

## **Federation of Cumbria Commoners – Constitution as amended 2011**

THIS AGREEMENT is made the 19<sup>th</sup> December 2003

BETWEEN the persons whose names and addresses are set out in the Third Schedule and those who subsequently sign and send to the Administrator an acceptance of the terms of this Agreement (“the members”)

1. The Members by signing this Agreement agree to form an association to be known as the Federation of Cumbria Commoners and to be its first members
2. The rules of the association are set out in the First Schedule
3. The first officers and members of the Committee shall be those so identified in the Third Schedule by the office to which they are appointed

### **The First Schedule**

#### **CONSTITUTION AND RULES OF THE ASSOCIATION**

##### **1. Name**

The name of the association is the Federation of Cumbria Commoners (“the Federation”)

##### **2. Objects**

- 2.1 To be a representative voice to support and protect the commons of Cumbria
- 2.2.1 To assist commoners and their associations in the protection and improvement of their rights
- 2.2.2 To support better collaboration amongst commoners
- 2.2.3 To support any initiative which will enable hill farming on common land to be a worthwhile and economically viable activity
- 2.2.4 To promote positive management of the environment by commoners
- 2.2.5 To improve public understanding of the commons
- 2.2.6 To these ends, to engage with all interested parties to put forward the case of the commoners in a vigorous and constructive manner.
- 2.3 In particular the Federation shall have the following powers :
  - 2.3.1 To appoint and remunerate officials and agents to carry out the activities and responsibilities of the Federation and to remove them when appropriate. Members of the Committee may be so appointed and remunerated to carry out work for the Federation where the cost is funded through the Federation by a third party or directly by a third party
  - 2.3.2 To raise revenue by means of subscriptions on commoners or associations of commoners to defray the administrative and other costs of the Federation consonant with the objects of the Federation

##### **3. Membership**

- 3.1 Every person who has registered rights on any common in Cumbria or who is a member of a Commoners Association shall be eligible to be a member of the Federation and shall be entitled to attend and vote at any general meeting of the Federation. The names and addresses

of the members will be kept by the Administrator of the Federation and shall be available for inspection by any member

3.2 A member shall cease to be a member :

3.2.1 if he gives the Administrator written notice of his resignation as a member

3.2.2 if the member having committed some act or been guilty of some behaviour inconsistent with membership of the Federation the committee resolves by a majority of three quarters to remove him from membership

3.2.3 if he ceases to have an interest as specified in 3.1 above

3.2.4 if he failed to pay any members subscription agreed at a general meeting within 3 months of the date of that meeting

3.3 Non voting membership categories

3.3.1 Associate, non voting membership shall be available to all other people interested in supporting the Federation upon payment of the subscription at the same rate as full members

3.3.2 Corporate, non voting membership shall be available to any businesses or other organisations upon payment of a fee set by the committee

3.3.3 The Federation may affiliate with other counties or commoners groups but these members will be considered associate members. Their representatives may be co-opted onto the committee

#### **4. Officers and Committee**

4.1 The Federation will have a Chairman and a Deputy Chairman, and an Administrator.

4.2 The Federation will have a Committee.

#### **5. The Committee**

5.1 The Committee shall be elected by and from members at an annual general meeting of the Federation in accordance with the following rules

5.2 The Committee shall have up to 13 members including the Chairman and Deputy Chairman

5.3 Ten of the elected members shall be a member with registered rights of common on one (or more) of each of the groups of commons set out in the Second Schedule

5.4 The first members of the Committee are named in the Third Schedule.

5.5 Members of the Committee are elected at the AGM for a term not exceeding three years and elections will take place every third AGM. Any member of the Committee whose term expires may, if that person remains eligible to be a member and if there is no one else nominated for that place, be elected for a further term.

5.6 The Administrator will circulate members to invite nominations for representative members for each group 6 or more weeks before an annual general meeting

5.7 Nominations for representative members on the Committee must be made four weeks or more before an annual general meeting at which each place will be filled by an election.

5.8 Candidates nominated as a representative member must be a grazier or a member of a Commons Association.

5.9 The Administrator will circulate the names of the candidates nominated as a representative member for each group to the members in the group with a postal voting form and with the Notice of the annual general meeting. Any person nominated under 5.7 above may choose,

by notice to the Administrator, to be included as a candidate only for the second vote under 5.10.4 below and not for the first vote under 5.10.3 below.

