

Tradescant Area Residents Association Constitution

Revised 3 March 2022

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1. Name

The name of the Association is: Tradescant Area Residents Association.

The Association covers the following area: Tradescant Road, Walberswick Street, Meadow Place, Old South Lambeth Road, Heyford Avenue, Heyford Terrace and the western end of Dorset Road.

2. Aims

The aims of the Association shall be to carry out such purposes being charitable in law as to benefit all residents within the Association area. In furtherance of this, the Association shall have the following aims:

- a) To encourage a community spirit. For ~~example~~example, by planning events that bring people together
- b) To represent the ~~common~~ interests of ~~all the~~ residents within the Association area to Lambeth Council and other external bodies, and to seek recognition from Lambeth Council to do so
- c) To promote, support and achieve changes and improvements to the quality of life for local people and their communities
- d) To promote equal opportunities and work for good relations amongst all members of the community as detailed in the attached Equal Opportunities Statement.
- e) Regularly consult and inform all members.
- f) Represent the majority view of the community.
- g) Be ~~non party political~~non-party-political
- h) Promote membership to all members of the community.

Commented [AR1]: This implies that everyone has to agree with everything which is impossible, and anyway contradicted by point F (represent the majority view of the community). This made it impossible for TARA to take a position on the Low Traffic Neighbourhood, for example.

- i) ~~Seek recognition as a charitable association~~
- jj) ~~Promote awareness of the association among that Portuguese community by using Portuguese language where possible, practical and appropriate.~~

Commented [AR2]: This is an onerous task. It will never happen

Commented [AR3]: We did this in the beginning but it had zero effect. Equal opportunities is covered by Point D

3. Membership

- a) Voting membership of the Association is open to all tenants, leaseholders, freeholders, and adult members of their household (aged 18 and above) living in or owning property in the

Association area (herein referred to generally as “residents”), and becomes effective upon payment of the then-current membership fee.

- b) It is the members’ responsibility to provide accurate and true information regarding qualification for membership to the Association.
- c) The Secretary keeps records of all the members of the Association
- d) Voting membership will end when a member stops living in or owning property in the Association area, dies, resigns, or fails to pay membership fees as they become due.
- e) In the event of continuous or serious breaches of the Constitution or the Code of Conduct in force at the time, membership of the Association can be suspended or ended by a two-thirds majority vote of the Committee.
- f) A member whose membership has been suspended ~~in~~ accordance with clause, 3(~~de~~) shall be entitled to have that suspension reviewed at the next general meeting
- g) A copy of the constitution will be ~~given to all new members of the Association, on request available on the TARA website at tradescant.net.~~

4. Membership Fees

- a) Membership fees shall be the amount of £5 per annum, ~~payable in cash or cheque at the time of writing.~~ Fees will generally be used towards the running costs and activities of the Association. Additional voluntary donations will be welcomed.^s
- b) ~~A member’s fee year shall run for one year from the date that member has paid the annual fee. Upon the expiry of a fee year the member must pay the then current annual fee to remain a voting member. The fee year runs from January – December. All memberships expire on 31 December of the year in which they were paid. First-year fees for members joining after June of that year may be waived at the discretion of the Secretary. Only members who have paid the current year’s fee are eligible to vote.~~
- c) The Secretary shall keep record of the amount and date of fees paid.
- d) ~~If a member stops living or owning property in the Association area or dies, the Association will reimburse that member’s pro-rata the amount of time remaining in that member’s fee year. To prevent frivolous memberships covering the period of a single vote, a member who resigns from the association will not be reimbursed any paid-up fees.~~
- e) The ~~amount of the~~ membership fee may be revised by a vote of the membership at the AGM.

Commented [AR4]: It is far too complicated with everyone having a different fee year. Impossible for the membership secretary to deal with.

Commented [AR5]: Too much admin for the sake of a fiver!

5. Communications

- ~~a)~~ To speed communications, reduce costs, and ~~reduce-minimise~~ its environmental footprint, the Association will primarily use electronic communications for official business, only optionally

supplemented by paper. For the notifications described in this document, a communication has been delivered if it has been sent to the membership e- mailing list.

