

Dunbar Shore and Harbour Neighbourhood Group

(Tenants' and Residents' Association)

Constitution

Rev a – 18.02.14

1. Name

The name of 'the Association' shall be:

Dunbar Shore and Harbour Neighbourhood Group

2. Aims of the Association

The aims of the Association shall be to:

- a) positively contribute to existing environmental improvement initiatives in the neighbourhood.
- b) initiate and support new environmental improvements in the neighbourhood.
- c) safeguard and promote the interests of tenants and residents in the neighbourhood on matters concerning housing and social and community life.
- d) uphold equal opportunities and work towards good relations amongst all members of the community.

3. Membership of the Association

- a) Membership is open to all who live or work in the defined area broadly captured by:
 - The harbours
 - Victoria Street
 - Lamer Street/Shore Street/Woodbush
 - Woodbush Brae
 - Church Street
 - Castle Street
- b) Application for membership shall be made to the Secretary
- c) There shall be no compulsory subscription associated with membership of the Association.
- d) All members over the age of sixteen shall be eligible to vote.
- e) Membership shall cease immediately upon a person leaving the area defined in paragraph 3 (a).
- f) Unless otherwise stated herein, decisions of the Association shall be reached by a majority vote of the members present.
- g) In the event that another group within the area seeks to represent any of the defined area within this constitution, the following will apply:

- I. Where this Association and the other group are of the view that division is in the best interest of its members, and agree that each shall cover a separate geographical area, division of the defined area will be agreed.
- II. Where this Association and the other group are in agreement that this Association shall act as a parent body to the other group, membership of ELTRP shall not be granted to the other group.
- III. Where this Association and the other group are of the view that division is not in the best interest of its members, attempts to resolve the issue of representation will be undertaken between the two groups by themselves.
- IV. Where there is disagreement between this Association and the other group they may seek advice or assistance from ELTRP.
- V. In the event of both this Association and the other group seeking membership of ELTRP, or registration with East Lothian Council, the decision of both these organisations shall be final.

4. Membership of East Lothian Tenants and Residents Panel

- a) To be represented on ELTRP the Association shall seek membership of ELTRP by completing a nomination form on an annual basis by 30th April each year.
- b) The Association shall support the aims stated in ELTRP's constitution.
- c) The Association shall submit minutes of its annual general meeting to ELTRP.
- d) The Association shall nominate two voting delegates and two reserve delegates to represent it at meetings of ELTRP.
- e) All delegates nominated to ELTRP will be members of the Association's committee and will be nominated for the position at a general meeting.
- f) If a voting or non-voting delegate to ELTRP resigns a new delegate will be elected from the committee. If a voting delegate resigns, the committee, at its next general meeting, shall decide whether to replace them with one of the non-voting delegates or with another committee member.
- g) If at any time the committee of the Association is dissatisfied with the conduct of one of its ELTRP delegates, the committee, at its next general meeting, shall propose the de-selection of that delegate.
- h) In cases of disputed nominations the Association may approach ELTRP for support in resolving the dispute.
- i) If problems or difficulties arise within the Association, the committee may ask ELTRP for advice or assistance.
- j) The Association agrees to notify the Secretary of ELTRP of any meeting called to dissolve the Association and to invite representatives of ELTRP to attend the meeting.

5. The Committee

- a) A committee will be elected to carry out the business of the Association.
- b) The committee will be made up of the chairperson, vice chairperson, secretary, treasurer, tenants' representative and up to four general members.
- c) The committee will be deemed to be competent to carry out the business of the Association provided a minimum of 5 out of the 9 committee positions are filled.
- d) The office bearers and the committee will be elected at the Annual General Meeting of the Association by a majority vote of the members present at the meeting.
- e) Committee members will inform the Chairperson if they are unable to attend any meeting. At the discretion of the committee, any committee member missing three consecutive committee meetings without tendering apologies will be deemed to have resigned and the vacancy filled. The committee has the right to co-opt additional committee members to fill vacancies. These appointments will stand to the next Annual General Meeting.
- f) New members may be co-opted, between AGMs, at a general meeting, to fill any vacancy on the committee.
- g) The committee will meet a minimum of once per quarter year, including the AGM, and organise additional meetings as necessary.
- h) The quorum at any meetings of the committee will be 5 persons including at least 2 office bearers.
- i) The Chair of the meeting can exercise a casting vote only.
- j) Minutes, including the names of all those in attendance, shall be taken of all committee meetings.
- k) Councillors may attend committee meetings as and when invited by the committee.
- l) The committee may, at any time, set up subsidiary committees for the purpose of supporting and/or promoting projects. The minimum number of persons on any sub-committee will be 3. The constitution and remit of any sub-committee will be defined for each project.

6. Representing the Interests of Members

- a) Any member of the Association may propose action consistent with the Association's aims, at any time, by making contact with any member of the committee.
- b) All quarterly meetings will be publicised and will be open to all members of the Association and their East Lothian Council representatives.
- c) Minutes of all quarterly meetings will be made available to members of the Association.

