

Widemouth Bay Holiday Village Owners' Association

CONSTITUTION AND RULES (1st June 2018)

1. The Association shall be called the "Widemouth Bay Holiday Village Owners' Association".

2. MEMBERSHIP: All owners and co-owners of bungalows on the Widemouth Bay Holiday Village, Widemouth Bay, Bude, Cornwall (hereinafter called "The Village") shall be eligible to apply for membership other than those listed below:

- i. the freehold owner of the Village;
- ii. the site manager or leasehold owner of the Village or club and/or facilities;
- iii. Any partner, shareholder, director, member, employee, officer, consultant, adviser or agent of (i) and (ii) above.

It shall be a condition of membership that members at all times conduct themselves in a reasonable manner and treat all Association business, correspondence, reports, documentation and meeting discussion and minutes as confidential unless clearly identified by the Committee as not confidential or in the public domain.

3. OBJECTS: The objects of the Association are:

- a) To promote and safeguard the interests at the Village of the members generally, and the interests of any individual member.
- b) To establish and maintain close liaison with the freehold and leasehold owners of the Village and any agent or management acting on their behalf on any matters of common interest to members generally or individually, relating to members' properties at the Village.
- c) To promote and safeguard the interests of members in respect of development of the Village; the construction of buildings; public health amenities and services; and any other matters which in the opinion of the Committee can usefully be undertaken for the benefit of members.
- d) To raise funds for the above purposes. All monies received on account of subscriptions, donations, interest on investments and otherwise, shall be applied to carrying out the objects of the Association.

4. COMMITTEE: The Committee shall consist of not less than five members, including the Chairperson, Vice Chairperson, Treasurer, Secretary, Social Secretary and Website IT Officer, and not more than seven, and shall have the power to co-opt not more than four other members. The Committee shall be elected at the Annual General Meeting (AGM) of the Association. At each AGM (excluding an extraordinary meeting) all members of the Committee shall resign but shall be eligible to offer themselves for re-election. Individuals may offer themselves for re-election to the same or alternative role(s). No new member can be voted on to the Committee until he/she has been a member for two years. Committee shall meet at least twice a year and more often if necessary. The convening of a meeting shall be at the discretion of the Chairperson, or at the request of not less than three Committee members. A minimum of three Committee members shall be necessary to form a quorum and make decisions. The Chairperson of the meeting will have the casting vote. The Committee shall have the power to appoint sub-committees for special purposes. Any officer who is unable or unwilling to fulfil his/her duties during the term of office shall hand the office over immediately to the standing committee or sub-committee, and the vacated office shall then be filled at the next General Meeting. The Chairperson, Secretary and Treasurer shall be required to attend all meetings unless due to unavoidable absence, when the Committee shall appoint a substitute for that meeting. The Secretary shall be required to attend all meetings and take minutes thereof; in the case of unavoidable absence, the Committee shall appoint a substitute for that meeting. In the case of ordinary meetings, the minutes should be circulated as soon as possible after the meeting, and at least 14 days before the date of the next meeting. Standing Committee, Sub-Committee and Extraordinary Meeting minutes shall be forwarded to the Chairperson for her/his signature, and kept for future reference. Copies of standing or sub-committee minutes shall be circulated to each Committee member as soon as possible after such meeting.

5. MEETINGS: A General Meeting of the Association shall be convened by the Committee at least twice every year. An AGM must be held at least once a year and an additional General Meeting at the opposite end of the season. The venues to be chosen by the Chairperson or committee should be located no more than five miles from the village. Each member of the Association shall be given not less than 28 days' notice of a General Meeting. Where there are joint owners, notices will be sent to one joint owner. Apart from the above restrictions, meetings shall be held at such time and place as the Committee shall determine and need not necessarily be held at the same place on each occasion. Resolutions for the consideration of a General Meeting or Extraordinary Meeting shall be submitted in writing to the Secretary prior to the meeting. The Committee shall convene, on the signed requisition of not less than eight of the voting members of the Association, an Extraordinary General Meeting within 28 days of such a request. Any such request shall state the business for which the meeting is required. The quorum for general or Extraordinary Meetings shall be one third of the individuals with voting rights.

