

Derwenthorpe Residents' Association Constitution

Adopted at All Residents' Meeting on Tuesday 29 January 2020

1. Adoption of the Constitution

1.1 The group and its property shall be administered and managed in accordance with the provision in this constitution.

2. Name and Area of Benefit

2.1 The name of the group shall be "Derwenthorpe Residents' Association", and hereafter referred as "the Association".

2.2 The area of benefit shall be the area known as the Derwenthorpe Development.

3. Objects

3.1 To represent, promote and safeguard the interests of residents in matters concerning the environment, and the social and community life of the area.

3.2 To represent the views of the residents and to consider the views of children and young people who are not old enough to be voting members, through consultation.

3.3 To work towards improving the quality of life for residents.

3.4 To uphold equal opportunities and work towards good relations amongst all residents and members of the local community.

3.5 To act in partnership with the community, business, relevant groups, and local authorities to achieve these objects.

4. Powers

4.1 In addition to any other powers, the Association may organise events and activities, and raise funds to further the objects of the Association.

5. Membership

5.1 Membership of the Association shall be automatic to all residents living in the area of the Association as defined in clause 2.2.

5.2 There shall be no membership fee.

5.3 All residents age 16 and over shall be entitled to vote.

6. Code of Conduct

6.1 Residents shall always conduct themselves in a manner that will not cause offence to others when attending meetings or any other function in connection with the Association. Harassment, bullying, intimidation or discriminatory behaviour will not be tolerated.

6.2 The Chairperson and Core Team members have the right to warn the resident(s) of their behaviour. If they persist they will be suspended until further notice.

7. Income and Property

7.1 All income and property of the Association shall be applied solely towards the promotion of the objects.

8. Management

8.1 The Association shall be managed by the Core Team which shall be elected at the Annual General Meeting (AGM).

8.2 The Core team shall be from within the Association and shall be free from any pecuniary interest.

Derwenthorpe Residents' Association

Constitution

8.3 The Core Team shall consist of a Chairperson, Secretary and Treasurer and any other positions as the Association may decide, to a minimum of six and a maximum of ten members who shall be elected at the AGM.

8.4 Core Team members shall retire at the AGM, and shall be eligible for re-election at that AGM unless they have served for four consecutive years; but this shall not apply if less than ten residents stand for election. A Core Team member who must stand down shall be eligible to stand for election at the following AGM.

8.5 Core Team members shall not divulge any Association business which is treated as confidential or sensitive to other persons or organisation.

8.6 Core Team members shall declare any potential conflict of interest and withdraw from discussion and voting where appropriate.

8.7 The Core Team shall appoint an acting Chairperson, Secretary and Treasurer from within the Core Team, if the officer in question resigns during their term of office.

8.8 The Core Team shall have the power to co-opt up to two additional members with full voting rights, and to fill casual vacancies. This shall include any previously serving Core Team member not eligible to stand for election in accordance with clause 8.4, provided the Core Team agree they have specific skills which are required.

8.9 The Core Team may appoint sub-core teams to carry out activities if necessary. Their terms of reference shall be agreed in advance and they shall be accountable to the Core Team.

8.10 The Core Team shall meet no less than four times a year.

8.11 The quorum for the Core Team shall be 4 or 50% (whichever is the greater) of Core Team members, including at least one officer.

8.12 The Core Team shall deem a fellow team member to have resigned if they fail to attend three consecutive core team meetings without good reason.

8.13 All Core Team members must comply with the Code of Conduct as defined in paragraph 6.1. Any serious breach may result in that Core Team member, at the discretion and with the agreement of all remaining Core Team members, being asked to resign, and if appropriate, termination of membership of the Core Team, if it is in the best interests of the Association. The Core Team member shall be given 21 days' notice in writing, and will have the right to be heard before a final decision is made.

8.14 All Core Team meetings shall be open to all residents as observers.

8.15 Representation on other bodies

8.15.1 Members of the association might be elected to represent residents on other bodies.

8.15.2 Such elections should be broadly in line with elections to the core team, but subject to any specific provisions in section 19 below.

9. Annual General Meeting

9.1 An Annual General Meeting (AGM) shall be held once a calendar year at any time during April, May or June, and not more than 15 months shall pass between one AGM and the next.

9.2 AGMs shall be open to all residents as defined in paragraph 5, and who shall be entitled to vote on proposals put forward, and which must be received in writing by the Secretary by the time specified in the notice calling the meeting.

9.3 The AGM shall:

- Agree the minutes of the last AGM
- Receive an Annual Report from the Core Team
- Present a statement of accounts to residents
- Elect Core Team members
- Vote on amendments to the Constitution
- Consider any resolution put forward by residents

9.4 Any resident over the age of 18 shall be entitled to stand for election to the Core Team.

9.5 Nominations for the Core Team must be received by the Secretary in writing by the time specified in the notice calling the meeting.

Derwenthorpe Residents' Association Constitution

9.6 At least 14 days' notice shall be given, unless otherwise agreed at an All Residents' Meeting (ARM), specifying the date, time and place of the meeting, and general nature of the meeting.

9.7 The notice shall be given using any but not necessarily all available media, for example but not exclusively public notice boards and electronic media, in the Association's Area.

