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Subject: Fw: Association Information
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To:
Bcc:



Hi all

Below a little clarification of what was discussed at the meeting on Tuesday regarding the possibility of the setting up of an association at the Meeting Place. Further information will be sent out when possible and a vote will be held at this years AGM's.

Your Social Team

Hi All

Can you distribute the following to all owners you know and most importantly the ones who attended the meeting on Tuesday the 31st of January.

Hopefully this will explain better why we have taken the action we have so far and the reasons for doing so.

1. IN THE PAST the COMMUNITY would hold barbecue nights, this would include the food and a drink. A charge of 10 euros was made and it was your choice as to whether you bought a ticket or not. If you did you would usually bring more drinks than the one included in the ticket price. THIS WAS ILLEGAL AS THE COMMUNITY IS NOT ALLOWED TO ENGAGE IN ANY COMMERCIAL ACTIVITY

From the profits these generated a singer/entertainer was paid for. People who didn't buy a ticket but came along with their own drinks received free entertainment.

A raffle was usually held on the same night which was also illegal AS THE COMMUNITY IS NOT ALLOWED TO ENGAGE IN ANY COMMERCIAL ACTIVITY.

The people who organised these events for the benefit of others, also did all the buying,

preparation and cooking of the barbecue. They did on a voluntary basis and it was usually

them who returned the morning after to clean up. Did they have health and safety

instruction, insurance whilst carrying out this illegal activity?

A further illegal act was committed when the singer performed as the community does

not hold a music license and would most likely be refused because THE COMMUNITY IS

NOT ALLOWED TO ENGAGE IN ANY COMMERCIAL ACTIVITY.

Therefore these events and any other similar events, paid entry for a quiz, bingo etc had to stop. The presidents of the community had no option but to insist that these activities ceased.

2) IN THE FUTURE, if an association is formed and a lease agreed between the community and the association then.

The association would be allowed to hold barbecue nights for 10 euros and any profits from the event would be classified as fundraising and as such would not be illegal.

The members/associates, as in the past, do all the work voluntarily. If a raffle was held, then the profits from this activity would not be illegal.

This is because under the statutes of the " Non Profit Association" and the laws and regulations that govern associations, fund raising is allowed.

The association will apply for a music license, as it is allowed to in order to carry out fund raising events, though restrictions would probably be applied to the number of nights per year live music could be played so no further illegal activity has been committed.

This is just one example, the same can apply to quiz nights, play your cards right, race nights, gala days, bowls competitions, tennis/football tournaments, excursions and any other activity the members/associates propose that matches their interest and others. Raffles, football cards etc could be sold as long as the proceeds/profits were going to a non profit association.

3) Regarding the lease and the public liability. the community lawyer has agreed to draw up this document to protect both the community and the association.

The association will not be taking up a " Fully repairable and insurable lease". It does not have the funds, nor is it allowed under regulations governing associations to take on liabilities, loans or debts.

The association will seek a lease whereby the landlord (community) retains responsibility for major repairs and insurance. Minor repairs caused by the activities of the association should be met by the association. This is not uncommon in lease arrangements between landlords and tenants and has particular relevance when carried out between one organisation, who are not allowed to engage in commercial activity and another that is " Non profit "

All of this is needed to be done to protect the community from any litigation or accusation of it engaging in any commercial activity.

All of this is needed to allow the association to proceed to operate on a " Non profit " basis without debt, burdening financial liabilities or loans, which its constitution does not allow.

Once set up the two are completely separate and autonomous. The community has no say in the operating of the association, other than should it engage in any illegal or unlicensed activity and a clause stating such should be include in the lease.

4) The money the association is asking to be re-directed to it from the communities budgets is mostly to be spent on upgrading & improving the facilities of the " Meeting Place " by way of re-decoration, upholstered seating, bar stools, chairs, drinks shelves, posing/wall tables and improved lighting.

All this is to be done to procure a more warm and welcoming venue, which is being

All this is to be done to procure a more warm and welcoming venue, which is being done not only in the interests of its current users, but with the expected and obvious intent of attracting and retaining more people to use the facility.

The more people who attend the venue the more fundraising can be achieved by the association. This fundraising isn't and should never be the reason for attending. That should be that an enjoyable evening should be had by members/associates & guests in activities that match their interests.

The money will also be needed for working capital until fund raising from events starts to come in. Strict accountancy rules apply to associations. Records must be kept in order to meet these statutory regulations and to provide transparency to all members/associates.

Under the statutes of a " Non profit " association it is the responsibility of the elected officials, namely the President, Secretary and Treasurer to ensure that this is carried out and adhered to. Under the statutes and articles of association officials must be elected or re-elected every 12 months. They are not allowed to receive remuneration.

5) The current situation in my opinion is untenable. The " Meeting Place " is under used and is not, in its current layout and décor, attractive to provide good and easy social interaction. The sporting facilities are also under used and under utilised. If 2 or 3 of the current people, who do the bulk of the organising, opening up, arranging attractions and attendance, decide that they have had enough, and I know they have considered it, then the venue may as well shut because if they go many others will follow. It is not attracting many, if any, new people and as a consequence will only get worse.

It could with hard work, luck and commitment flourish. The workload could be shared more equally. The venue, if improved, could be more supported. It could open more often and it could reflect by way of activities, the interest of its members/associates and guests. It could through effective fundraising make improvements towards current and future sporting and social events.

It needs us all to work together to achieve our shared aims and intentions.

6) The community can either.

a) Leave thing as they are and pay out say 10,000.00 euros per annum for say the next 10 years. Have no barbecues, no race nights, gala events. No paid to enter quiz nights, bingo, play your cards right and other enjoyable and fun evenings or events. No walking club, no cycling club, no golf society, no organised nights out, no excursions/holidays/trips. Much less of course if it closes and therefore a further loss of facility, now leaving none !

TOTAL COST OVER 10 YEARS- 100,000.00 euros

Or

b) The community can pay/re-direct 10,000.00 euros and immediately have a vastly improved venue and facility. Recommence activities excluded in a) above. Open more often, both social and sporting. Attract new people and with hard work, luck, commitment and successful fundraising provide a great social service to current and future owners on the resort.

TOTAL COST OVER 10 YEARS - 10.000.00 euros.

I hope this answers with clarity some of the points raised at the meeting of the 31st of January and hope it further proves that we have acted in “ Good Faith “ and with the best intentions of all parties in what I hope you can see is a complicated issue with extreme importance.

Kind Regards

Martin

M.G.Coward