- 5.10 The election of the Committee will proceed as follows :
  - 5.10.1 Firstly the representative members for each group will be elected, and then the remaining places for the Committee
  - 5.10.2 Each member will be entitled to two votes at the annual general meeting
  - 5.10.3 In the first vote, each member in each group will be entitled to vote for one nominated representative from their group, as in defined in 5.3 above. This vote can be in person, or by proxy or post. For each group, the candidate receiving the most votes will be elected to the Committee.
  - 5.10.4 The second vote will take place at the annual general meeting, and will fill the remaining places, up to the total of 13. The candidates will consist of any already nominated representative members who have not already been elected in the first vote. This vote will be taken by a secret ballot of those people attending the annual general meeting. Postal and proxy votes will not be allowed.
  - 5.10.5 The newly elected committee members will elect a Chairman and a Deputy Chairman at their first committee meeting and will appoint a Treasurer and any other officers required.
- 5.11 A person will cease to be a member of the Committee
  - 5.11.1 if he ceases to have rights of common in Cumbria or be a member of a Commons Association in Cumbria
  - 5.11.2 if he suffers from mental disorder
  - 5.11.3 if he resigns his office by written notice to the Administrator of the Federation
  - 5.11.4 if he fails to attend three consecutive meetings of the Committee without giving a reason acceptable to it
- 5.12 The committee may co-opt members of the Federation to become members of the Committee to fill any vacancy. The Committee may also co-opt any other people to serve on the Committee, including past committee members who have served three years in a row. Co-opted members of the Committee will not have a vote
- 5.13 The Committee will appoint an Administrator who will act as secretary to the Committee and record the minutes of the Committee
- 5.14 The quorum at a Committee meeting will be seven persons
- 5.15 A Committee member is not entitled to appoint an alternative or proxy to act as a Committee member on his behalf
- 5.16 The Committee decides questions by a majority vote and in the case of a tie the Chairman will have a second or casting vote
- 5.17 The Committee is responsible for managing the affairs of the Federation, and subject only to a resolution of a general meeting, is to perform all the duties and exercise all the powers of the Federation other than the fixing of an annual subscription for members which shall be resolved at an annual general meeting.
- 5.18 The Committee shall require the Administrator to keep proper books of account and to have the same independently examined by a suitable person and presented to each annual general meeting for approval

5.19 The Committee may delegate any of its powers to any one or more of its members or to an agent of the Federation. The committee will have no power to delegate irrevocably.

## **6. General Meetings**

6.1 All members are entitled to attend and vote at general meetings

6.2 A general meeting is called by the Administrator (or if there is no Administrator by those requiring the meeting) giving at least 21 days notice to all those entitled to attend. The notice must state the date time and place of the meeting, the text of any resolution to be proposed and the general nature of the business to be transacted. It must also state that a member has a right to appoint a proxy, who need not be a member, to attend and vote at the meeting on his behalf. A proxy shall carry and produce to the meeting if required a sufficient written authority from any member appointing him

6.3 In cases of emergency a meeting may be called on less than 21 days notice.

6.4 At each annual general meeting after the date of this Agreement members will elect the members of the Committee in accordance with 5 above. Members will also fix any annual subscription and appoint an independent examiner.

6.5 An annual general meeting is to be held every year within the months of February or March

6.6 Notice of an annual general meeting must name it as such

6.7 Other general meetings are to be called when either required by the Committee or by at least 10 members.

6.8 A quorum for a general meeting will be 20 members or their proxies.

6.9 Subject to rules 5.10.3 and 5.10.4, voting at a general meeting will be by show of hands or a recorded vote if required by 5 or more members on any issue, one vote per member. In the case of a tie the Chairman will have a second or casting vote.

6.10 Minutes of a general meeting will be taken by the Administrator or in his absence by another appointed by the Chairman, and will be laid before the next general meeting for approval

6.11 A general meeting in this Agreement includes an annual general meeting

## **7. General**

7.1 A member is entitled to inspect the minutes of general meetings and of Committee meetings and the accounting records correspondence and other documents belonging to the Federation, upon reasonable written notice to the Chairman the deputy chairman or the Administrator

7.2 A notice given under these rules may be sent by post to a member or the Administrator at his last address notified to the Federation

7.3 No member of the Committee will be responsible or liable for any loss suffered by the Federation as a result of the discharge of his duties on its behalf except such loss as arises from his wilful default, and he shall be entitled to be indemnified out of the assets of the Federation for all expenses and other liabilities incurred by him in the discharge of his duties.

7.4 Changes to these rules may be made at an annual general meeting and will require a two thirds majority

7.5 Documents and agreements may be signed by 2 officers of the Committee

7.6 Cheques may be signed by 2 members of the Committee appointed by the Committee for the purpose

7.7 The Treasurer will cause the Federation's annual accounts to be independently examined and presented to each annual general meeting

