

Ba Beechwood & Wheatcroft Residents Association

The Constitution

As Amended April 2021

1 NAME OF THE ORGANISATION

The name of the Organisation shall be Beechwood & Wheatcroft Residents Association.

2 AIMS OF THE ORGANISATION

- a. To promote the interests of Beechwood and Wheatcroft Residents Association
- b. To promote the maintenance and improvement of the amenities and the environment of Beechwood and Wheatcroft Estate.
- c. To promote social activities for all the Members of The Association
- d. To uphold equal opportunities and work for good relations amongst all members of the community.

3 MEMBERSHIP AND VOTING RIGHTS

- a. Only persons over the age of eighteen, who reside in a dwelling house, or operate business premises, for which the Association's annual fee is paid, can be full Members of the Association. Only full Members have voting rights. Each property will have 2 votes, which must be cast in person. One person may cast both votes. Where properties are tenanted, the owner may authorise the tenant/s to cast his/her vote.
- b. All residents are automatically eligible for Social Membership.
- c. Members must actively seek to represent the various needs of the area, and must not discriminate on grounds of nationality, political opinion, race, religion, sex, sexuality or disability.

4 MAINTENANCE/ADMINISTRATION FEE

- a. All property owners are bound by their Title Deeds to pay an annual maintenance/Administration fee to the Association.
- b. Fees are decided at the AGM
- c. Fees are to be paid within twenty-eight (28) days of issue of the Annual Invoice.
- d. All Property Owners who are in arrears shall be liable for the additional costs incurred as a result of recovering Maintenance/Administration Fees.
- e. Failure to inform the Associations appointed Collection Agency, change of ownership, may incur an additional administration fee.

5 FINANCE

- a. All money raised by or on behalf of The Association is to be used only to further the aims of the Association.
- b. The Treasurer shall open a bank account in the name of the Association.

- c. The Committee (one of which will be The Treasurer), will nominate cheque signatories. Only one signatory is allowed for any one household. None of the signatories may be related.
- d. All cheques and instructions to the Association's bankers shall require to be signed by two of the agreed signatories.
- e. The Treasurer shall submit the accounts for audit at the end of each financial year. The Financial year will be from 1st January to 31st December.
- f. The accounts will be audited by a suitably qualified auditor/s to be agreed by the Committee.
- g. The Association's accounts will be open to inspection and examination by all Members of the Association. Prior notice must be given to the Treasurer.

6 THE COMMITTEE

- a. A Committee shall be elected at each Annual General Meeting to carry out the business of the Association.
- b. Only full Members are eligible for election to the Committee.
- c. The Committee shall be made up of a Chairperson, Vice Chairperson, Secretary, Treasurer, Contracts Co-ordinator, Social Convenor and a minimum of ten General Members.
- d. Committee Meetings shall be held on the first Thursday of each month with noted exception (see 6e), and will be open to all residents. If the Chair deems it necessary, for Legal or confidentiality reasons, he/she may ask non Committee members to retire from the meeting.
- e. There will be no January meeting.
- f. Minutes of Committee meetings will be available to all Members.
- g. New Members can be co-opted onto the Committee to fill any vacancies that may arise.
- h. The Committee may grant Associate Membership to other official groups on the estate.
- i. Associate Members shall have no Voting Rights.

7 ANNUAL GENERAL MEETING

- a. An Annual General Meeting shall be held every April, at which the Committee will report its work during the preceding year, present a statement of accounts, following which the whole Committee will resign.
- b. The AGM shall elect a new Committee, vote on recommendations and any amendments to the Constitution and agree the maintenance/Administration fee for the forthcoming year.
- c. Proposed changes to the Constitution must be submitted in writing to the Secretary before the 1st of March, prior to the AGM in April.
- d. The Secretary will provide all residents with at least twenty-one (21) days' notice of the date of the AGM, including any proposed changes to the Constitution.

- e. All members of the retiring Committee are eligible for re-election to the post previously held, or any other post, without restrictions.

8 OTHER GENERAL MEETINGS

- a. An Extraordinary General Meeting open to all Members will be held if written requests are made to the Secretary, representing twenty (20) or more properties. The Secretary shall arrange for the Meeting to take place within fourteen (14) days.
- b. The Secretary shall publicise all Extraordinary Meetings at least seven (7) days in advance.

9 QUORUM

- a. No Annual General Meeting or Extraordinary Meeting shall take place if less than twenty properties are represented.
- b. No Committee Meeting shall take place if less than one third of the Committee are present.

10 CHANGES TO THE CONSTITUTION

- a. The Constitution can only be amended at an AGM
- b. Any proposed changes to the Constitution must be submitted to the Secretary at least twenty-eight (28) days before the AGM.
- c. Changes to the Constitution must be approved by two thirds of the votes cast at the Annual General Meeting.

11 DISSOLUTION

- a. The Association may only be dissolved at the Extraordinary General Meeting called for that purpose, which must be advertised at least fourteen (14) days before the meeting.
- b. Dissolution of the Association can only take place following the disposal of all property owned by the Association.
- c. A proposal to dissolve The Association shall only be passed if supported by two thirds of votes cast. Funds and possessions will be disposed of according to the wishes of the Meeting.
- d. All books, minutes, ledgers etc. must be kept for a minimum period of three (3) years. This is in keeping with the three (3) year contracts for Ground Maintenance and fee collection.

12 COMMITTEE STANDING ORDERS

- a. For the purpose of Committee Meetings each Committee Member will have one vote.
- b. Members shall at all times conduct themselves in a reasonable manner at meetings or in the premises used by the Association, and shall be excluded if they contravene the objectives of The Association. This will be done by a majority of those present and eligible to vote at The Meeting.
- c. Any Member may make a proposal. In order for it to be voted on, it must be seconded by another Member.

- d. Before voting, any Member may propose an amendment, which must be seconded by another Member.
- e. Only Members present at a meeting may vote.
- f. All questions must be directed through the Chair.
- g. The Chair may elect to answer the question him/herself, or delegate another member to reply.
- h. If no answer is available, the subject may be deferred to the next meeting.
- i. All business is decided by a majority vote. The Chair has a member vote (see 12a) plus a deciding vote in the event of a tie.
- j. The Committee has the authority to set up Sub-Committees for specific projects.
- k. The order of business shall be as follows: Approval of, or amendments to minutes of previous meeting; Business arising from previous meeting; Guest speakers; Questions from Residents; Chair's report; Secretary's report; Treasurer's report; contract Co-ordinator's report; Social Convenor's Report; Any proposal's and any other matters arising from the meeting; Any other Competent Business.
- l. The Committee must agree, and put in writing, guidelines for the powers and duties of the following posts: Chairperson; Secretary; Treasurer; Contracts Co-ordinator.

13 LAND OWNERSHIP

- a. All areas of communal land within the Estate will remain in the ownership of the Association, and will not be sold to any third party.
- b. No unauthorised use will be made of any communal area. Only the Committee may decide to what use any communal area may be put. Any change to the foregoing can only be decided at an AGM.