

Porthcurno Residents' Association

CONSTITUTION

1. NAME

- 1.1 The name of the Association shall be Porthcurno Residents' Association hereinafter called "the Association".

2. OBJECTIVES

The objectives of the Association, which shall be non-party political and non-sectarian shall be to:

- a) Watch, protect and further the general interest of its members, and to organise and promote action for this purpose.
- b) Support, and help foster and develop, a spirit of community among the residents of Porthcurno.
- c) Help protect and enhance the special nature of Porthcurno, its landscape and heritage.
- d) Raise funds for furthering the above objectives and to support any other agreed causes or organisations locally.
- e) Further the above objectives lawfully in a proportionate and reasonable manner.

3. MEMBERSHIP

- 3.1 Membership of the Association is open to individuals over the age of 18 who are resident in, or who pay Council Tax or own, any residential property served by the roads between St Levan Churchtown and its junction with the B3315 at Trethewey.
- 3.2 Data and information collected by the Association, shall be held in accordance with the Data Protection Act (1998). This includes a list of members and their preferred contact details that shall be kept by the Association on a secure database, and used to inform individual members of meetings, events, and news. This data will not be made available to anyone outside the Committee, and not used for any purpose other than for Association business.
- 3.3 Members shall agree to abide by the Constitution. A copy of the Constitution will be available for inspection at each Ordinary Meeting, available on demand from the Secretary, and available on the Association's website.

4. SUBSCRIPTIONS

- 4.1 No set subscription is required but members are invited to make an annual donation to funds of a minimum of £1 per member per year to help cover the Association's essential running costs or other approved outgoings.
- 4.2 The Treasurer and Membership Secretary will ensure a record is kept of donations or payments made, and, if practical, by whom.

5. COMMITTEE

5.1 The Committee comprises *ex-officio* Officers and up to a maximum of four co-opted members. The officers are:

- Chair
- Vice-Chair
- Secretary
- Membership Secretary; and
- Treasurer

The officers shall normally be elected annually at the Annual General Meeting, the retiring officers being eligible for re-election. Exceptionally, should a vacancy arise during the year, an election to a role may take place at an Ordinary or Emergency meeting.

5.2 Any member wishing to put themselves forward for election or re-election to any role must give at least 14 days' notice before the AGM or election. The Chair may invite those putting themselves forward to make a short presentation or statement at the AGM or other meeting about their suitability before the vote. If there is only person standing for election to a role, at least the majority of members attending the AGM, and who are entitled to vote, must approve the appointment. Should there be two people standing for a role, a secret ballot will take place at the AGM (or other meeting). Should there be more than two people, the person receiving the least votes in the first ballot will be removed from the nominations and ballots be conducted again until someone receives the majority vote. Members unable to attend may cast their vote before the meeting via the Secretary but should be aware that their vote will not then be anonymous, although only the Secretary and Chair will know who cast the vote.

5.3 The Committee may propose individuals to fill any co-opted role on the Committee, but the approval of the majority of attending members, both for the role, if new, and any proposed individual, is required at the next ordinary meeting. Alternatively, the Committee may open the role up for nominations from members in the same way as for officer roles.

6. MANAGEMENT

6.1 The management of the Association shall be vested in the Committee, who may meet alone to discuss matters concerning the organisation and administration of the Association (e.g. drawing up of agendas etc.), and any issues of concern that require action by the Committee. Any three out of the five officers attending constitutes a quorum. Notes will be taken of Committee meetings, agreed by the Chair. Any significant outcomes of such meetings will be reported at the next ordinary meeting.

6.2 Powers shall lie not with the Committee but with the members, decisions being taken at meetings of the types described in 7, 8 and 9 below. The Committee may make proposals to and recommendations to members. but will act in accordance with the wishes and views of, or feedback from, members. The exception to this is where a majority or consensus view or decision has not been reached, and no further time or opportunity is able to resolve the matter, in which case the Committee may need to make a decision or take action based on the information that is available and as far as they can ascertain is in the best interests of the majority of residents.

