

# **Saltersgill Allotment Association**

**Constitution  
Dated May 2014**

**Saltersgill Allotment Association**

# Constitution

## Name, Objects and Powers

### 1. Name

The name of the Society shall be Saltersgill Allotment Association.

### 2. Official Communication

All official communications shall normally be received and signed on behalf of the Society by the Secretary, or in the absence of the Secretary, by the Chairman or Treasurer.

### 3. Aim of Society

The aim of the Society is to assist all members in the pursuit of gardening as a recreation activity and to promote health, education and community fellowship to promote the protection of the environment, to preserve the existing allotment gardens, and to promote new allotment gardens.

### 4. Objects

The objects of the Society are:

- To actively cooperate with groups and organisations with a view to increasing the provision of allotments and improving standards and facilities:
- To establish a working relationship with Middlesbrough Council who as landlords will improve facilities, carrying out essential landlord maintenance, and review the tenancy agreement which sets out responsibilities of the landlord and the tenant.
- To have responsibility for all maintenance inside the sites boundary fence.  
(Middlesbrough Council is to be responsible for external fences, gates, maintenance of all shrubs outside the boundary fence, all subterranean water pipes within the boundary fence and all trees within the boundary fence).
- To administer any distribution service, communal maintenance machinery and equipment including a seed scheme for members.
- To help new gardeners on the site in whatever way is appropriate including providing where possible introduction to a nearby experienced gardener with the view to special help during early months of tenancy.

## **5. Powers**

The Society shall have full power to do all things necessary or expedient for the accomplishment of its objects. No sectarian or party political questions shall be introduced into any meeting and no action of the society shall be directed towards the propagation of political or religious doctrines, racial or gender discrimination or take part in any political party or denominational activities.

## **6. Use of Name**

The name Saltersgill Allotment Association shall be mentioned in all business letters of the Society, notices, advertisements, and other official publications of the Society and payments, cheques, and orders for money or goods, purporting to be signed by or on behalf of the Society, and in all bills, invoices, receipts and letters of credit of the Society.

## **Membership**

## **7. Members**

The Society shall consist of Allotment and Leisure Gardeners within the Saltersgill site in Middlesbrough or of such other persons as the committee may admit to membership.

## **8. Subscriptions**

Members will be required to pay such annual subscription as may be determined by the elected management committee. This subscription will form part of the Treasurer's report and will be included in the agenda convening the meeting. Members joining part way through a financial year will pay one twelfth for each month or part of a month in the current financial year.

## **9. Cessation of Membership**

A member shall cease to be a member in the following eventualities:

- (a) The member's death
- (b) The member's resignation
- (c) The non payment of the annual subscription thereof for a period approved by the Committee to a maximum of 3 months after it has become due
- (d) The expulsion of a member under rule 10

## **10. Expulsion of members**

A Meeting of the Committee, by a vote of at least two thirds of the Committee present and entitled to vote or more, expel any member for conduct detrimental to the Society, provided that

a notice specifying the conduct for which it is intended to expel, is sent to the member at the address entered in the register of members at least one calendar month prior to the date of the meeting. That member is entitled to make representations, but is not entitled to be present at the vote. The vote may be a secret vote but the voting numbers will be recorded in the minutes.

## **11. List of Members**

The Committee of Management shall allocate the keeping of a membership list updated annually to one of its members in which shall be entered the following.

- (a) Name, address, telephone numbers and e-mail address
- (b) Date of joining and leaving
- (c) Date of receipt of joining subscription and renewal subscriptions
- (d) Record of any disciplinary matters recorded against the member in accordance with the Data Protection Act

The Committee will supply to Middlesbrough Council the above details as in accordance with the Lease.

## **Governance and Day to Day Management**

12. Governance of the Society shall be vested in the General Meetings

13. Day to Day Management will be delegated to the Committee of Management

## **Committee of Management and Officers**

### **14. Committee of Management**

The Committee of Management must be members of the Society and shall consist of a Chairman, Secretary, Treasurer and 7 Committee Members

### **15. Election**

The Committee of Management will be elected from members of the Society at the Annual General Meeting. The Committee of Management will take office at the end of the Annual General Meeting, at which elected until the end of the next Annual General Meeting. The voting for the officials will be carried out by postal vote and voting papers will be sent out 3 weeks before the Annual General Meeting.

