
The Friends of Huntfold

Constitution

Last Updated - 18 November 2021



Our Constitution

The Friends of Huntfold

The Friends of Huntfold is a Limited Company established to manage the care and maintenance of the green spaces on the southern portion of the Huntfold Farm Estate, Greenmount. The Company maintains an open and collaborative relationship with residents ('Friends') who are consulted with and fund the Company through annual donations.

Company Number: 10845707

Registered Office: 70 Market Stret, Tottington, BL8 3LJ

Purpose

The purpose of the Friends of Huntfold is to ensure that the green spaces remain as they are for the benefit of the local community.

Roles and Responsibilities

The Friends of Huntfold lease all but two of the green spaces shown outlined in red from Bury Council the landowner. The remaining two (shaded areas) remain Highways Adopted areas and are licensed to the Friends of Huntfold. The 99 year Lease (2120) and the 10 year License (2030) grant use of these green spaces to the Friends of Huntfold.



There are 3 groups of people who have a role and form of responsibility.

The Directors of the Friends of Huntfold, Bury Council (Officials and Councillors) and 'Friends' (anyone who shares our purpose of preserving our green spaces for the benefit of all residents and visitors to the estate). In the spirit of collaboration, a Management Team will exist to look after day-to-day operations and will be made up of the Directors and two invited/elected 'Friends'.

- The Directors are responsible and liable for matters within the boundaries of the green spaces as set out in the Lease and License.
- Bury Council are responsible and liable for matters relating to trees and street furniture located on the green spaces as set out in the Lease and License.
- The Highways Agency retains its statutory rights and obligations for the two verges shown as shaded green spaces above.
- 'Friends', including the members of the Management Team, are not responsible or liable for the activities of the Friends of Huntfold. Friends are expected to act responsibly to preserve the greens in a good state. For example, not parking anything on a green space and actively discouraging visitors/deliveries from mounting the kerb of the green space. 'Friends' are not granted permission to tend to any aspect of the green spaces including the planting, cutting or removal of any plants or the repair, adjustment, removal or replacement of any street furniture such as lights, signs, dog waste bins.

'Friends' are typically the residents of Greenpark Close, Greenheys Crescent, Fellside Close, Heaplands, Brookside Crescent, Kimble Close, Hayfield Close and Larkfield Close and are asked to make an annual donation to cover the maintenance and associated costs of the Friends of Huntfold.

The Schedule of Work - The Directors of the Friends of Huntfold will secure the services of a contractor to carry out an annual schedule of work to care for and maintain the green spaces. Contractors will be subject to an invitation to tender and selected on the basis of best value.

The annual schedule of work will consist of a series of fortnightly grass cutting and collection between April and October and a trim/cut-back of bushes and shrubs and any overhanging growth from adjacent grounds subject to appropriate weather conditions.

Changes to the Schedule of Work - Any changes to the schedule must be agreed at or soon after an AGM so that it can form the following year's Maintenance Contract. In the spirit of collaboration, Friends can propose a change to the schedule by submitting a proposal to the Secretary 10 days prior to the AGM. The proposal will be assessed in terms of how well it supports the purpose of the Friends of Huntfold and any immediate and ongoing cost implications. A pros and cons summary will be presented at the AGM. Taking into account the views of Friends attending the AGM, the Directors will explain their decision to accept, reject or modify the proposal during or soon after the AGM.

Additional Work - this refers to any care and maintenance activities that are in addition to the schedule of work. There are two categories of additional work:

- Urgent Work - work that needs to be carried out without undue delay as a result of safety concerns or damage concerns will be the responsibility of the Directors of the

Friends of Huntfold. Wherever possible, the Friends of Huntfold Contingency Fund will be used for to pay for such work and the activity communicated to residents.

- Non-urgent Work - work that is not deemed to be of an imminent / significant safety or damage concern will be viewed as a change to the schedule of work and will be need to submitted to the next AGM as a costed proposal as described above.

Communications

The Friends of Huntfold will provide regular communications to Friends. Until all communications can be made electronically, Friends will receive leaflets at key times of the year.

The Management Team will also keep in touch with all other parties who have an ongoing or short-term involvement with the activities of the Friends of Huntfold.

Meetings

The Directors will invite 'Friends' to its AGM and to additional meetings should they feel it necessary to discuss issues with them in a meeting.

The AGM will form the focus of reporting and informing the Friends. It will be held at the end of the cutting season and will report on what has been done and how much it cost. It will also inform Friends of the Schedule of Work planned for the following year and what costs will be incurred.

The invitation to the AGM will include an invitation for any nominations of Friends to the positions on the Management Team and for any proposals which might add, reduce or modify the annual Schedule of Work. Nominations and Proposals must be received 10 days before the date of the AGM and can be sent to the Secretary at secretary@friendsofhuntfold.co.uk Where more than two Friends are nominated for a role on the Management Team, an election will be used to decide which Friends join the Team. Due to their Company responsibilities, the majority of the Management Team will be Directors.