• ~~Sent to the membership e- mailing list, and~~

• ~~Posted to one or more local interest blogs or similar websites~~

b) The Secretary will maintain an e-mailing list of the membership plus other interested parties.

~~The Secretary will remove an e- mail address from the list upon receipt of from the e- mailing list after sending an e- mail from the listed account to~~

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Commented [AR6]: Too onerous.

Commented [AR7]: This never made sense.

6. Affiliation

The Association may affiliate to any non-party political organization whose aims and objectives are commensurate with those of the Association and which can help the Association in achieving its aims and objectives.

7. The Committee

a) The Committee shall have a minimum of the following Officers: a Chairperson, Secretary, and Treasurer. Committee members shall be elected at an Annual General Meeting (AGM). The size of the committee shall be no ~~less-fewer~~ than 7 and no more than 11 members (including officers).

b) ~~Four of the non- Officer committee places shall be reserved for Lambeth Council tenants. If any tenant of Lambeth Council presents him or herself for a reserved seat, that seat may not be contested by any person who does is not a tenant of Lambeth Council. The Secretary will require reasonable proof of a person's tenancy status before the seat is allocated. If no Lambeth Council tenant presents him or herself for election, that committee place may be contested by any person.~~

Commented [AR8]: Laudable. But in practice we have never managed to achieve this.

b) The Chairperson shall chair all meetings of the Association. In the absence of the Chair, another member present shall take the role of Chairperson.

c) Election of Officers and Committee members can only be carried out by a majority vote at a General Meeting or Special General Meeting called specifically for that purpose. In the case that more than two members present themselves for an Officer or Committee post, two rounds of voting will be held. The two people achieving the highest number of votes in the first round of voting will then stand for a majority vote.

d) Removal of Officers or Committee members can only be carried out by a majority vote at a General Meeting or Special General Meeting called specifically for that purpose.

e) Any vacancies ~~from on~~ the Committee occurring by resignation or ~~otherwise any other reason~~ may be filled by the Committee by co-opting members with full voting rights, until the next General Meeting.

~~g)f)~~ The Committee may, when necessary or when deemed to be of benefit to the Association, co-opt up to three people not living in the Association catchment area, but whose skills and/or experience would be advantageous to the Committee in carrying out its functions.

~~h)g)~~ In view of the potential conflict of interest, Lambeth Elected Members (Councillors) and Housing Department Staff are not eligible to be officers of the Association.

~~h)h)~~ Copies of the Constitution are available free to all people in the Association area. The Secretary must send out copies of the constitution ([or a link to an online version of it](#)) within seven days of a person requesting it

~~h)i)~~ The Committee shall, as far as possible, be representative of the community which it serves

~~h)j)~~ Any committee member who does not attend three consecutive meetings without giving reasonable apologies shall be deemed to have resigned.

8. Meetings

Annual General Meetings

a) The Association shall hold an AGM once each calendar year in the month of January [or soon thereafter](#) and not more than 15 months shall pass between the date of one AGM and the next.

b) The AGM shall

- Receive an annual report from the Committee.
- Present a statement of accounts to members.
- Appoint an independent Auditor (if turnover [is over £5K-5,000](#) per year)
- Elect officers and Committee members
- ~~Elect 2 voting representatives to the Neighbourhood Forum~~
- Agree rates for membership fees (if any)
- Vote on amendments to the constitution
- Consider any resolution put forward by members

~~e) An independent observer shall attend each AGM. They shall confirm that the meeting was arranged and conducted in accordance with the Association's Constitution. The independent observer must be one of the following:~~

- ~~a. A member of the Resident Participation Team~~
- ~~b. A Council Officer~~

Commented [AR9]: No idea what this was.

~~c. Elected Councillor~~

~~e)c)~~ All members shall receive notification of an AGM not less than 28 days prior to the meeting.

~~Notice of the AGM shall be given to everyone in the Association area.~~

~~e)d)~~ Every member with voting rights present shall have a vote.

Commented [AR10]: Again, this dates back to very early days but has proved too onerous.

