

# BABBACOMBE ROAD RESIDENTS' ASSOCIATION

incorporating Babbacombe Road, Station Road, Mitchell Way,  
High Tor Close, Holligrave Road, Ronalds Road & Glebe Road

## Rules of Association

As adopted at the AGM on 14 Mar 2017

### Name

1. The name of the Association shall be the Babbacombe Road Residents' Association.

### Objects

2. The objects of the Association [which shall be discharged in a non-political and non-sectarian manner] are:
  - (a) to maintain the character of Babbacombe Road, High Tor Close, the western side of Station Road, Mitchell Way, Holligrave Road, Ronalds Road and Glebe Road as residential areas,
  - (b) to monitor matters of planning, development, road traffic, environmental pollution and general amenity affecting Babbacombe Road, High Tor Close, Station Road, Mitchell Way, Holligrave Road, Ronalds Road and Glebe Road and their surrounding area and to represent the views of residents regarding the same;
  - (c) in furtherance of the forgoing objectives, to engage such professional advisors as the Committee deems necessary;
  - (d) to provide such social and/or fund raising activities as the Committee shall consider desirable.

### Membership

3. Membership of the Association shall be available only to adults residing in Babbacombe Road, High Tor Close, Station Road, Mitchell Way, Holligrave Road, Ronalds Road and Glebe Road and shall be conditional upon the payment of an annual subscription per household plus any additional levy voted in accordance with Rule 24 below.

Associate membership of the Association shall be available to adults residing other than in Babbacombe Road, High Tor Close, Station Road, Mitchell Way, Holligrave Road, Ronalds Road & Glebe Road on application to the Committee. Acceptance of any application for Associate Membership shall be entirely at the discretion of the Committee.

Associate Membership shall be conditional upon payment of an annual subscription which shall be conditional upon payment of an annual subscription which shall be set at the rate set within Rule 4.

Associate Members:

- (i) Shall be entitled to receive notice of all general meetings of the Association in accordance with these Rules.
  - (ii) Shall be eligible for election to the Committee at the Committee's discretion.
  - (iii) Shall not be entitled to vote at any general meeting of the Association unless a Committee member.
  - (iv) Shall not be counted in the quorum for a general meeting unless a Committee member.
4. The annual Membership subscription will be reviewed annually by the Committee and approved by resolution at the annual general meeting.
5. Membership subscriptions shall become payable on 1<sup>st</sup> March each year and payment thereof shall confer membership of the Association on each adult member of the household.

**Meetings**

6. An Annual general meeting of the Association shall be held in the month of February each year and every member shall receive no less than 14 days' notice of such meetings.
7. Special general meetings of the Association may be convened by the Secretary upon a request by the Committee or upon request in writing by one fifth of the paid-up members to the Secretary stating the business to be considered at such a meeting and accompanied by a deposit that will meet the cost of hiring a hall so to hold such a meeting, such sum to be returnable in whole or in part to the payers at the discretion of the meeting. Unless there are exceptional circumstances, the Secretary shall give members no less than 14 days' notice of special general meetings. The notice shall specify the nature of the business to be transacted.
8. General meetings shall be chaired by the Chairman or the Vice Chairman of the Association but in the event of their absence or on a resolution by a majority of those voting at the meeting, such meeting shall be chaired by such other member as those present at the meeting shall determine.
9. At general meetings every member present either in person or by proxy in accordance with Rule 10 shall have one vote and in the event of an equality of votes, the Chairman of the meeting shall have a second or casting vote. Unless another proportion is required by these Rules, the decision of a majority of those present and voting at an annual or special general meeting shall be binding on all members of the Association.
10. Where a member is unavoidably prevented from attending a general meeting, they may write to the Chairman of the Association stating the reason for their

absence and appointing the Chairman to act as their proxy and to cast their vote in a specified manner. The Chairman may in their absolute discretion decline to cast a proxy vote if the instructions which they receive is insufficiently precise.

11. Before a vote can be taken at general meetings, there shall be a quorum of 10 members of the Association present in person.

