

THE COMPULSORY PURCHASE ASSOCIATION

CONSTITUTION

1. Name

1.1 The Name of the Association shall be “The Compulsory Purchase Association”.

2. Objectives of the Association

2.1 The objectives of the Association are:

- (a) to establish a multi disciplinary association for the public benefit for persons interested and practising in compulsory purchase and compensation in all its forms;
- (b) to promote best practice and the highest professional standards among and between practitioners at all levels;
- (c) to promote good professional relations between the public and private sectors of compulsory purchase and compensation;
- (d) to provide educational services;
- (e) to promote and to participate in debate as to matters of current or pending interest in compulsory purchase and compensation, to include participation in consultation with central government and other bodies whether as to perceived problems with the present system of compulsory purchase and compensation in force from time to time, or relative to anticipated or pending changes thereto;

provided that under all circumstances the Association shall provide its services and offer its advice in a strictly non party political manner.

3. Membership

3.1 Membership of the Association shall consist of Members, Honorary Members, Corporate Members and Student Members.

3.2 Members and Corporate Members are entitled to call themselves Members of the Compulsory Purchase Association. Honorary Members are allowed to call themselves Honorary Members.

Members

3.3 No person shall be eligible for admission as a Member of the Association unless the Committee is satisfied that the person has a substantial professional interest in the field of compulsory purchase and compensation and either:

- holds a professional qualification issued by one of the professional institutions listed in the first part of the schedule hereto; or
- is or has been a practising barrister, solicitor or equivalent; or
- falls within the second part of the schedule hereto.

Honorary Members

- 3.4 Every Honorary Member shall be eligible by reason of position, experience, eminence or worthiness.
- 3.5 The Committee of the Association may from time to time offer Honorary Membership of the Association to such persons as the Committee considers, in its absolute discretion, fulfil the criteria in Clause 3.4 above and if such offer is accepted that person will become an Honorary Member.
- 3.6 An Honorary Member shall have all the privileges of membership and of being present and taking part in all Meetings, but shall not be called upon to pay the annual subscription.

Corporate Members

- 3.7 Any Public Sector Organisation, being a public or local authority (including any Central Government Department or agency), statutory agency (for example, the Environment Agency or Highways England), statutory undertaker or public trust shall have the right to nominate up to nine persons for admission as a Corporate Member of the Association PROVIDED THAT each such nominated person shall be:
- (i) employed by the nominating Public Sector Organisation; and
 - (ii) a person eligible to admission for Membership of the Association under Clause 3.3 above.

Student Members

- 3.8 No person shall be eligible for admission as a Student Member of the Association unless the Committee is satisfied that the person:
- (i) has a substantial interest in the field of compulsory purchase and compensation; and
 - (ii) is (as appropriate) a full or part-time student of any degree or other course or is in the course of completion of training for full membership of any of the organisations listed in either part of the Schedule hereto.
- 3.9 No person who is for the time being a Student Member of the Association shall be entitled to participation in any vote or ballot of the Association.

Entry to Membership

- 3.10 Any person wishing to become a Member of the Association shall submit to the Honorary Secretary an application setting out the information required in the Association's membership application form and confirming compliance with Clause 3.3 above.

- 3.11 Any Public Sector Organisation (as defined in Clause 3.7 above) wishing to nominate a Corporate Member or Corporate Members shall submit to the Honorary Secretary an application in respect of each such Corporate Member setting out the information required in the Association's membership application form and confirming compliance with Clause 3.3 above.
- 3.12 Any person wishing to become a Student Member of the Association shall submit to the Honorary Secretary an application setting out the information required in the Association's membership application form and confirming compliance with Clause 3.8 above.
- 3.13 An application for Membership, Corporate Membership or Student Membership shall be considered by the Committee of the Association and the Honorary Secretary shall notify the applicant and/or the Public Sector Organisation of the Committee's decision as soon as reasonably practical.

Unprofessional Conduct, Suspension and Expulsion of members

- 3.14 The Committee shall have the power to suspend or expel Members, Corporate Members, Student Members and Honorary Members where it is considered by the Committee that such a member has conducted himself/herself in an unprofessional way.
- 3.15 Any decision to suspend or expel a member shall be considered by the Committee at the next appropriate meeting. Fourteen days' notice of the consideration of any proposal to suspend or dismiss shall be given to every Member of the Committee and to the Member, Corporate Member or Student Member concerned and that individual shall have the right to attend and address such meeting.
- 3.16 A member shall not be suspended or expelled except by a majority vote of two thirds of those present at the Committee meeting held pursuant to Clause 3.15 above.
- 3.17 Any person whose membership is suspended in accordance with a decision of the Committee may not attend any meeting, seminar or event held by the Association or participate in any election until their period of suspension has expired.
- 3.18 Any person expelled in accordance with a decision of the Committee shall cease forthwith to be a Member, Corporate Member, Student Member or Honorary Member (as the case may be).

4. Subscriptions

- 4.1 The amounts payable as annual subscriptions by Members and Student Members, or payable as annual subscriptions by a Public Sector Organisation on behalf of Corporate Members, shall be determined from time to time by the Committee.

