
OCRA CONSTITUTION



THIS CONSTITUTION is dated 19 October 2018.

NAME

1. The name of the Association shall be the Oakwood Court Residents' Association, herein after called the Association.

OBJECTS

The objects of the Association are:

2. To represent the Leaseholders on matters of common interest;
3. To consult with the Freeholder/Landlord and/or its Managing Agent;
4. To preserve and improve, where required, the amenities enjoyed by Leaseholders;
5. To do such things, ancillary to the preceding objects, as may seem desirable to the Association;
6. To exercise the rights conferred upon the Association by recognition under the Landlord and Tenant Act 1985 or such other statutory rights as may be given by any subsequent enactment.

EQUALITIES AND DIVERSITY

7. The association will actively seek to promote equal opportunities within the community and within its membership.
8. The association will value diversity and promote good relations with all members of the community and not discriminate on the grounds of age, disability, race, faith, gender or sexual orientation.
9. The association will ensure that where possible meetings will be held in venues that are accessible.
10. The association will provide information on all the ways that members can contribute their views, and how they can meet people's individual needs.
11. The Association recognises that all sections of the community have a positive contribution to make to the life of our communities. The Association will represent the interests of all local residents to the best of its ability, and carry on the day to day business of the Association in an efficient, fair and responsive way
12. The Association will provide all new members with appropriate information and support and make them feel welcome at all times.

MEMBERSHIP

13. Membership shall be open to all persons who own and/or reside in the Property (the Property means the building and development known as Oakwood Court located at Oakwood Court London W14 and includes its gardens and other communal areas) other than the Landlord, his agent and any of his employees but voting shall be restricted to Full Members and are limited to one vote for each flat.
14. The word "Member" shall, unless the context otherwise requires, means a Full Member. Associate members shall have neither rights nor obligations, except they shall have the right to attend and speak (but not vote) at any general meeting of the Association.

15. Full Members must be Leaseholders paying a variable service charge to the Landlord. Tenants paying fixed rents can only qualify as Associate Members and will not have any voting rights. A company that is a Leaseholder of a flat shall be eligible for Full membership.
16. Any Leaseholder can become a Full Member or Associate Member by formal written communication to the Secretary of the Association. There is no annual subscription fee, but donations are welcome.
17. Any donations or other monies raised by or on behalf of the Association shall only be applied in furtherance of the objectives of the Association as stated in this Constitution.
18. Membership of the Association shall be an acknowledgement of the acceptance of the Rules and Constitution.
19. Membership of the Association is automatically renewable and shall terminate:
 - a. Upon a member giving written notice to that effect to the Hon. Secretary
 - b. Upon a member ceasing to be a Leaseholder or resident.
20. It shall be a condition of Membership that members shall always conduct themselves in a reasonable manner at meetings of the Association and generally in the premises used by the Association. Any member may be excluded from meetings of Association at any time and for any period at the sole discretion of the Committee of the Association for breaching this condition, or for any other conduct contravening the objectives of the Association by a majority of those present and voting at any Committee or General Meeting.
21. Notification of suspension of a member must be given in writing to the member with a copy of the Constitution attached.

CODE OF CONDUCT

22. Members shall conduct themselves in a manner that will not cause offence to others. Harassment, bullying, intimidation, or discriminatory behaviour will not be tolerated and will be grounds for suspension of individual members. The Chairperson and committee members have the right to warn the member(s) of their behaviour. If they persist they will be suspended until further notice.
23. It is a condition of membership that members at all times conduct themselves in a reasonable manner at meetings or in premises used by the association. A member may be suspended from the Association for failure to observe this, or for any other conduct not in line with the aims of the Association.
24. All Committee, Full and Associate members must comply with the Constitution and Code of Conduct at all times. Any serious breach of the Constitution or Code of Conduct may result in committee members, following a majority vote of the Committee, being asked to resign and if appropriate, termination of membership as indicated in 21.
25. 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.
26. Voters should always be prepared to accept the majority decision and not take such a decision as any form of personal slight or criticism.
27. Members cannot receive any payment from the Association other than for bona fide expenses agreed by the Committee and approved in advance. Expense claims must be submitted to the Treasurer.
28. Members must never use their position to seek preferential treatment for themselves, their family or relatives. Nor should they use their position to be treated favourably when requesting services from the Council or other organisations.

29. Committee members must not divulge any association business, which is treated as confidential to other persons or organisations.
30. Statements to the media or other organisations on behalf of the Association should be made by the Chairperson or committee members, and with the prior approval of the Committee.
31. Correspondence sent on behalf of the Association must be signed by the Secretary or Chairperson.
32. Any resident who feels that they have not been treated fairly and equally by the Association can raise this with the Committee who will respond within twenty-eight (28) days.
33. Any complaints received about the conduct of the Association or individual members will be taken to the Committee who will respond within twenty- eight (28) days. The Committee will only deal with complaints that relate to the activities of the Association and its members in relation to the Constitution and Code of Conduct. Committee members will not deal with neighbour or inter-personal disputes in the area.