Commented [AR11]: This makes no sense.

Commented [AR12]: This clarifies the situation in which people are members but do not live or own property in the TARA area.

General Meetings

~~f)e)~~ There ~~shall~~ should be at least ~~4~~ four general meetings of the Association in any year (including the AGM).

~~g)f)~~ Meetings are open to all people living in the defined area. Every member with voting rights present at a General Meeting shall have a vote.

~~h)g)~~ Decisions of the General Meeting shall be binding on the Committee

~~i)h)~~ At least seven ~~days notice~~ days' notice shall be given for a General Meeting.

~~j)i)~~ The quorum for a General Meeting shall be five per cent of the membership or ~~10~~ six members, whichever is the greater.

Commented [AR13]: This has been a struggle in the past.

Special General Meetings

~~k)j)~~ A Special General meeting may be called by a Committee or if requested by at least 10% of the membership. This request should be made in writing to the Secretary at least 14 days before the requested meeting date. The Secretary must then send written notice to all members at least seven days in advance of the meeting.

Committee Meetings

~~l)k)~~ The quorum of Committee members shall be one-third of its elected membership or three (3) members, whichever is the greater.

~~m)l)~~ Committee meetings may be called by the Chair and Secretary or at the request of one third of the Committee members. At least 7 ~~days notice~~ days' notice must be given to Committee members.

~~n)m)~~ Although Committee meetings shall be open to all members, only members of the Committee may vote at Committee meetings.

9. Conduct of Business

Voting

- a) At all meetings (except those dealing with alterations to the constitution) decisions shall be taken by a simple majority of those members present and voting. Each Member has one vote.
- b) Alterations to the constitution require a 2/3rd majority of those present and voting at the meeting at which the constitution is proposed to be changed. Full details of proposed changes must be circulated at least fourteen days before the meeting.

- c) In the event of a tie in voting the chair of the meeting shall have the casting vote. This casting vote should not be used to change or introduce new policies or procedures.
- d) Conflict of interest must be declared. Members with a conflict of interest should then withdraw from ~~discussion and~~ voting on the issue in question.

Commented [AR14]: Just because they have a declared conflict of interest doesn't mean their point of view has no value to the discussion.

Minutes

- e) All voting that takes place at an AGM, General Meeting, Special General Meeting or Committee Meeting shall be counted and recorded in the minutes.
- f) All formal meetings such as Committee Meetings, Special General Meetings and AGMs must be minuted and the minutes formally approved by the next meeting of the Committee or General Meeting.

10. Finance

- a) A simple record of income and expenditure must be produced each year at the AGM and be available to all members on request.
- b) Accounts should be independently audited if the turnover is over £5,000 per year.
- c) Accounts should be open to inspection by members on request.
- d) The Association may raise funds either by donation, grant application or other means. The proceeds of any such fundraising shall be used in accordance with: and to the furtherance of: the aims and objectives of the association.
- e) ~~Any bank account(s) must be opened~~ in the name of the ~~Tradescant Area Residents~~ Association. ~~Cheques, All~~ transfers and other banking instruments or instructions shall be ~~signed by at least 2~~ ~~effected by one or more~~ signatories who must be members of the Committee. ~~Transfers or withdrawals of more than £50 must be first agreed by at least two of the Association's Officers.~~
- f) Signatories must not be related or be members of the same household.
- g) Proper records of all petty cash transactions must be kept.

Commented [AR15]: Modern bank accounts only require one person to make a transaction, This version allows for one signatory but puts a limit on what a signatory is allowed to do without consulting other Officers.

11. Changes to the Constitution

- a) Any proposed change to this constitution can only be made at a Special General Meeting, a General Meeting or an Annual General Meeting.
- b) Any proposed change to this constitution must be sent to the Secretary not less than 28 days prior to the meeting at which the alteration is to be discussed.
- c) The Secretary will send the new wording (amendment) together with the old wording and notice of the meeting at least fourteen days prior to the meeting at which the alteration is to be discussed.

- d) Alterations to the constitution require a 2/3rd majority of those present and voting.