5. Association Meetings

- 5.1 The Annual General Meeting of the Association shall take place in October of each year for the purpose of receiving accounts and reports, to elect the Chairman, Vice Chairman and Committee and to undertake such other special business as may from time to time be required including (without prejudice to the generality of the foregoing) amendments to the constitution of the Association.
- 5.2 On the requisition of twenty five Members, the Honorary Secretary shall summon a special meeting of the Association to take place within two months of the receipt of the requisition. Fourteen clear days' notice of such meeting stating the business to be transacted thereat shall be given to all members.
- 5.3 Other meetings of the Association shall be held from time to time as deemed suitable by the Committee for the purpose of promoting the objectives of the Association.
- 5.4 The Chairman of the Committee shall be entitled to make a motion to hold an Extraordinary General Meeting of the Association at any meeting of the Committee. Where it is resolved to hold an Extraordinary General Meeting the Honorary Secretary shall summon an Extraordinary General Meeting of the Association to take place within two months of the decision by the Committee and shall give at least fourteen clear days' notice of such meeting to all members stating the business to be transacted thereat

6. The Committee

- 6.1 The Committee of the Association shall administer the Association and seek to ensure that its objectives are achieved.
- 6.2 The general and financial management of the Association shall be vested in the Committee which shall be entitled to appoint a full or part-time paid secretary to assist in the day to day management of the affairs of the Association (subject to the direction of the Committee). The secretary will also attend Committee Meetings in order to minute proceedings.

Chairman and Vice Chairman

- 6.3 The Chairman and Vice Chairman must be Members of the Association (i.e. not Honorary Members, Corporate Members or Student Members) and have served on the Committee.
- 6.4 The Chairman and Vice Chairman shall take post from the Annual General Meeting at which they are elected and serve for one year only.
- 6.5 The outgoing Chairman shall not be eligible for re-election as Chairman for a period of one year following the end of his or her term of office in that position.

6.6 The Chairman and Vice Chairman shall be members of the Committee of the Association.

Composition of the Committee

6.7 The Committee shall also comprise of up to eighteen members being:

- a) The Chairman and Vice Chairman;
- b) Up to twelve further members to be drawn from the Members of the Association (i.e. not Honorary Members, Corporate Members or Student Members) and to be elected by the membership as a whole.
- c) Up to four further persons (each of whom must be a Member, Corporate Member or Student Member) who may be co-opted onto the Committee, to hold office in no case beyond the Annual General Meeting following co-option (but subject to renewal at the discretion of the elected members of the Committee).

6.8 The immediate past chairman of the Association shall be a member of the Committee for one year

6.9 Elected members of the Committee shall hold office for two years.

6.10 If any elected or co-opted member of the Committee resigns during his or her term, the Committee shall co-opt a person to fill the vacancy until the next Annual General Meeting.

Election of Committee Members

6.11 Half of the elected members of the Committee shall be elected by the membership of the Association as a whole in a ballot in each year and shall hold office from the Annual General Meeting at which they are appointed for two years. The elected members shall be eligible for re-election.

6.12 Nominations for election to the Committee shall be submitted to the Honorary Secretary no later than 31 August in each year.

6.13 All nominations shall be in writing, signed by the member proposing and two other members seconding the candidate and shall indicate the nominee's willingness to serve if elected.

6.14 If the number of nominations exceeds the number of vacancies then the election shall be by ballot. The ballot shall be notified to each member at least fourteen days before the Annual General Meeting of the Association. The ballot shall contain the names of all candidates with a note of the number of members required. No member may vote for more nominees than there are vacant places on the Committee. The ballot may be conducted electronically.

6.15 The Honorary Secretary of the Committee shall act as election officer for any election. In the event of any conflict the Chairman or Vice-Chairman shall act as election officer.

6.16 The results of any election shall be announced at the Annual General Meeting.

Office Bearers

6.17 The Committee shall elect from time to time by a majority vote the Honorary Treasurer and the Honorary Secretary from amongst its members.

Committee Meetings

6.18 The Committee shall meet as often as may be required.

6.19 The quorum for a committee meeting shall be five or more members of the Committee in attendance, save that for the purpose of dealing with any matter relating to the election of Honorary Members or the suspension or expulsion of members of the association the quorum shall be seven

Voting

6.20 Except as provided in Clause 3.16, all votes at meetings of the Committee shall be by simple majority of the members of the Committee present and entitled to vote.)

6.21 The Chairman of any meeting shall have a second or casting vote in case of a tie.

Sub-committees and working parties

6.22 The Committee shall be entitled to create sub-committees comprised of members of the Committee or working parties comprising members of the Committee and other members of the Association co-opted for that specific purpose to consider such matters as they and each of them may from time to time be asked to consider and such sub-committees or working parties shall report to the Committee.

6.23 It shall be the responsibility of the Committee (among other things) to establish working parties on an ad hoc basis to consider matters of common public and professional interest as and when there shall be a need to do so in order to meet the objectives of the Association. The membership of each such working party shall be multi disciplinary and shall reflect the range of professional qualifications of the Association to the intent that such working parties shall procure the best advice available from the Association in relation to whatever topic such working party might be asked to advise upon.