- d) Reports prepared for the AGM will be made available to members of the Association.

7. Annual General Meeting

- a) There shall be an Annual General Meeting within fifteen months of the Association's inaugural meeting or last annual general meeting.
- b) Notice of the AGM must be issued to members at least fourteen days before the meeting date.
- c) The purpose of the Annual General Meeting shall be:
 - I. To receive a report from the committee of its activities over the preceding year.
 - II. To receive the Association's ~~audited~~ accounts for the preceding financial year, ~~if the Association has received grant funding from East Lothian Council or East Lothian Housing Association.~~
 - III. To elect an ~~auditor~~ **independent examiner**¹ who shall not be a member of the committee.
 - IV. To require all office bearers and committee members to vacate their positions and elect new office bearers and committee members to serve for the ensuing year. The Chairperson will stand down at each AGM but may be re-elected without time limit.
- d) Nominations for office bearers and committee members will be made and seconded by the floor:
 - (i) Office Bearers shall be as set out at 5(b) above.
 - (ii) In the event of a position attracting more than one nomination the following procedure shall be followed:
 - (1) A paper ballot will be held.
 - (2) In the event of a tie, the nomination with the least number of votes will drop out. A second ballot will be held. In the event of a further tie, the Guest Chairperson shall encourage the nominees to reach a decision in the best interest of the Association.
- (e) Amendments to the Constitution for consideration at the AGM must be submitted to the Secretary in writing, at least seven days before the meeting date. Amendments to the constitution are decided by a two-thirds majority of those present and entitled to vote.
- (f) Other proposals for consideration at the AGM must be notified to the Secretary, in writing, at least seven days before the meeting date. Amendments to these proposals may be taken at the meeting.
- (g) Minutes of the AGM, including the names of all those attending, shall be

¹ References to audited accounts and auditor removed from 7cii and 7ciii at AGM 18 Feb 2014

taken.

(h) The quorum of annual general meetings shall be 5 members.

8. Other General Meetings

- a) In accordance with clause 6 (b) above, the Association shall hold four general meetings per annum, which shall be open to all members.
- b) Special general meetings may be called either by the Committee, or at the request of not fewer than three members, submitting such a request in writing to the Secretary. A special general meeting must be called within one calendar month of the date of receipt of such a request. Notice of a special general meeting must be issued to all members at least 14 days before the meeting date, indicating the subject matter. No business can be conducted at a special general meeting unless indicated in this notice.

9. Conduct of Members

Members of the Association shall conduct themselves in an appropriate manner at all times when representing the Association.

10. Changes to the constitution

This Constitution may be altered by:

- a) An amendment proposed at a special general meeting called for this purpose in accordance with article 8 (b) above. A two-thirds majority of those present and entitled to vote will allow alterations to constitution.
- b) An amendment proposed at an Annual General Meeting in accordance with article 7 (e) above.

11. Finances

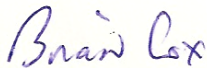
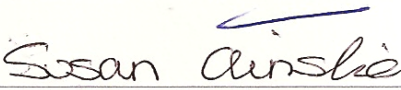
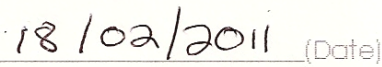
- a) All money raised by or on behalf of the Association shall be applied to further the aims of the Association, and for no other purpose.
- b) The Treasurer shall keep proper accounts of the finances of the Association and make a report available at every committee meeting.
- c) The funds of the Association shall be managed through a bank account. All cheques written on behalf of the Association must bear the signature of two office bearers.
- d) No two-cheque signatories shall be from the same household or family.
- e) The accounts shall be submitted annually for approval by **East Lothian Council and/or East Lothian Housing Association.**

12. Dissolution of the Association

- a) The Association may only be dissolved by a special meeting called for that purpose by the committee or at the request of not fewer than three members.
- b) All members shall be informed of such a meeting at least 14 days before the date of the meeting.
- c) Dissolution of the Association shall only take effect if agreed by two thirds of the members present and entitled to vote at that meeting.
- d) Notice of a Special General Meeting to dissolve the Association must be advertised in a public newspaper having a wide circulation in the East Lothian area, at least fourteen days before the date of the meeting.
- e) In the event of dissolution, remaining assets after outstanding liabilities are met shall be disbursed in a manner agreed among the last appointed office bearers of the Association, in consultation with representatives of East Lothian Council and East Lothian Housing Association. Disbursement of any remaining assets should if possible be to an organisation or organisations with aims closely related to the Association.
- f) The same persons shall decide what happens to all documents belonging to the Association, having regard to their value to the tenants' and residents' movement.

13. Adoption

This constitution was adopted at the meeting of the Association on 15 February 2011.

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| Signed |  <hr/> | Brian Cox - Treasurer |
| |  <hr/> | Susan Ainslie – Secretary |
| |  <hr/> | (Date) |

Amendments/Revisions

18 Feb 2014 See footnote at Section 7