12. Dissolution

- a) A Special General Meeting called specifically to consider a motion to dissolve the Association can only dissolve the Association.
- b) All members shall be given 14 days written notice of such a meeting.
- c) The Association can only dissolve if a majority of the members present and voting at the Special General Meeting vote for a motion to dissolve the Association.
- d) The meeting shall decide on the disposal of any assets remaining after the satisfaction of debts and any other liabilities. These assets must be applied to charitable purposes agreed with the members of the Association.
- e) Any Council assets the Association has been permitted to use but which have not been transferred into the ownership of the Association by way of outright donation or gift must be returned to the Council if the Council so wishes.

Section Two: Code of Conduct for Committee Members

1. The role of the Committee is to carry out the ~~day-to-day~~day-to-day business of the Association in an efficient, fair and responsive way. In taking decisions on behalf of the Association, Committee members must always be aware of their responsibilities to represent all residents of the area.
2. All Committee members must comply with the Constitution and Code of Conduct at all times.
3. The Association will provide new members with the appropriate support and make them feel welcome at all times.
4. Members shall conduct themselves in a manner that will not cause offence to others. Racist, sexist or inflammatory remarks or abusive behaviour will not be tolerated. The Chair or Committee members have the right to warn the members of their behaviour. If they persist they will be asked to leave the meeting until further notice. The Committee must arrange a date and time and hold a meeting for them to discuss the incident and make a decision for what action to take.

Personal interest of Committee Members

5. Committee members must never use their position to seek preferential treatment for themselves, their family, or relatives. Nor should they be treated less favourably when requesting services from the Council

Relations between Committee Members and other residents.

6. Committee members shall not be involved in harassment and anti-social behaviour. Action will be taken under the Code of Conduct against anyone in breach of this condition.
7. Committee members will not deal with neighbour or inter-personal disputes involving residents in the area. If a Committee Member is approached by a resident and asked to take up a complaint or enquiry on their behalf, the Committee Member must refer them to the Council.

Finance

8. Committee members cannot receive any payment from the Association other than for bona fide expenses, which have been submitted to the Treasurer not less than seven days before the next Committee meeting.

Relations with Lambeth Council and outside bodies

9. Statements to the media or other organisations should be made to the Secretary. Any decision to contact or respond to the media must have the approval of the Committee.
10. Communications made on behalf of the Association (including letters, e-mails, and blog postings) must be signed by the Secretary, agreed by the Committee, and recorded in a log by the Secretary.

11. Committee members must not divulge any Association business which is treated as confidential to other persons or organisations. Failure to comply with this will result in the issue being fully discussed at the next Committee meeting.

General

12. Committee members must never personalise issues and should be willing to recognise that everybody is entitled to express their point of view without unduly preventing progress of discussion on the agenda at a Committee or General meetings.

13. A serious breach of any of the Association's Code of Conduct may result in a Committee Member, following a majority vote of the Committee, being asked to resign.

14. The Committee will take decisions based on there being a unanimous agreement or a simple majority of those present if a vote is taken. Minority voters should always be prepared to accept the majority decision and not take such a decision as any form of personal slight or criticism.

15. Committee meetings must be held at times which are convenient to the majority of Committee members. Every Committee Member must try to attend Committee meetings regularly. If a Committee Member fails to attend three consecutive meetings without giving good reason, they must be asked to consider resigning at the next Committee meeting. To prevent there being arguments about attendance at meetings, a record will be kept showing who was at each meeting.

Section Three: Equal Opportunities Statement.

1. The London Borough of Lambeth has a diverse, multi-cultural population containing people with a variety of abilities. This Association recognises that all sections of the community have a positive contribution to make to the life of the borough. This Association will represent the interests of all local residents to the best of its ability.
2. We will take steps to make our Association as representative of the local community as possible. We will ensure that our meetings and any other Association activities are accessible and welcoming to all local residents.
3. All individual members of the Association will be responsible for helping the Association to meet these aims.

The Constitution, Code of Conduct for Committee Members and Equal Opportunities Statement has been adopted at a public meeting of the Association.

Held at _____

On _____

Signed _____ (Chair)

Signed _____ (Secretary)