

City Of Stoke-on-Trent Penkhull Residents Association Constitution

**Adopted on the 21st day of October 1977
Amended on the 1st day of March 2005
Amended on the 15th day of July 2013
Amended on the 28th day of April 2016
Amended on the 23rd day of November 2023
Amended on the 21st day of September 2026**

1. Name

The name of the Association is Penkhull Residents Association

2. Area

The area represented by the Association is shown on the attached area profile and map

3. Aims

The aims of the Association shall be to unite residents in a common effort to improve the area and wellbeing of the resident population by:

- Monitoring and influencing the outcome of plans that affect the local area and residents
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- Liaise and influence the City Council and other statutory bodies (e.g. Police, Health, Education etc.) to ensure that the interests of residents' are brought to their attention and positively affect the outcome of any decisions that affect the area and residents
- Liaise and influence local businesses to ensure the interests of residents are brought to their attention and positively affect the business, the local area and residents
- Promote social activities from all bodies that will be positive to the area and residents and encourage a community spirit
- Communicate regularly with the resident population in a timely manner to:
 - Better enable meaningful involvement of residents with the Association
 - Keep residents updated with the activities of the Association
 - Provide a repository of information the Association has been involved with that affect the area
 - To inform residents of activities that will affect them and the area
 - To enable meaningful feedback from residents that dictate the responses made by the Association to any third party.
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The Association is non party-political and shall not ally itself with any political party or group.

4. Powers/Authority

The Association shall have the following powers:

- To raise funds to further the aims of the association
- To arrange events and activities for the benefit of residents in the area and to produce leaflets and other publicity material
- To consult residents by arranging meetings, carry out surveys and publishing newsletters

- To work in conjunction with other voluntary or statutory organisations to further the aims of the Association
- To buy or hire any property and equipment necessary for the achievement of the Associations aims and if necessary to sell, hire and dispose of the same
- To arrange any insurance cover necessary against risks incurred by the Association and volunteers in the course of their duties
- To do all such lawful things as necessary for the achievement of the Association's aims

5. Membership

- Membership of the Association shall be open to all residents over the age of 16 regardless of the tenure, nationality, political party, ethnic origin, disability, gender, sexuality or religion and will not be subject to payment of any mandatory membership fee.
- Anybody living outside the area will not be eligible for membership unless they have a vested interest in the wellbeing and development of the area and the residents therein. The committee must agree by a simple majority for anyone outside the area to be members
- Anyone who lives outside the area but does not have a vested interest in the area may be invited to attend meetings as observers or advisors, but cannot be members.
- All members have the right to vote at Public Meetings. The committee shall keep a record of all members attending Public Meetings
- City Councillors who live in the area or who fulfil the above criteria may be invited to attend committee meetings and Public Meetings but may not be on the committee and are not entitled to vote.
- The committee shall have the power by a two-thirds majority vote to expel from a committee or sub-committee either permanently or for such period as the committee shall determine, a member who has acted against the interests of the Association. The reasons for expulsion shall be given in writing and recorded by the secretary. A right of appeal shall be afforded within four weeks of the original decision. The person may be accompanied by another person of their choice at the hearing not acting in a legal capacity.

6. Meetings

a. Annual General Meetings (AGMs)

- The committee shall arrange an AGM to be held in the month of April or within fifteen months of the previous AGM
- The committee shall publicise the AGM to residents at least 21 days in advance of the meeting using as broad a range of communication methods as possible
- The AGM will be chaired by an independent non-resident,
- At the AGM the committee shall report on its work and present a statement of accounts
- The AGM shall vote on recommendations and any amendments to the Association's constitution. Should changes be required between AGM's this will be conducted at an Extraordinary General Meeting.
- Any changes to the constitution must be agreed by two thirds of the residents present at the meeting. A proposal for change must be made to the secretary, in writing, at least 21 days before the meeting. The proposal for change must also be publicised to the residents within the area when informing them of the AGM/EGM
- Election will be held for chair if post is vacant
- Elections will be held for any vacant posts on the committee
- Nominations may be received at the AGM or before.

- If there are more than one nomination for the chair or more nominations than vacancies for posts on the committee, there will be a secret ballot by all members of the association present at the AGM

b. Other General Meetings (including Extraordinary General Meetings)

Other meetings open to all members may be called:

- By the current chair of the committee calling a General Meeting
- By a majority of two thirds of the committee of the Association
- At the written request of at least 100 of the members of the Association.

The secretary shall arrange all General meetings (including EGMs) within four weeks of being called and publicise them at least 5 days prior to the date of the meeting.

