. In general, they are responsible for representing the views of residents in their areas on flooding-related matters, as well as noting and reporting any issues concerning actual or potential flooding.
10. The Committee shall:
- a. Be elected at the Annual General Meeting. Vacancies arising during the year may be filled by elections at General Meetings.
- b. Meet when required as decided by the Chairman.
11. Where there are no candidates for election, the Committee may co-opt new members as required.
12. The Minutes of committee meetings shall be available to all members.
13. Committee members must all be members of the BFPG.
14. Any member of the Committee who without acceptable reason fails to attend 4 consecutive meetings of the Committee shall be deemed to have resigned and a vacancy for the election or co-option of a new Committee member to have been created accordingly.
15. No committee member may receive any benefit from being a committee member.

### **ANNUAL GENERAL MEETING**

16. An Annual General Meeting (AGM) shall be held every year at which the Committee will report on its work, present a statement of accounts and stand down to seek re-election.
17. The AGM shall elect a new committee, and shall vote on any recommendations and any amendments to the Constitution.
18. The Secretary shall notify all members of the date and place of the AGM not less than 14 days before it is due to be held.

### **OTHER GENERAL MEETINGS**

19. **General Meetings.**
- a. General Meetings shall normally be held monthly and shall be open to all members of the BFPG.
- b. The frequency of General Meetings may be reduced at the discretion of the Committee, but not less than four General Meetings must be held in each year.
- c. The Secretary shall publicise the date, time and place of each General Meetings at least 5 days before it is due to be held.

20. **Special General Meetings.**

- a. A Special General Meeting open to all members will be held if more than a third of the total membership of the BFPG:
- (1) Agree to such a Meeting at a General Meeting; or
  - (2) Submit in writing a request for such a Meeting to the Secretary.
- b. The Secretary shall then arrange for the meeting to take place within 14 days and shall publicise its date, time and place at least 5 days before it is due to be held.

**QUORA**

21. No General Meeting, Special General Meeting, or Annual General Meeting shall take place if less than 10 members are present.
22. No committee meeting shall take place if less than 3 members of the Committee are present, one of whom must be either the Chairman or the Secretary.

**CHANGES TO THE CONSTITUTION**

23. The Constitution may be altered at an AGM or Special General Meeting.
24. Any suggested amendments to it must be handed to the Secretary in writing not less than 14 days before the AGM or Special General Meeting is due to be held.
25. Amendments to the Constitution must be agreed by not less than two-thirds of the members present at the Meeting.

**FINANCE**

26. The funds of the Group, including all donations, contributions and bequests, shall be paid into an account operated by the Bodenham Parish Council in the name of the Group at such bank as the Bodenham Parish Council shall decide.
27. Any funds belonging to the Group must be used solely in furthering its objects.
28. Any person anticipating having to spend his or her own personal finance on behalf of the Group and requiring to be reimbursed for this expenditure must first obtain the agreement of the Treasurer for such expenditure. Where any such proposed expenditure is of an unusual nature or for an unusually large amount, the Treasurer must refer the request for reimbursement to the full Committee for its agreement.
29. If advance authorisation for expenditure has not been obtained, reimbursement may be refused.

**DISSOLUTION OF THE GROUP**

30. The BFPG may only be dissolved at a Special General Meeting called for that purpose and the proposal to dissolve the Group must be advertised to all members not less than 14 days before that meeting.

31. A proposal to dissolve the Group shall take effect only if agreed by not less than two-thirds of the members present at the meeting.

32. If the Group is dissolved, any funds and possessions belonging to it shall be disposed of by transfer to the Bodenham Community Charity to be used so far as practicable for purposes the same as, or similar to, the BFPG.

**Constitution** adopted on 25 August 2020

Signatures

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Original Constitution: 19 August 2008  
Amended: 1 January 2009 and adopted on 25 August 2009  
25 July 2010 and adopted on 31 August 2010  
26 July 2011 and adopted on 27 September 2011  
29 January 2013 and adopted on 27 August 2013  
25 August 2020 and adopted 25 August 2020

**AREA REPRESENTATIVES' RESPONSIBILITIES**

As an Area Representative you are asked to undertake the responsibilities listed below.

1. Take a general interest in your area to identify those residents:
  - a. Whose properties are liable to suffer from flooding.
  - b. Who may need help in taking flood precautions, whether from age or infirmity or because they spend a lot of time away from home.
  - c. Make sure that you have telephone contact details for all residents in your area whose homes are at risk of flooding.
2. Inform residents in your area about the Bodenham Flood Protection Group and advise them of its potential value to them as a source of advice on flood precautions, flood insurance and sandbags.
3. Ensure that:
  - a. Those residents in your area who need help in taking flood precautions are included in the 'Buddy System' with appropriate support.
  - b. You keep the Secretary informed of changes to the details of the 'Buddy System' for your area.
4. Let the Secretary know when you are going to be away from home for more than a day or two, so that arrangements can be made to provide flood protection cover for your area during your absence.
5. Allow your telephone and/ or e-mail address to be included on:
  - a. The lists of Area Representatives published by the BFPG in the Bodenham *Newsletter* and the Parish Council Website.
  - b. The Flood Warning Telemetry Alarm system so that you can receive alerts when the water levels in the Millcroft Brook are exceptionally high. (This only applies to Area Representatives in Bodenham Moor).
6. When a flood emergency appears to be imminent:
  - a. Assess the situation and decide whether or not any residents in your area need to be warned to take flood precautions and, if so, which residents.
  - b. If the situation warrants it, warn residents in your area by telephone or, if necessary, by visiting their houses.
  - c. Check that the 'Buddy System' is working as planned and, if not, take action as appropriate.
  - d. Keep the Chairman or Secretary informed of the situation in your area throughout the emergency on 01568-797170.