### **16. Mid – Term Vacancies**

The Committee of Management may fill any vacancy arising during the year. Members appointed will be full voting members of the committee and count towards a quorum

## **17. Co option**

The Committee of Members may co-opt any member to the Committee to assist in its work. Such co-opted members will be nonvoting and not count towards a quorum.

## **18. Powers of Committee**

The Committee of Management shall have full power to supervise and manage the day to day work of the Society according to the rules for the purpose of accomplishing its objectives.

## **19. Attendances**

Any Committee of Management member, who has failed to attend two meetings in any year for any reason unacceptable to the Committee, will cease to be a Committee member.

## **20. Removal of Committee**

The Committee of Management may remove any officer or committee member from the Committee by a simple majority vote following an open discussion of the issue which includes the individual members opportunity to put his/her point of view. If required the vote may be a secret vote but the voting numbers will be recorded in the minutes.

## **Meetings of Committee of Management**

## **21. Frequency of meetings**

The Committee of Management will meet every month during 2014/2015 and thereafter quarterly or more frequently if required by decision of the Committee. Minutes shall be taken at all meetings and a copy forwarded to the Council. Copies of the minutes shall be kept and be available to members.

## **22. Quorum of Committee Meetings**

A quorum for meetings of Committee of Management shall be 6 Committee members.

## **23. Emergency Actions**

The Chairman and/either the Secretary or Treasurer may take any executive emergency actions required were it is not practicable for the business to be decided upon at a regular or special committee meeting. Details of the action will be reported and recorded at the next meeting of the Committee of Management.

## **24. Conduct of Meetings**

At all meetings of the Committee every question shall be decided by a majority of votes and if the votes are equal the Chairman shall have a casting vote in addition to his/her vote as a member. In the absence of the Chairman, an acting Chairman elected at the committee meeting shall preside for that meeting.

## **Finance**

### **25. Financial Records**

The Treasurer will keep in date order a record of all income and expenditure related to Society's financial transactions and all expenditure must be supported by a supplier's receipt or appropriate voucher which shows the date of expenditure, the total amount and the purpose for which payment was made. Receipts for membership fee income will be given, recording the date paid, the duration of the membership fee, and the name of the member. This receipt will be proof of membership.

### **26. Banking**

The Treasurer shall open a cheque book account with a local Credit Union, or a bank or building society in the name of the Society. Five committee members shall be authorised to sign cheques. All payments by cheque will require 3 signatures; one of which shall be the Chairman or the Secretary or the Treasurer.

### **27. Annual Accounts Format**

If no other activity is envisaged then a simple Income and Expenditure account and a balance sheet will suffice. In the event of other activities needing to be presented separately e.g. shows, trading, then a separate simple sub account will be introduced with agreement of the Committee of Management.

### **28. Reports to Committee**

The Treasurer shall make a verbal report at each meeting on income and expenditure and liabilities up to the Friday before the meeting, and make available at the meeting the most recent bank statement. The Treasurer's verbal financial report shall be recorded in the minutes.

### **29. Special Expenditure**

When special projects are considered they will be costed as far as possible and the Treasurer will advise the Committee on possible ways of funding.

### **30. Financial Advice**

Where the Society requires financial advice outside the normal experience, the Treasurer shall determine the professional advice, required and advise the Committee accordingly.

## **31. Presentation of Accounts for Audit**

The Treasurer shall close the annual account on 31<sup>st</sup> March each year and presentation to the Honorary Auditor by the 2<sup>nd</sup> Monday of the following month.

The audited accounts shall be circulated as part of the agenda for the Society's Annual General Meeting signed by the Honorary Auditor and Treasurer.

## **32. Mid Term Vacancy**

Where for any reason the Treasurer ceases to hold office the Committee of Management will appoint an Acting Treasurer and ask the Honorary Auditor to carry out an interim audit in preparation for the Treasurer taking up office.

## **Auditor**

## **33. Appointment of Auditor**

The Honorary Auditor of Auditors shall be appointed at each Annual General Meeting and shall hold office until the close of the following Annual General Meeting.

## **34. Qualifications**

The Auditor must not be an officer of the Society or a member of the Committee of Management but otherwise any person, member or not who has agreed to carry out the duty may be nominated and appointed year by year at the Annual General Meeting.

## **35. Mid Term Vacancy**

When for any reason the auditor(s) ceases to hold office the Committee of Management will appoint a replacement auditor as soon as is practicable and record the action in the minutes.