THE COMMITTEE

34. The Committee shall monitor the work, finances and membership of the Association.
35. The Committee shall have a minimum of five and a maximum of 15 members at any one time.
36. The Committee shall have a minimum of the following officers: a Chairperson, Secretary and Treasurer.
37. The Committee members shall be elected at an Annual General Meeting. At each Annual General Meeting (AGM) all existing committee members shall resign but shall be deemed to be duly nominated and re-elected (if willing to act) in absence of any objection.
38. Nominations for membership of the Committee shall be proposed and seconded by two members of the Association and notified to the Hon. Secretary seven days in advance of the Annual General Meeting and shall include the written consent of the nominee. Nominees shall be present at the AGM.
39. There shall be only one committee member per household, who must be a Full Member.
40. The Committee may appoint sub-committees to carry out the activities of the Association. Sub-committees shall be directly accountable to the Committee. The Committee will agree in advance the terms of reference for any sub-committees, which may then act and apply any finance raised within these terms. At least one committee member shall sit on any sub-committee of the Association.
41. All sub-committees shall keep proper accounts and records of all meetings to be made available as required to the Committee or general meeting. The Committee or any General Meeting may dissolve any sub-committees. Any accounts, records or assets of the sub-committee will pass to the Committee.
42. Any vacancies on the Committee may be filled by co-opting Full Members (with full voting rights) until the next general meeting or AGM.
43. The Committee shall meet as and when required, its quorum consisting of a simple majority of its members. The Committee has the power to make decisions using electronic media outside of committee meetings.

DUTIES OF THE OFFICERS

44. All the officers of the Association have a duty to further all the aims of the Association.
45. The Chairman shall conduct the meetings of the Association.

46. The Chairman or the Secretary are responsible for convening all meetings and giving the relevant notice to members. The Secretary shall ensure that a proper record is kept of all meetings of the Association, its committees and sub-committees in the form of minutes. The Secretary shall maintain a register of Committee Members and Full Members and Associate Members.
47. The Treasurer shall oversee all banking and financial arrangements, be responsible for keeping proper accounts of income and expenditure and report on the Associations' financial matters to the Committee and AGM. All cheques must be signed by the Treasurer.

ANNUAL GENERAL MEETINGS

48. The Association shall hold an AGM within three months of the end of each calendar year.
49. Not less than 14 days notice of the AGM shall be given to members and all those eligible for membership. Notice shall be posted throughout the Property and shall include the date, time and place of the proposed meeting. An agenda of matters to be discussed shall also be included in the Notice.
50. At the Annual General Meeting:
 - a. The Committee shall present an Annual Report regarding the activities of the Association;
 - b. The Sub Committees, if any, shall present an Annual Report and account of their activities;
 - c. The Committee shall present a Statement of Financial Accounts for the Association for the previous year;
 - d. The Officers and Committee for the ensuing year shall be elected;
 - e. Any proposals submitted to the Secretary in writing not less than seven days in advance of the meeting shall be discussed; and
 - f. All decisions shall be taken by a simple majority of Full Members present and voting or voting by proxy.

SPECIAL GENERAL MEETING

51. Special general meetings shall be called on the requirement of the committee or of at least 10% of members requesting it in writing to the Hon. Secretary. At least 14 days notice in writing thereof shall be given to every member aforesaid. The notice shall indicate in general terms the principle business to be considered at the meeting.
52. At the AGM of the Association, or at any special general meeting, 20% of the membership present in person or by proxy shall constitute a quorum, and if not present, the meeting shall be adjourned to another day when members present in person or by proxy shall form a quorum.
53. Seven days notice in writing must be given to the secretary of any resolution to be moved at the general meeting, unless such resolution is admitted by the chair at the meeting.

VOTING

54. Decisions at meetings (except those dealing with alterations to the constitution) shall be taken by a simple majority of those voting, including any proxy votes.
55. Any member entitled to vote may authorise in writing (such authority to be satisfactory to the chairperson) a Committee Member to vote on his behalf. The named proxy must be a general committee member. The Secretary must be informed of the proxy not later than seven (7) days before the meeting. Each member has one vote.

56. In the event of a tie of the vote the Chairperson of the meeting shall have the casting vote.
57. Counted vote is needed and the numbers shall be counted and recorded in the minutes.

INDEMNITY

58. The members of the Association shall indemnify the officers of the Association and members of the committee against all liability incurred by them in good faith on behalf and in the name of the Association acting within their authority.

ALTERATIONS TO THE CONSTITUTION

59. Any proposal to alter the constitution of the Association must be submitted to the Secretary not less than twenty-one days before the meeting at which it is to be discussed. Not less than fourteen days notice shall be given of such a meeting, together with the wording of the proposed alteration(s). Any alteration(s) shall require the approval of not less than two thirds of those present and eligible to vote at the meeting.

COMPLAINTS

60. All complaints or suggestions on matters regarding the Association shall be made to the Committee, preferably in writing.

DISSOLUTION

61. The Committee, or if a committee no longer exists, a majority of remaining members of the Association, can propose that the Association should be dissolved. They must give at least fourteen (14) days notice to all eligible members that a meeting is taking place proposing to dissolve the Association. For the sole purpose of dissolution, a quorum need not apply, and the Association may be dissolved by a two-thirds majority of those present. Any assets remaining after settling any liabilities shall be applied for the benefit of the community in accordance with the aims of the Association.