The decisions made at the AGM will be reported to all Friends and will include the contribution requested of Friends for the following year's Schedule of Work.

Financial Matters

The Treasurer will keep proper and accurate accounts of the Company's finances which will be reviewed by an independent Accounting Company. A report of the Friends of Huntfold's finances will be shared with Friends at the AGM.

The Friends of Huntfold is funded by donations. Whilst a donation can be of any amount, Friends are requested to make a contribution of a specified sum each year. A budgeted plan will be shared with Friends at the AGM. The plan will include the amount requested from each Household which will fund the following year's activities.

As a not-for-profit organisation the Friends of Huntfold aims to operate with a surplus. It will not operate with a planned loss. The surplus generated will act as a contingency fund with which to meet unforeseen issues and/or to subsidise the annual contribution requested from Friends where this is possible. The size of the surplus will be managed so that it is broadly equivalent to one year of operating costs.

Raising Issues with Bury Council

For all matters of the green spaces, the Friends of Huntfold NOT Friends, will raise an issue such as a tree problem or a problem with street furniture, with Bury Council. Friends are asked to bring any issues they identify to a member of the Management Team.

The standard method of reporting issues via Bury Council's website will be employed unless a direct reporting route is available.

Direct reporting routes will typically be to a specific role, such as the Community Hub Manager for Bury North or a named individual within Bury Council. Councillors might also be informed.

In wider matters, the Friends of Huntfold will consider providing support to issues raised by residents that are relevant to the upkeep of the estate as a whole.

Cessation or Risk to Operations

The successful operation of the Friends of Huntfold relies on a number of things:

- the continued support of the Friends
- being financially viable
- there being no significant change in the role of Bury Council
- adhering to the terms of the Lease and License
- that the Contractor of the day continues to operate at the agreed level

Should the Friends of Huntfold encounter difficulties that threaten the ongoing operational capability of the Company, the following steps may be used:

1. The Management Team will inform the Friends and Bury Council of the nature of the difficulty and may call an Exceptional General Meeting (EGM).
2. Where a shortfall of funding is apparent, steps such as fundraising will be used which include asking Friends for a one-off contribution and/or raising moneys from other parties.
3. Where a shortfall of funding is not remedied by (2) alternative models of maintenance will be examined to see if a less expensive model of care and maintenance can be used eg. leaving cuttings, reducing the frequency of cuts.
4. Where maintenance is stopped or interrupted for any reason (other than bad weather), the Management Team will use steps such as cancel the maintenance contract in use at that time and enter a new contract, or seek to work collaboratively with Bury Council to identify a short-term remedy.

If, despite the above steps, it is no longer viable to meet the costs of the group and the maintenance of the green spaces, the Friends of Huntfold will inform Bury Council of the likelihood that it will cease operations.

The cessation of the Friends of Huntfold will be decided by the Directors after exhausting all of the above steps.

Should it be necessary to amend the lease, the proposer of amendments will meet the costs associated with its agreed modification.

The Friends of Huntfold expect to renew the Lease and License in agreement with Bury Council. To facilitate this the Friends of Huntfold will contact Bury Council at least one year prior to either instrument expiring.

If Friends of Huntfold Limited is wound up, any remaining assets will be donated to Bury Hospice or similar charity of the day.

Complaints

We always aim to provide a high standard in the duties and services required in meeting the purpose of the Friends of Huntfold and as such we welcome constructive feedback. Friends can approach any member of the Management Team to complain. More than this, we would encourage purposeful dialogue to resolve any issues prior to a formal complaint being submitted.

Complaints will be dealt with quickly, effectively and in a fair and honest manner. Be assured that all complaints will be taken seriously and treated in confidence.

Any Friend of the Friends of Huntfold and can complain either in person to a Director or member of the Management Team, by telephone, by letter or by email. Notes of a complaint will be kept whether it is made orally or in writing.

The Management Team will have the responsibility to deal with all complaints as follows:

Stage 1: Responding to a Complaint

- a) Any complaint will be investigated and decided upon by the Secretary or Treasurer of the Management Team.
- b) The Secretary or Treasurer may invite external advice in addressing the complaint.
- c) The Secretary or Treasurer will decide the outcome of the complaint and should it be upheld, will agree with the Complainant a suitable outcome.

Stage 2: Appealing Against the Stage 1 Decision

- d) The Complainant may appeal to the decision of Stage 1 by writing to the Chairperson stating their reasons.
- e) The Chairperson should be kept ignorant of Stage 1 proceedings so as to offer an objective review of the matter.
- f) The Chairperson's decision to uphold or amend the findings of stage 1 is final and will be communicated to the Complainant.



Contacts

Directors:

Chairperson Chris Rogan, Email - chair@friendsofhuntfold.co.uk
Treasurer Ann Bennett, Email - treasurer@friendsofhuntfold.co.uk
Secretary David Booker, Email - secretary@friendsofhuntfold.co.uk

General Enquiries enquiry@friendsofhuntfold.co.uk