7. ORDINARY MEETINGS

7.1 An ordinary meeting of Association members, officers and other delegates shall be held at least three

times in the year, the date, time and venue to be decided as far in advance as is practical, but details of the next meeting being confirmed at the preceding meeting. Any member wishing to submit an item to agenda should do so at least seven days before the next meeting. The meeting will be chaired by the Association Chair, or in their absence, the Vice Chair. Should neither be available, another Committee member may chair as delegated by the Chair.

- 7.2 The chair of the meeting shall have discretionary powers to limit discussion on any subject and to regulate the conduct of both the meeting and attendees.

8. ANNUAL GENERAL MEETING

- 8.1 The Annual General Meeting of the Association shall be held annually at a time and date to be confirmed at an ordinary meeting. The meeting will receive the Chair's annual report and an independently examined income and expenditure account, and will elect the officers for the ensuing year. Notice of at least 28 days shall be given of the above meeting.

9. EMERGENCY MEETING

- 9.1 An emergency meeting may be called if necessary, at 48 hours' notice. Matters regarding publicity or official statements, which arise between ordinary meetings, will be dealt with at emergency meetings.

10. QUORUM

- 10.1 5% of the membership of the Association, including at least two of the officers, personally present at any ordinary, annual or emergency meeting shall form a quorum.

11. VOTING POWERS

- 11.1 When a vote is deemed necessary on an issue or question, each member shall be entitled to one vote on any proposal. . In the case of equal numbers being given for or against any proposal, the Chair of the meeting shall be entitled to give a second or casting vote. Only those items listed on an Agenda, circulated in advance, shall be voted upon and not items raised under any other business. Whenever practical and when it is known in advance that a vote will be taken, residents will be informed of this to enable those not attending to cast a vote in their absence.

12. VISITORS

- 12.1 Visitors are welcome to attend meetings of the Association, but shall not have any voting powers.

13. MINUTES

- 13.1 The Association shall cause proper minutes to be kept of all meetings, which minutes shall be submitted for formal approval to members at the next meeting and, if approved, be signed by the Chair of the meeting. Subject to this, draft minutes will be circulated to all members wherever practicable within four weeks of the meeting so that residents are kept informed.

14. ACCOUNTS

- 14.1 The Association shall cause a proper record of accounts to be kept in respect of:

- a) All sums of money received and expended by the Association and the matters in respect of which such receipts and expenditure took place.
 - b) The assets and liabilities of the Association.
- 14.2 The books and accounts shall be kept at the residence of the Treasurer and shall be open to inspection at any reasonable time. The accounts shall be laid before the annual meeting, showing a proper income and expenditure account for the preceding twelve months, together with a balance sheet. These will be independently examined and verified.

15. SUSPENSION OF MEMBERS

- 15.1 The Association may at any time by resolution of not less than 75% of the delegates present at a meeting called specifically to consider the case (this may need to be an Emergency meeting, or could be the subject, or agenda item, of an Ordinary meeting), determine that a member, the continuance of whose membership will in their opinion be prejudicial to the objectives of the Association, shall be suspended from membership. If the Association shall so determine, the member(s) shall be suspended for such period as the Association in its discretion deems expedient and the Secretary shall notify them in writing of the suspension.
- 15.2 No resolution passed under the provision of this rule shall have any validity unless the member(s) shall have:
- been given in writing by the Association the reasons for the meeting and any allegations made;
 - had a reasonable opportunity of attending the above special meeting called to consider the case; and
 - been given an opportunity to be heard, and answer questions at, the meeting.

16. AMENDMENTS TO THE CONSTITUTION

- 16.1 Any suggested amendment to the constitution shall be discussed and voted upon at an Annual Meeting, members having been notified of the amendment in writing at least seven days prior to the meeting. Any member wishing to propose an amendment should notify the officers at least 14 days prior to the meeting. Such an amendment to the constitution will require the support of not less than 75% of members present at the meeting.

17. DISSOLUTION

- 17.1 In the event of not less than three-fourths of the delegates present at an Annual General Meeting, or specially convened meeting, voting that the Association be dissolved, any remaining funds shall be donated to a body having similar aims and objectives.

This revised Constitution was adopted at the AGM on 28 November 2017 and came into effect on 29 November 2017.