Blindwells Residents and Tenants Association

Constitution

1. Name

Blindwells Residents and Tenants Association.

2. Aims of the Association

The Association aims to:

a. promote the rights of all tenants and residents in relation to repairs and maintenance, housing conditions, local amenities and the environment;
b. promote equal opportunities and positive relations throughout the community, and prohibit discrimination or harassment on the grounds of race, religion, disability, age, political beliefs, gender or sexual orientation; and
c. encourage all Blindwells Residents and Tenants to support their Residents and Tenants Association (BRTA), share ideas and raise issues with other members.

3. Membership of the Association

a. Membership is open to all residents and tenants within the Blindwells development. Residents and Tenants Association meetings are open to the whole community – dates are on our website.
b. No subscription fee is required for membership of the Blindwells Residents and Tenants Association.
c. Voting members must be aged 16 or over.
d. Membership ends immediately when a person leaves the area defined in clause 3(a).
e. At the Committee's discretion, a person who leaves the local area may continue to support the Association as a non-voting committee member or office bearer.
f. If another group seeks to represent any part of the area defined in this Constitution, the following provisions apply:
    I. If both groups agree that dividing the area is in their members' best interests, they shall agree separate geographical areas for each group.
    II. If both groups agree that this Association will act as the parent body of the new group, the new group shall not be granted separate membership of ELTRP.
    III. If both groups agree that division is not in their members' best interests, they shall first try to resolve the representation issue between themselves.
    IV. If they cannot agree, either group may seek advice or assistance from ELTRP.
    V. If both groups apply for ELTRP membership or registration with East Lothian Council, the decisions of those organisations shall be final.

4. Membership of East Lothian Tenants and Residents Panel

a. To be represented on the East Lothian Tenants and Residents Panel (ELTRP), the Association shall submit an annual nomination form by 30 July.
b. The Association shall support the aims set out in ELTRP's constitution.
c. The Association shall submit the minutes of its Annual General Meeting to ELTRP.
d. The Association shall nominate two voting delegates and two reserve delegates to represent it at ELTRP meetings.

e. All ELTRP delegates must be members of the Association's Committee and must be nominated at a general meeting.
f. If a voting or reserve delegate resigns, a replacement shall be elected from the Committee. If a voting delegate resigns, the Committee shall decide at its next general meeting whether to appoint a reserve delegate or another committee member.
g. If the Committee is dissatisfied with an ELTRP delegate's conduct, it shall propose that delegate's removal at its next general meeting.
h. The Association may ask ELTRP to help resolve disputed nominations.
i. If problems arise within the Association, the Committee may seek advice or assistance from ELTRP.
j. The Association shall notify the ELTRP Secretary of any meeting called to dissolve the Association and invite ELTRP representatives to attend.

5. The Committee

a. A Committee shall be elected to conduct the Association's business.
b. The Committee shall comprise the Chairperson, Vice-Chairperson, Secretary, Treasurer and up to eight general members. A Treasurer must be appointed if the Association applies for grant funding or carries out fundraising.
c. Office bearers and committee members shall be elected at the Annual General Meeting (AGM).
d. Committee members must notify the Secretary or Chairperson if they cannot attend a meeting. At the Committee's discretion, a member who misses three consecutive committee meetings without giving apologies shall be deemed to have resigned.
e. The Committee may co-opt members to fill vacancies between AGMs. Co-opted appointments shall continue until the next AGM.
f. The Committee shall meet up to six times each year, in addition to the AGM, and may arrange further meetings when necessary.
g. The quorum for a committee meeting shall be 50% of committee members, including at least two office bearers. One of those office bearers must be the Chairperson or Vice-Chairperson.
h. The person chairing a meeting may exercise a casting vote only.
i. Minutes shall be taken at every committee meeting and shall record the names of everyone present.
j. Councillors may attend committee meetings when invited by the Committee.

6. Representing the Interests of Members

a. To help ensure that it represents members' views, the Committee shall publish at least one newsletter each year.
b. The Association shall hold two general meetings each year, one of which may be the AGM. All members may attend.
c. The Committee shall advertise general meetings and the AGM locally through suitable channels, such as leaflets, posters, websites and the local press.