6. SUBSCRIPTIONS: The members of the Committee shall not be entitled to receive any payment for time spent but shall be entitled to reimbursement of their out of pocket expenses properly incurred and approved by the Committee. In order to defray such expenses and the costs of any other matters undertaken by the Committee for

the benefit of members, the Association shall at the AGM from time to time determine the amount of the subscription. One subscription shall be payable per member/bungalow up to a maximum of five, joint owners counting as one member. Subscriptions shall be due on the first day of January each year, and if still unpaid by the end of May, the defaulter shall be deemed to be a non-member but at the discretion of the Treasurer. Non membership will mean forfeiture of any service provided by the Association for that year. When a member leaves the Association and wishes to re-join again he/she has to pay a re-joining fee that is double the annual subscription for the first year.

7. VOTING: At an Ordinary or Extraordinary Meeting, each member in attendance whose subscription is not in arrears shall be entitled to vote; but voting power shall be confined to one vote per bungalow, and no member shall be entitled to more than five votes. Any owner and member of the Association unable to attend the AGM or General meeting shall be entitled to appoint any other member as proxy and to vote accordingly on her/his behalf. Such proxy shall be given in writing, duly witnessed, to the member acting on his/ her behalf.

8. RULES: In the event of any ambiguity, the Committee shall be entitled to interpret the Constitution and Rules and their effect. The Constitution and Rules may only be altered at a General Meeting, and in the notice convening this, notice of all proposed alterations shall be given. A two-thirds majority of those present and entitled to vote shall be necessary.

9. ACCOUNTS: The Association shall appoint an Honorary Treasurer who shall keep proper accounts of the Association funds and present an income and expenditure account at the AGM. The accounts shall be audited by the Honorary Auditor of the Association, who shall be elected at each AGM. The Honorary Treasurer shall maintain a separate bank account in respect of the Association monies and shall pay all subscriptions and other receipts into such an account. The account shall be kept with a branch agreed by the Committee. Cheques drawn on such a bank account shall be signed by two of the nominated officers or other committee members as well as dual authorisation of transactions on line or by phone. There should not be more than one signatory per family. The financial year of the Association shall end on the 31st December each year.

10. REJECTION OF APPLICATIONS AND SUSPENSION OR TERMINATION OF MEMBERSHIP:

The Committee reserves the right to reject an application for membership and to suspend or terminate an existing membership if it reasonably believes there to be an actual or potential conflict of interest, inappropriate behaviour or acting against the interests of the Owners' Association. Where there is a suspension or termination of membership, no pro-rata refund of subs or fees paid will be made.

11. EQUALITIES AND DIVERSITY:

- a) The Association will seek to promote equal opportunities within the village and within its membership.
- b) The Association will value diversity and promote good relations with all members of the Village and not discriminate on the grounds of age, disability, race, faith, gender or sexual orientation.
- c) The Association recognises that all sections of the membership have a positive contribution to make to the life of our Village.
- d) The Association will represent the interests of all members to the best of its ability in an efficient, fair and responsive way.
- e) The Association will provide all new members with appropriate information and make them feel welcome at all times.

12. DISSOLUTION: If at any general meeting a resolution for the dissolution of the Association shall be passed by a majority of members and at a Special General Meeting held not less than six weeks thereafter (of which at least four weeks' notice in writing shall have been given to each member) and at which not less than half the members shall be present or represented, that resolution shall be confirmed by a further resolution passed by a majority of two thirds of the members voting thereon. The Committee shall thereupon or at such future date as shall be specified in the resolution, proceed to realise the property of the Association and, after discharge of all liabilities, shall divide the same equally among all members. Upon completion of such division, the Association shall be dissolved.

13. GENERAL: The Committee shall, from time to time, circulate to members details of any matter of common interest and shall, in any event, send a report to members at least once in each and every year prior to the AGM.