Educational Liaison Officer

6.24 The Committee shall have the power to appoint each year an Educational Liaison Officer from the Committee membership for the purpose of promotion of lectures, seminars and similar events on compulsory purchase and compensation topics for both members and non-members. Liaison with universities which include compulsory purchase and compensation within a degree syllabus will be pursued. Assistance in providing visiting lecturers will be offered and as such shall be the remit of the Education Liaison Officer (if appointed).

Branches

6.25 The Committee of the Association may from time to time establish branches for particular geographic areas or groups of members and shall appoint from time to time a convenor for each branch so established. The purpose of the branches shall be to arrange meetings for the benefit of members in its relevant area or group to further the objectives of the Association. The convenor shall be responsible for reporting to the Committee on an annual basis on the activities of the branch.

7. Funds of the Association

7.1 The funds of the Association shall be kept in a bank or held in Gilt Edge or other Securities in the name of the Association as shall be approved from time to time by the Committee.

7.2 The funds shall be applied by the Committee to the purposes of the Association and to meeting its expenses and no individual Member, Corporate Member, Honorary Member or Student Member shall have any interest therein.

7.3 Cheques shall be signed by the Members of the Committee who are approved signatories.

8. Accounts

8.1 An annual statement of accounts shall be prepared by the Honorary Treasurer, shall be subject to independent audit and shall be reported on at the Annual General Meeting.

9. Winding Up and Dissolution

9.1 Winding up and dissolution of the Association shall be in accordance with this Clause 9.

9.2 The Chairman for the time being may propose a motion to wind up and dissolve the Association to be considered at an Annual General Meeting of the Association (or an Extraordinary General Meeting convened in accordance with provisions of Clause 5.4 above).

- 9.3 Any motion proposed under Clause 9.2 hereof shall only be considered once it has been seconded by three other Members of the Association.
- 9.4 Upon consideration of any motion proposed under Clause 9.2, upon a majority of two thirds or greater of those attending and voting at the meeting, the motion shall be declared to be carried.
- 9.5 In the event that a motion be carried pursuant to Clause 9.4, the Chairman of the Association shall ballot the members on the motion as soon as practicable thereafter. The ballots shall be sent to each member whose subscription shall have been paid at the date of the passing of the motion, with a notice declaring the date by which ballots shall be required to be returned to the Hon. Secretary, such date being in no event less than fourteen days after the date of posting by the Hon. Secretary of the ballot forms.
- 9.6 Upon a majority of two thirds or greater of votes cast in the ballot held under Clause 9.5 the motion shall be declared to have been carried by ballot.
- 9.7 Upon the motion being carried by ballot, the Committee shall proceed to wind up the Association and to distribute its funds in accordance with Clause 9.8 as soon as practicable thereafter.
- 9.8 In the event of the Association being wound up, the funds of the Association, if any remaining, shall be rateably apportioned amongst all fully paid up members at the date of winding up.
- 9.9 Upon final distribution of the Association's funds pursuant to Clause 9.9, the Association shall be dissolved.

10. Rules

- 10.1 The Committee shall be entitled to adopt a set of rules which shall apply to the Association and which shall cover such matters as the Committee from time to time consider appropriate provided always that such rules are not inconsistent with this Constitution.
- 10.2 If any member of the Association wishes to propose a new rule, an amendment to an existing Rule, or the suspension or alteration of any rule, notice thereof must be given in writing to the Hon. Secretary together with full text of the rule proposed and a statement of reasons and the Committee shall consider whether the proposed rule should be added, amended, suspended or otherwise at the next meeting of the Committee.

11. Amendments to the Constitution

11.1 No new clause or any amendment or suspension to any existing clause in this Constitution shall be made except by a two thirds majority of those present at an Annual

General meeting or a duly requisitioned Extraordinary General Meeting of the Association in respect of which not less than fourteen days prior notice has been given to all members.

11.2 If any member of the Association wishes to propose any new clause or any amendment or suspension of an existing clause, notice thereof must be given in writing to the Honorary Secretary at least two calendar months before such meeting together with the full text of any proposed new or amended clause and a statement of reasons justifying the proposed new or amended clause or the suspension of any clause.

11.3 The Committee of the Association may from time to time add to or delete from the lists of professional institutions and/or organisations set out in the Schedules hereto

THE SCHEDULE

Part 1

Institute of Highway Engineers
Association of Chartered Certified Accountants
Central Association of Agricultural Valuers
Chartered Institute of Building
Chartered Institute of Management Accountants
Institute of Chartered Accountants in England and Wales
Institute of Chartered Accountants in Ireland
Institute of Chartered Accountants of Scotland
Institute of Civil Engineers
Institute of Legal Executives
Institute of Revenues, Rating and Valuation
Royal Institution of Chartered Surveyors
Royal Town Planning Institute
Association of Building Engineers
National Association of Estate Agents
Institution of Commercial and Business Agents
International Rights of Way Association

Part 2

Civil Servants and Local Government Officers engaged in the promotion and administration of compulsory purchase orders or the negotiation and determination of compensation.

Persons engaged in undertaking land referencing for compulsory purchase.