

Belarmine Residents Association

CONSTITUTION

Updated: 21/05/2020

Approved: 17/09/2020

1. NAME

The name of the group shall be “Belarmine Residents Association” (from here on referred to as the RA).

2. OBJECTIVE

To provide a focal point in the estate to enhance the role of neighbourhood development and to assist as a group in representation to statutory bodies on matters concerning them. It should be noted that the RA is not legally responsible for the running of Belarmine Estates.

3. AIMS (i) General

- (a) The RA aims to improve the quality of life for those living within the Belarmine area.
- (b) The RA aims to become involved in the management of the Belarmine estate by representing the issues and concerns of their estate to the relevant statutory bodies, the appointed management company and the directors of the ‘Belarmine Company’.
- (c) To respect and adhere to procedures, which ensure maximum accountability and transparency for the receipt and expenditure of all public money.
- (d) To maintain with Dun Laoghaire-Rathdown County Council a continuous process of liaison for the benefit of all tenants/residents of Belarmine estate.
- (e) The RA shall be non-party political, non-sectarian, and non-racist.

(ii) Duties

In addition to the aims of the group, the Management Committee of the RA may:

- (a) Provide advice and information for the residents of the estate relevant to the business of the RA.
- (b) Write, print, publish and circulate articles, reports, newsletters, advertisements, leaflets, and posters on matters concerning the estate as deemed necessary. This includes creating and maintaining a website and other social media presences created in the name of the RA.
- (c) To engage or employ contractors for special works in the estate or any person(s) whose skills, qualifications or knowledge may be of assistance in achieving the aims of the subject to funding being available. In addition, to ensure that any person(s) carrying out works costing from €1000 or higher is registered and has the relevant tax clearance and insurance.
- (d) Make rules for the general administration and conduct of the business of the Management Committee including the specifying of work to be undertaken or refused by the Committee from time to time.

- (e) Strive for the involvement of as many residents of the estate as possible to achieve the aims of the RA and to have elected a truly representative body of Belarmine estate residents on the RA.

4. MEMBERSHIP OF THE RESIDENTS' ASSOCIATION

All householder's resident in the Belarmine area/estates or owners of units within the area are eligible to become members of the RA and have the right to vote at an Annual General Meeting.

The Belarmine area is defined as units in the following streets:

- Belarmine Crescent
- Belarmine Close
- Belarmine Court
- Belarmine Drive
- Belarmine Grange
- Belarmine Grove
- Belarmine Heath
- Belarmine Lawns
- Belarmine Park
- Belarmine Place
- Belarmine Square
- Belarmine Vale
- Belarmine View
- Belarmine Walk
- Belarmine Way
- Belarmine Woods

5. MEMBERSHIP OF THE MANAGEMENT COMMITTEE

- (a) The role of the Management Committee shall be to follow out the wishes of the RA. The Management Committee shall be responsible for the day-to-day business of the RA.
- (b) Membership of the Management Committee shall be drawn from residents in attendance at the AGM. Membership shall include representatives from Belarmine area/estates as defined in section 4.
- (c) Every community candidate for membership of the Management Committee shall be proposed and seconded by a resident. The Management Committee shall aim to have 15 – 20 members on the Committee.
- (d) The period of office of Management Committee members will be one year or until the next AGM is held. Committee members may be re-elected.

6. OFFICERS OF THE MANAGEMENT COMMITTEE

- (a) At the first meeting of the RA after the AGM the officers shall be elected. The Management Committee shall have a Chairperson, Secretary & Treasurer and other such officers as the Management Committee may from time to time determine.
- (b) Every community candidate for the position of an officer of the Management Committee shall be proposed and seconded by a member of the Committee. Where necessary an election will take place. The candidates receiving a simple majority on

the first count shall be deemed elected respectively for each office available on the Management Committee. No election may take place without a quorum. Half plus one of the members of the Management Committee constitutes a quorum. No voting shall take place if there are five or less people of the Management Committee present.

- (c) The Chairperson should preside at all meetings. Where this is not possible actions as per section 10 (b) will be followed. The Chairperson shall go through the agenda items one at a time and ensure that not more than one person speaks at the same time. S/he will also ensure that any relevant paperwork, etc. relating to the business of the meeting is brought along.
- (d) The Secretary shall record the minutes and agendas of the meetings, maintain a list of active committee members, and shall sign all correspondence for the RA.
- (e) The Treasurer shall receive all monies, which are paid to the RA; issue receipts for same (where appropriate) and shall be responsible for its safekeeping. S/he shall keep an accounting system and shall give a report at all meetings of the Committee on the up-to-date balance or as otherwise requested. At every AGM, s/he shall present an Income and Expenditure Account for the preceding financial year and a Balance Sheet as at the end of that year.
- (f) In the event of a vacancy caused by an elected member ceasing to be a member of the Management Committee, the Committee shall fill the vacancy by co-opting from the general membership.
- (g) In the event of an officer stepping down, the position shall be filled from the Committee.
- (h) The period of an officer shall be for a total of 5 consecutive years where no member can serve in one role more than 2 years. The officer will then need to step away from any officer role for at least 1 year and may then return to the committee starting back at zero for further counting of years.
- (i) Committee members will attend meetings on time. If s/he is unable to attend a meeting, s/he will notify the Chairperson or the Secretary of the RA in advance of the meeting.