7. Annual General Meeting

a. The Association shall hold an AGM within 15 months of its inaugural meeting or previous AGM.
b. Members must receive at least 14 days' notice of the AGM.
c. The AGM shall:
    I. receive the Committee's report on its activities during the preceding year;

II. receive independently examined accounts for the preceding financial year if the Association received grant funding or carried out fundraising;
III. elect an auditor or independent examiner who is not a committee member; and
IV. require all office bearers and committee members to stand down, then elect office bearers and committee members for the following year. The Chairperson shall stand down at each AGM but may be re-elected without a time limit.

d. Nominations for office bearers and committee members shall be proposed and seconded from the floor.
   i. The office bearers shall be the Chairperson, Vice-Chairperson, Secretary and Treasurer.
   ii. An office-bearer role may be shared cooperatively by two people.
   iii. If a position receives more than one nomination, a paper ballot shall be held. If the ballot is tied, the nominee with the fewest votes shall be eliminated and a second ballot held. If the second ballot is also tied, the guest Chairperson shall encourage the nominees to reach a decision in the Association's best interests.
e. Proposed constitutional amendments must be submitted to the Secretary in writing at least seven days before the AGM. An amendment requires a two-thirds majority of those present and entitled to vote.
f. Other proposals for the AGM must be submitted to the Secretary in writing at least seven days before the meeting. Amendments to those proposals may be made at the meeting.
g. Minutes of the AGM shall be taken and shall record the names of everyone present.
h. The quorum for an AGM shall be six members.

8. Other General Meetings

a. In accordance with clause 6(b), the Association shall hold two general meetings each year, open to all members.
b. A special general meeting may be called by the Committee or requested in writing by at least three members. It must be held within one calendar month of the request. Members must receive at least 14 days' notice stating the subject of the meeting. Only business specified in the notice may be conducted.

9. Conduct of Members

9.1 Conduct at Meetings

I. All members and guests shall be treated with equal respect. Discussions shall be conducted through the Chairperson.
II. Inappropriate language or behaviour shall not be tolerated.
III. A member behaving inappropriately shall be invited to write down their grievance and submit it to the Chairperson. The matter shall be raised at the end of the meeting under any other business.
IV. If the member declines that opportunity and continues to behave inappropriately, the Chairperson shall ask them to leave.
V. If the member refuses to leave, the Chairperson shall close the meeting immediately and notify ELTRP.

9.2 General Conduct

I. Members shall behave appropriately whenever they represent the Association.
II. Continued poor or inappropriate conduct shall be addressed at the next committee meeting or at a special general meeting.
III. If the Committee recommends a vote of no confidence in an office bearer or member, the vote shall take place at a special general meeting called under clause 8(b). A member of the ELTRP Executive Committee shall attend to help ensure that the correct procedure is followed.
IV. If the Association cannot resolve a problem or difficulty, it may seek advice or assistance from ELTRP.

10. Changes to the Constitution

This Constitution may be amended:

a. at a special general meeting called for that purpose under clause 8(b), provided that the amendment is approved by a two-thirds majority of those present and entitled to vote; or
b. at an AGM in accordance with clause 7(e).

11. Finances

a. All money raised by or on behalf of the Association shall be used solely to further its aims.
b. The Treasurer shall maintain proper financial records and make a report available at every committee meeting.
c. The Association's funds shall be managed through a bank account. Every cheque issued on behalf of the Association must be signed by two office bearers.
d. The two cheque signatories must not be members of the same household or family.
e. The accounts shall be submitted annually to an independent body for examination and approval.

12. Dissolution of the Association

a. The Association may be dissolved only at a special general meeting called for that purpose by the Committee or requested by at least three members.
b. All members must receive at least 14 days' notice of the meeting.
c. Dissolution requires approval by a two-thirds majority of the members present and entitled to vote.
d. Notice of the special general meeting must also be published, at least 14 days before the meeting, in a newspaper with wide circulation in East Lothian.
e. After all liabilities have been settled, the remaining assets shall be distributed as agreed by the last appointed office bearers, in consultation with ELTRP representatives. Wherever possible, the assets shall be transferred to one or more organisations with aims similar to those of the Association.
f. The same office bearers shall decide how to dispose of the Association's documents, taking account of their value to the tenants' and residents' movement.

13. Adoption

This Constitution was adopted at a meeting of the Blindwells Residents and Tenants Association on: _____

Signed by the Chairperson:

_____AnnMcLaughlan_____

Signed by the Secretary: ___Mike Smith_____

Date: ___March 2025_____