9.8 The AGM shall be chaired by the person who has been elected as Chair, or by another nominated member of the Core Team.

10. Special General Meeting

10.1 All General Meetings other than AGMs shall be called Special General Meetings (SGMs).

10.2 SGMs may be called by the Core Team or if requested by at least 15 residents at any time.

10.3 Any request for a SGM made by residents must be made in writing to the Secretary, carrying the signatures and addresses of those residents requesting it. The request must state the reasons for calling the SGM.

10.4 SGMs shall be conducted in the same manner as AGMs according to clauses 9.2 and 9.6 to 9.8.

11. Voting at General Meetings

11.1 All residents shall sign a register on attending a meeting with their name and full address, to confirm entitlement to vote as defined in paragraph 5.

11.2 No business shall be transacted unless a quorum is present, which shall be 20, including the Core Team.

11.3 Decisions at meetings shall be taken by a simple majority of those voting. Postal votes shall be available to residents wishing to vote but unable to attend the meeting.

11.4 The Core Team member chairing a meeting shall have a casting vote when the numbers voting for and against are equal. The Chairperson of the meeting shall not otherwise vote on any resolution.

11.5 Conflict of interest must be declared. Any Core Team member or resident who declares a conflict of interest shall then withdraw from the discussion and voting on the issue in question.

12. All Residents' Meetings

12.1 All Residents' Meetings (ARMs) shall be open to all residents as defined in paragraph 5, and who shall be entitled to vote on proposals put forward.

12.2 Any proposal by residents shall be forwarded to the Secretary at least seven days before the meeting.

12.3 Decisions at ARMs shall be made by a simple majority of those entitled, voting and present, and shall be binding on the Core Team.

12.4 Notice of ARMs shall be given as defined in clauses 9.6 and 9.7.

12.5 There shall be no less than three ARMs a year.

12.6 Changes to the constitution shall not be made at ARMs.

12.7 Speakers from other organisations shall from time to time be invited to speak at ARMs.

13. Termination of Membership

13.1 Membership shall be terminated if the resident moves out of the area defined in clause 2.2 or if the Association ceases to exist.

14. Minutes

14.1 Minutes of all meetings shall be taken and approved at the next relevant meeting.

14.2 Minutes shall be available to residents.

15. Accounts

15.1 The Associations' financial year shall commence 6 April and run to 5 April.

15.2 The Treasurer shall keep proper financial records and shall report regularly to the Core Team.

Derwenthorpe Residents' Association

Constitution

15.3 Accounts shall be subject to independent financial review at the end of the financial year.

16. Bank Accounts

16.1 All monies received shall be paid into a bank account in the name of the Association.

16.2 Cheques shall be signed by both the Treasurer and any one of the following: Chairperson, Secretary or two other Core Team members as agreed by the Core Team.

16.3 Signatories must not be related or from the same household.

16.4 Proper records of all transactions including petty cash transactions must be kept.

17. Amendments to the Constitution

17.1 No amendment shall be made to Paragraph 3 (Objects).

17.2 No amendment shall be made to Paragraph 7 (Income and Property).

17.3 This constitution may be amended at any AGM or SGM, in accordance with the approval of a two-thirds majority of the residents voting. The notice of the meeting must include notice of the resolution setting out the terms of the amendment proposed.

18. Dissolution

18.1 If the Core Team decides to dissolve the Association, then it shall call a SGM which can dissolve the Association by a two-thirds majority of the residents present and voting.

18.2 If the Core Team no longer exists, any four residents may call a SGM to dissolve the Association.

18.3 Any money and assets left after satisfaction of all debts and liabilities shall be applied to purposes in keeping with the objects of the Association.

18.4 All books and documents of the Association shall be placed with such a person or organisation for safe keeping as the meeting shall decide.

19 Elections to other bodies

19.1 the Derwenthorpe Governing Group (DGG) is a body with membership from Joseph Rowntree Housing Trust (JRHT), and Derwenthorpe Residents. Residents will elect representatives by means similar to the provisions of section 8 above, with the exception of the rules in this section 19.1.1 to 19.1.7

19.1.1 Term of office: Elected residents will serve a term of three years. They will retire at the third AGM following their election, and shall be eligible for re-election at that AGM.

19.1.2 Term limits:

a) Resident representatives may not seek re-election immediately after serving three consecutive terms of office.

b) Such term limited residents may seek re-election at the following election for representatives to the DGG.

c) Term limited residents shall not be excluded from co-option in accordance with rule 9.1.3.a.

19.1.3 Casual vacancies: a casual vacancy arises when a member ceases to be a member before the end of their elected term, whether by resignation, by ceasing to be a member of the Residents' Association, or for any other reason.

a) Co-option: Resident Representatives serving on the DGG may co-opt members to fill casual vacancies.

b) Co-opted members shall serve a maximum of one year. They must stand down at the next AGM of the DRA, when they will be eligible for election.

c) A vacancy will arise which should be filled by election at that AGM, even if no other vacancy arises that year.

d) For avoidance of doubt all members elected will serve a three year term. This may mean that terms of office become staggered, with terms ending in different years.