7. The Committee

- Voting at all committee meetings will be by simple majority. The chair shall vote and if a tied vote is reached; the chair will have an additional casting vote
- The committee will be made up of the Chair and up to 15 committee members
- No more than two members of one household shall be eligible to stand for election to the management committee
- The chair may not serve for more than a maximum of 9 consecutive years. After serving 9 consecutive years as chair, two years must elapse before they can offer themselves for election to the committee or chair
- A committee member may not serve for more than a maximum of 9 consecutive years. After serving 9 consecutive years on the committee, two years must elapse before they can offer themselves for election to the committee, and may apply for the chair
- There will be an election at the AGM for chair every third year or earlier if chair resigns. The chair is elected for 3 years
- Every year, any committee member who has served for 3 years since election must stand for re-election.
- The committee will appoint a secretary and treasurer from the elected general members
- If desired, the committee can also appoint a Vice Chair, Vice Secretary and Vice Treasurer
- Any member wishing to resign from their post must do so in writing to the Committee
- New members up to the agreed maximum number of 15 may join the committee between AGM's with the prior agreement of the committee
- City Councillors are not eligible to stand for election to any part of the committee, including General Members
- The committee shall hold no fewer than four committee meetings with minutes per year
- Committee meetings shall be open to all members of the association as observers.
- No committee meeting shall take place if fewer than a third of the current committee membership are present
- If any member of the committee is absent for more than 3 consecutive committee meetings without good reason (in the committee's reasonable opinion), they may be asked by the committee to resign. If the member refuses to resign their post, the committee may expel them using the procedure laid out in the section of the constitution on membership

8. Conduct of meetings of the Association

a. Committee Meetings

- Voting at all committee meetings will be by simple majority. The chair shall be entitled to vote and where a tied vote is reached; the chair will have an additional casting vote
- The secretary shall keep minutes and all correspondence concerning the affairs of the Association shall be sent to the secretary
- The chair shall conduct all meetings of the Association
- In the absence of the chair or secretary, the first business of the meeting will be to ensure that a substitute is appointed for the duration of the meeting
- The committee may invite observers or advisors to attend all or any part of any meeting of the Association. These invitees will not be entitled to vote
- If any member of the committee has a conflict of interests on any subject discussed at a committee meeting, they must declare this at the start of the discussion. They will then leave the meeting for the duration of that discussion. They will not be eligible to vote on any points raised as a result of that discussion
- Committee members should share responsibility for the conduct of a meeting, supporting the chair, being mindful of the time allocated for the meeting and any individual items, taking care not to dominate others in debates and setting an example to each other. Committee members should respect the contributions of others by not interrupting when someone is speaking even when you may not agree with their point of view
- Individual and personal disputes should not be allowed to affect conduct within the meeting but should be resolved elsewhere. Committee members should make sure that comments they make do not amount to a personal attack and should avoid using heated, emotional or value loaded language and behaviour.

b. Subcommittees

- The management committee may appoint such subcommittees as it sees fit for supervising or performing any activity or service of the Association
- The main committee will define the subcommittee's terms of reference, composition and the duration of its activities
- The subcommittee may co-opt members not on the main committee as necessary. These will be eligible to vote at subcommittee meetings; they will not be eligible to vote at full committee meetings unless already a member of the full committee
- The chair of the subcommittee must be a member of the Association. All members of the full committee are eligible to join the sub-committee
- Residents who live outside the area covered by the Association may be co-opted onto a sub-committee but are not eligible to join the full committee unless they fulfil the criteria laid out in section 5 – Membership
- If necessary, the subcommittee can ask the main committee for permission to use the Association's bank account.
- The subcommittee will feed back to the main committee at regular, pre-determined intervals on any discussions held or decisions made
- Any decision to dissolve the subcommittee will be made solely by the members of the main committee. Any funds or assets at the point of dissolution will be transferred to the main committee to use as they see fit

9. Finance

- The financial year shall run from the first of April until the last day of March of the next year
- Any money belonging to the Association shall only be used for the purposes of the Association
- No money shall be paid as profit to any member of the Association. However, this will not prevent the payment of reasonable out-of-pocket expenses incurred by anyone carrying out the Association's business, with agreement from the

members of the Association. Any payment of expenses will be receipted and properly recorded by the treasurer

- A bank account shall be opened in the name of the Association. All expenditure incurred must have been agreed by the committee and minuted prior to payment being made. The treasurer shall keep full and proper records of all instances of income and expenditure
- The accounts shall be checked by an independent person not serving on the committee before being submitted to the AGM.

10. Dissolution or Winding Up

- If the committee decides that it is necessary to wind up the Association it shall call a Special General Meeting of all members
- Members shall be given at least 21 days notice of this meeting and details of the resolution to be discussed at the meeting
- A proposal to dissolve the Association shall take effect only if agreed by two thirds of the members present at the meeting
- All funds, possessions and property shall be put to charitable purposes or to the benefit of any organisation or body that shares common aims with the Association. The decision will be made by a majority vote at the Special General Meeting according to the wishes of the committee members present at the meeting
- The final account shall be checked and verified by an independent person not serving on the committee