## **Audit of Accounts**

## **36. Audit Procedure**

The Auditor shall receive the draft accounts, payments, receipts files, bank statements and bank book from the Treasurer by the 2<sup>nd</sup> Monday in April each year, and will examine them and agree final accounts as an accurate and fair record based on the documents of the Society's financial transactions for the year.

## **37. Tax Liability**

The Society is liable to corporation tax on any investment interest accruing during the year and these matters must be addressed with VAT Inspectors by the Treasure and Auditor.

## **38. Approval of Audit Accounts**

The Annual General Meeting will consider the annual accounts presented by the Treasure and/or the Auditor. Adoptions of the audited accounts will be proposed by a member other than the Treasure and Auditor. The Auditor may raise at the Annual General Meeting any financial matters which require the attention of the Society.

## **39. Availability of Audited Accounts**

Any member has the right to request a copy of the adopted audited accounts from the Secretary who will provide a copy within 2 weeks of the request. A copy of the accounts shall be forwarded to the Council

## **General Meetings**

## **40. Annual General Meetings**

The Annual General Meetings shall be held at such times as the Committee of Management of a General Meeting shall determine as soon after the audit of accounts is completed as is convenient.

## **41. Special General Meetings**

A Special General Meeting shall be held whenever the Committee of Management thinks expedient or whenever a written requisition for such a meeting by 5 members is delivered to **the** Secretary. A Special General Meeting shall be convened by Committee of Management within 4 weeks of receipt of request. Should the Secretary fail to convene the meeting the members signing the requisition may convene such meeting by such notice themselves.

## **42. Notice of General Meeting**

At least seven days notice in writing will be given of every General Meeting, stating the business to be transacted at such meeting. The notice shall be displayed at prominent positions through the allotment site, and no other business than that stated in the notice shall be transacted at such meeting.

## **43. Agenda Items**



Agenda items must be notified in writing to the Secretary 14 days prior to the meeting.

#### **44. Notices of Motions**

Motion or motions must be notified in writing to the Secretary prior to the meeting signed by the proposer(s) and seconder(s).

#### **45. Change of Rules**

Changes in rules must be notified in writing to the Secretary 14 days prior to the meeting signed by proposer(s) and seconder(s).

#### **46. Voting at General Meetings**

Every member present at a General Meeting and not otherwise disqualified shall have one vote and where the votes cast in any matter are equal then the Chairman shall have the casting vote in addition to his/her vote as member. Members who are not allotment tenants shall not have the right to vote on questions affecting allotment tenants.

#### **47. Presiding Officer at General Meetings**

At all General Meetings a chairman elected at the meeting shall preside.

#### **48. Quorum at General Meeting**

A quorum at General Meetings shall consist of a minimum of 25 members whichever is the greater.

#### **49. Discussions at Meetings**

No political or sectarian issue shall be raised or discussed at General Meetings.

#### **50. Arbitration**

In case any dispute arises between the Society or any of its officers and any member or persons claiming on behalf of a member or under the Rules, or in case of any complaint against any member, application may be made to the Committee of Management for redress, and should the Committee not bring the parties to agreement, the matter in dispute may be submitted to Middlesbrough Council for arbitration. The decision of the arbitrators shall be final. In this rule the word Member' includes any person aggrieved who has for not more than 6 months ceased to be a member.

### **Dissolution of the Society**

## **51. Dissolution**

The Society may at any time be dissolved by consent of three fourths of the members, testified by their signatures to an instrument of dissolution. Instructions for dissolution will clearly set out what is to happen to any assets and residual cash after payment of expenses. Cash may be lodged with Middlesbrough Council and held against any reformation of a successor Society.

### **Copies of Rules**

## **52. Copies of Rules**

A copy of the rules of the Society shall be delivered free by the Secretary to every member joining. All members shall have access to a copy of the rules, which shall be retained by the Secretary. That copy shall be available to take away for a deposit of £2 which will be returned to the member upon return of the copy of the rules.

### **Amendments of Rules**

## **53. Mode for Amending Rules**

The rules may be amended by resolution of a three fourths majority of those attending a General Meeting called for that purpose. When an association rule conflicts with the constitution the rule will always supersede the constitution

## Signed on behalf of the Association

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Dated .....

## Signed on behalf of Middlesbrough Council

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Date .....