## The Second Schedule

### The 10 Commons groups

1. **Lakes North**, which encompasses the region including the following commons : Caldbeck, Mungrisedale Common, Uldale Fells (Aughtertree Common & Cock Up), Saddleback Common (Blencathra), Bassenthwaite & Skiddaw, Threlkeld, Carrock & Mungrisedale Common, Bassenthwaite & Skiddaw (Skiddaw Common)
2. **Lakes North Central**, which encompasses the region including the following commons: Bampton Common, Whelpside & Helvellyn, St Johns Common (Wanthwaite Cragg), Rafland Forest (Rosgill Moor & Rayland Moor), Mardale, West Martindale, Matterdale Common, Glenridding, Deepdale, Kentmere Dale Head, Martindale Common (Part East), Patterdale, Watermillock, Rosgill Common, Field Gate, Askham Fell, Bomby Green, Butterwick Green, Gate Foot, Helton Fell, Knipe Scar, The Howes, Yews Mire
3. **Lakes West**, which encompasses the region including the following commons: Brackenthwaite Fell, Nether Wasdale (Great Wasdale & Wasdale), Kinniside, Stockdale Moor, Brackenthwaite Common, Buttermere Dubs, Brackenthwaite Hows, Eskdale, Birker Fell Common
4. **Lakes South Central**, which encompasses the region including the following commons: Grasmere, Great Langdale, Langstrath & Coombe, Loughrigg, Langstrath & Coombe, Borrowdale, Torver Back, Torver Low, Torver Back Common (Part), Torver Common, Torver High, Walna Scar
5. **Lakes South West**, which encompasses the region including the following commons: Coniston, Dunnerdale & Seathwaite (Walna High Scar), Black Combe & White Combe, Ulpha Fell, Blawith & Subberthwaite (Heathwaite), Thwaites Fell, Kirkby Moor, Corney Fell, Birkby Fell, Bootle Fell, Lowick High, Waberthwaite, Lowick Common (Gathwaite), Blawith & Subberthwaite (Heathwaite), Blawith & Subberthwaite (Woodland), High Furness, Broughton
6. **Eastern Fells**, which encompasses the region including the following commons: Milburn Forest, Melmerby, Ousby, Hilton Fell, East Stainmore (North Moor), Murton Fell, East Stainmore (South Moor), Skirwith, Knock Fell, Kirkland Fell, Blencarn, Brackenber Moor, Croglin Coombs, Dufton Fell (Part), Milburn Forest (Great & Little Dun Fell), Milburn Forest (Milburn Fell)
7. **Kirkby Stephen**, which encompasses the region including the following commons: Winton & Kaber, Mallerstang (North & East), Greenrigg Common, Mallerstang (West), Wharton, Flass & Ash Fell, Greenrigg Common (Wild Boar Fell), Ash Fell, Wild Boar Fell
8. **Crosby**, which encompasses the region including the following commons: Ravenstonedale (Harter & Green Fell), Crosby Ravensworth, Little Asby, Birbeck Common, Crosby Garrett, Roundthwaite, Bretherdale Bank, Bretherdale Common, Hardendale Fell, Bank Moor, Hardendale Nab, Northside Common, Harkeld Common, Little Asby (Asby Scar), Little Asby (Grange Scar), Little Asby (Outrakes), Ashby
9. **Howgills**, which encompasses the region including the following commons: Brant Fell, Longdale, Middleton Fell, Tebay, Barbon Low Fell, Ravenstonedale Moor, Cotemoor, Brant Fell (Branthwaite), Brant Fell (Howgill), Brant Fell (Sickers), Brant Fell (Winder), Baugh Fell, Ravenstonedale Common.
10. **Coastal**, which encompasses the region including the following commons: Skinburness & Calvo, Burgh Marsh, Carbed Marsh.

## The Third Schedule

### Names of initial members and addresses, common(s) they represent and office if any

Name	Address	Common	Position
Jack Askew	Pike Side farm, Broughton in Furness, , LA20 6EY	Broughton	committee
Alan Birbeck	Windy Hill Farm, Wharton, Kirkby Stephen, CA17 4LQ	Ravenstonedale	do
Pauline Blair	Stubbs Ghyll, Mockerkin, Cockermouth, CA13 0ST	Buttermere	do
Tim Cartmell	The Old Rectory, Caldbeck, Wigton	Caldbeck	do
Edward Eastham	Naddle Farm, Bampton, Shap	Bampton	do
Harry Hutchinson	Uldale Farm, Ravenstonedale, Kirkby Stephen, CA17 4LN	Baugh Fell	Chairman
John Pedley	Oak Tree Farm, Barbon, Kirkby Lonsdale,	Middleton	committee
Alan Pratt	Buckbank Farm, Cautley, Sedbergh, LA10 5LL	Brant Fell	do
Will Rawling	Hollins Farm, Ennerdale, Cleator, CA23 3AL	Kinniside	do
Jo Relph	Yew Tree Farm, Rosthwaite, Keswick	Langstrath	do
Geoff Sedgewick	Lockbank Farm, Howgill, Sedbergh, CA7 8HD	Brant Fell	do
David Smith	Far Close, Dufton, Appleby, CA16 6DN	Dufton	do
Michael Wilson	Low Borrowbridge Farm, Tebay, Penrith, CA10 3XX	Roundthwaite	Deputy Chair
Andrew Humphries	Itonfield Cott, Ivegill, Carlisle, CA4 0NR		committee

Signed by [member]

Signed by 2 officers of the Federation  
For and on behalf of the other members of the Federation