## **The Committee**

12. The objects and management of the Association shall be carried out by a Committee consisting of a Chairman, Secretary & Treasurer (with the Chairman filling the role of Secretary where necessary) and no more than seven further members.
13. The Committee including the officers shall be elected at the annual general meeting and shall hold office until the next annual general meeting or their prior resignation or removal by resolution of a majority of those present and voting at a special general meeting of the Association. Nothing herein shall prevent a retiring Committee member from being available for re-election.
14. The Committee may from time to time appoint from among its number such sub-committees as it may deem necessary or expedient and may delegate or refer to them such powers and duties of the Committee as the Committee may determine. The Chairman and Vice Chairman of the Association be ex officio members of all sub-committees. All sub-committees shall periodically report their proceedings to the Committee and shall conduct their business in accordance with the directions of the Committee. Sub-committees shall not incur any financial liabilities without the sanction of the Committee.
15. The Committee may co-opt members of the Association who are able to offer special knowledge or assistance provided that the number of co-opted members shall not exceed one third of the total number of the Committee. The appointment of a co-opted member shall cease at the next following annual general meeting.
16. The Committee shall have power to fill a casual vacancy arising amongst its number. Any member of the Association so appointed shall hold office only until the next following annual general meeting, or such prior event as is determined by the Committee, but shall then be eligible for re-election.
17. The Committee shall meet at least every three months and in the absence of the Chairman of the Association may appoint any Committee member present to act as Chairman of the meeting.
18. With the exception of co-opted members who shall have no vote, each Committee member shall have one vote at Committee meetings and in the case of an equality of votes the member chairing the meetings shall have a second or casting vote.

19. At Committee meetings (except for the purposes of Rule 25 when a quorum shall be 100% of Committee members) more than 50% of elected Committee members excluding co-opted members shall form a quorum.

### **Bank Account**

20. A bank account shall be opened in the name of the Association at such branch of such bank or building society as is resolved by the Committee. The Committee shall authorise in writing the Treasurer and Secretary of the Association and one other member of the Committee to sign cheques on behalf of the Association. All cheques must be signed by no less than 2 of the authorised signatories.

### **The Treasurer**

21. It shall be the duty of the Treasurer of the Association:
- (a) To collect membership subscriptions when they become due and to pay the same into Association's bank account.
  - (b) To be responsible for the disbursement of all expenses properly incurred by the Association;
  - (c) To provide up to date bank & cash-in-hand balances to all Committee meetings; and
  - (d) To keep the Association's accounts and to present an annual balance sheet and accounts up to 31 January to the next following annual general meeting.

### **Audit**

22. A majority of members present and voting at an annual general meeting may resolve that the accounts presented to them shall be audited by a nominal auditor who is not a member of the Committee.

### **The Secretary**

23. The Secretary shall ensure that accurate minutes of all meetings of the Association and the Committee are recorded. They shall carry out all routine correspondence on behalf of the Association and shall in consultation with the Committee prepare an annual report for consideration at the annual general meeting.

### **Additional Levy**

24. If as a result of unforeseen circumstances the amount received from members by way of membership subscriptions is not, in the opinion of the Committee, going to be sufficient to enable the Association satisfactorily to achieve its objects in a particular year, a resolution requiring an additional levy of a specified amount per household may be passed at a special general meeting, provided that no such resolution shall be deemed to have been passed unless:

- (a) It is carried by a majority of at least two thirds of the members present and voting on such resolution; and
- (b) Notice of the meeting contained particulars of the proposed levy.

### **Refusal and withdrawal of membership**

25. Membership of the Association may be refused or withdrawn by the Committee upon showing reasonable cause. No membership shall be withdrawn without the member first having been notified in writing by the Secretary of the complaint against them and given the opportunity to appear before the Committee to answer such complaint and unless two thirds of the Committee then present vote in favour of a withdrawal of membership. An applicant who has been refused membership or a person whose membership has been withdrawn shall have the right to submit an appeal to the next annual or special general meeting but such intention to appeal must be notified to the Secretary not later than 30days prior to the date of the meeting.

### **Amendment of the Rules**

26. These rules may be added to, revoked or amended by resolution of any annual or special general meeting of the Association provided that no such resolution shall be deemed to have been passed unless it is carried by a majority of at least two thirds of the members present and voting on such resolution and that notice of the meeting contained particulars of the proposed alteration.

### **Dissolution of the Association**

27. The Association may be wound up upon a resolution of an annual or special general meeting of the Association carried by a majority of at least three quarters of members present and voting at such meeting, notice of which shall have indicated the proposal to wind up the Association. Upon such a resolution being carried, the Treasurer shall cause the assets of the Association to be realised as soon as practicable thereafter and after providing for the liabilities of the Association shall cause any surplus to be distributed rateably among the households of currently paid up members. Thereafter the members of the Association shall have no further obligations towards the Association save that they shall keep the officers of the Association indemnified to the extent that the provision made by the Treasurer for liabilities of the Association shall prove insufficient and the said officers are called upon to discharge any remaining balance of liabilities.