7. TERMINATION OF MEMBERSHIP OF THE MANAGEMENT COMMITTEE

A member of the Management Committee shall cease to be a member of the Committee:

- a) If s/he is absent from three consecutive meetings of the Management Committee without due reason being given, or
- b) Upon receipt by the Secretary or Chairperson of the Management Committee of his/her written resignation, or
- c) In the case of a member no longer living in the area where a resident is a resident nominee, except when the member remains the owner of a property in the Estate.
- d) The Management Committee may withdraw Committee membership from a member, on a vote with a majority of two-thirds or more of the entire committee, in the event where s/he is deemed to be guilty of misappropriation of the RA's funds or of behaviour deemed to bring the RA into disrepute or of performance not deemed satisfactory. Such voting shall take place in secret.

8. FREQUENCY OF RESIDENTS' ASSOCIATION MEETINGS

The RA shall aim to run meetings at least once a Month. The Annual General Meeting shall be held not more than 12/15 months after the last AGM.

9. ANNUAL GENERAL MEETING (AGM) OR EXTRAORDINARY GENERAL MEETING (EGM)

- (a) At least 14 days' notice of the AGM or EGM shall be given to all members of the RA and the community setting out the agenda for the meeting.
- (b) Motions to be discussed at the AGM or EGM shall be sent in writing to the Secretary one week in advance of the meeting. Notice, with a clear deadline for submission, must be given to the community that motions for discussion at the AGM / EGM are being sought.
- (c) A quorum at an AGM or EGM shall be deemed to be at least 10 people of which 5 need to be general members of the RA and are not members of the Management Committee.

10. PROCEEDINGS OF MEETINGS OF THE RESIDENTS' ASSOCIATION

- (a) No business shall be transacted at any RA meeting unless a quorum is present when the meeting begins. Half plus one of the members of the Management Committee constitutes a quorum. No payments for over €300 will be paid without the consent of at least a quorum of the Committee. If a quorum is not present 20 minutes after the appointed starting time, then the meeting shall be adjourned to a later date.
- (b) The Chairperson shall preside at all Committee meetings and if s/he is not present within 15 minutes after the time appointed for the meeting to start or has given an apology, the Committee present shall elect a chair for the duration of the meeting.
- (c) Matters arising at any meetings of the RA shall be decided by the majority vote of members present and voting. The method of voting shall be a show of hands, unless otherwise decided at the meeting. In the event of a tie, the Chairperson of the meeting shall be entitled to a second or casting vote. Where the impact of a decision costs more than €1000, three-quarters of members of the Committee present need to agree when a decision is being made.
- (d) A three-quarters majority of members of the Committee present are required to reverse any previously taken decisions on work contracts.
- (e) Minutes of all meetings shall be kept and these shall note the agenda, the names of those attending the meeting, and all decisions and resolutions taken or passed at the meetings; discussions held and any reports submitted to the meeting.
- (f) A copy of all receipts and relevant information shall be made available to all the relevant funding agencies.

11. ACCOUNTS

- (a) The Management Committee shall cause proper books of accounts to be kept with respect to: (i) all sums of money received and expended by the RA and the matters in respect of which all such receipts and expenditure take place, (ii) all payments or receipts relating to services provided by or to the RA for the sale and purchase of goods, (iii) the assets and liabilities of the RA, and (iv) all payments received by way of loans or grants or other funding from any other sources and all expenditure of same in a designated account for the RA. The Management Committee shall

ensure that the RA has any legally required tax certificates and an appropriate insurance policy.

- (b) All cheques, electronic payments, promissory notes, drafts, bills of exchange and other negotiable instruments and all receipts for monies paid to the RA shall be signed, drawn, accepted, endorsed or otherwise executed in such manner as the Management Committee shall from time to time determine, provided that they shall always be signed by at least two persons one of which shall be the Treasurer.
- (c) All payments made out by the Management Committee are to be approved at RA meetings. In the case of an emergency arising the Committee shall call an extra RA meeting.
- (d) The financial year of the RA shall run from 1st January to the 31st December of the following year.
- (e) At every AGM, the Treasurer shall present an Income and Expenditure Account in respect of the preceding financial year and a Balance Sheet as at the end of that year.

12. AMENDMENT TO THE CONSTITUTION

The constitution shall be ratified or altered at an Annual General Meeting or Extraordinary General Meeting. Motions to amend the constitution should be submitted to the secretary one week in advance of the AGM or EGM. Amendments to the constitution require not less than a two-thirds majority vote of members present at an Annual General Meeting. The Annual General Meeting cannot take place unless a quorum of the Management Committee is present.

13. DISSOLUTION

- (a) The Management Committee may be dissolved by the consent of the quorum of the members present testified by their signature to a petition of dissolution.
- (b) The petition must be presented to the Committee who within 14 days shall call a public Extraordinary General Meeting for the purpose of dissolving the Committee.
- (c) Any monies or equipment allocated by any funding agency that are not utilised shall be returned to the funding agency.
- (d) Any surplus money, after any liabilities have been cleared and unutilised funding has been returned, shall be given to a recognised charity.
- (e) On dissolution no member of the Committee shall be held liable for any outstanding debts incurred by the Committee.