

CONSTITUTION AND RULES

of

Witney Allotment Association

Affiliated to:

The National Society of Allotment and Leisure Gardeners Ltd
O'Dell House
Hunters Road
Corby
Northamptonshire
NN17 5JE

As adopted 1st April 2012

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NAME, OBJECTS AND POWERS

1. Name

The name shall be Witney Allotment Association (the Association).

2. Address

The official address of the Association shall be that of the current Secretary whose name and contact details are available from Witney Town Hall.

3. Aim of the Association

To foster and support allotment gardening in Witney.

4. Objects

(a) To manage the allotment sites according to the terms of the Lease provided by Witney Town Council for this purpose.

(b) To promote allotment gardening and maintain a list of those wishing to rent a plot.

(c) To support the provision of allotments to meet demand.

5. Powers

The Association 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 Association shall be directed towards the propagation of political or religious doctrine.

USE OF NAME

6. Use of Name and Official Communications

The name shall be mentioned in all business letters of the Association, notices, advertisements, and other official publications of the Association. Also in payments, cheques, and orders for money or goods purporting to be signed by or on behalf of the Association, and in all bills, invoices and receipts of the Association. Official Communications shall normally be received and signed on behalf of the Association by the Secretary or in the absence of the Secretary by the Chairman, Vice Chairman or Treasurer.

MEMBERSHIP

7. Members

The Association shall consist of tenants on the allotment sites managed on behalf of Witney Town Council by the Association. It may also include other persons as the committee may admit in to affiliate membership.

8. Subscriptions

Tenants will be automatically entered into membership on payment of their annual rent. Associate members will be required to pay such annual subscription as may be determined by the Annual General Meeting.

9. Cessation of Membership

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

(a) The termination of the member's tenancy.

And in the case of an Associate Member:

- (b) The member's resignation.
- (c) The non-payment of the annual subscription after it has become due.
- (d) The expulsion of a member under Rule 10.

10. Expulsion of members

A General Meeting may, by a vote of two-thirds of the members present and entitled to vote, expel any member for conduct detrimental to the Association, 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.

LIST OF MEMBERS

11. List of Members

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

- (a) Name, address, telephone number and email of member.
- (b) Date of joining.
- (c) Date of receipt of joining rent/subscription and renewal rent/subscriptions.

Any member may see the entry in respect of themselves recorded in the official list of members and in their own interest must notify any change of address to the Secretary.

GOVERNANCE AND DAY-TO-DAY MANAGEMENT

- 12. Governance of the Association shall be vested in the General Meetings.
- 13. Day-to-day management shall 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 Association and shall consist of a Chairman, Vice Chairman, Secretary, Treasurer and 3 Committee Members or such number as may be determined at a General Meeting. Wherever possible, at least one member should be drawn from each allotment site under the management of the Association.

15. Election

The Committee of Management will be elected from members of the Association at the Annual General Meeting and will take office at the end of the Annual General Meeting at which elected until the end of the next 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. President

The Annual General Meeting may elect a President and/or Honorary Life President as may be required. These offices will be honorary and non-voting unless the office holder is a member with normal voting rights.

18. Co-option

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

19. Powers of Committee

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

20. Attendances

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

21. Removal from Committee

The Committee of Management may remove any officer or committee member from the Committee by a simple majority following an open discussion of the issues which includes the individual member's 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 MANAGEMENT

22 Frequency of meetings

The Committee of Management will meet quarterly or more frequently if required by decision of the Committee.

23. Quorum at Committee Meetings

A quorum for meetings of Committee of Management shall be 4, or such other number as may be agreed at a General Meeting.

24. Emergency Actions

The Chairman and either the Vice Chairman, Secretary or Treasurer may take any executive emergency actions required where 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.

25. 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

26. Financial Records

The Treasurer will keep in date order a record of all income and expenditure related to Association's financial transactions. 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 rental income/membership fee will be given, recording the date paid and the name of the member. This receipt will be proof of membership.

27. Banking

The Treasurer shall open a cheque book account with a bank or building society in the name of the Association. Payments by cheque shall require any 2 of 4 authorised signatures - Chairman, Vice Chairman, Secretary, and Treasurer.

28. Annual Accounts Format

If no other activity is envisaged 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.

29. Loans & Borrowing

Loans, borrowing or other credit arrangements will require a specific decision at a Committee of Management meeting or general meeting before any contractual transaction is entered into.

30. 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.

31 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.

32 Financial Advice

Where the Association requires financial advice outside the normal experience, the treasurer shall seek what professional advice is required and advise the Committee.

33 Presentation of Accounts for Audit

The Treasurer shall close the annual account on 31st December each year and prepare income and expenditure statements and a balance sheet for presentation to the Honorary Auditor by the 3rd Monday of January.

The audited accounts shall be made available at the Association's Annual General Meeting signed by the Honorary Auditor and Treasurer.

34 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 new Treasurer taking up office.

35 Membership Fee

The Treasurer shall advise the Annual General Meeting of any changes required in the membership fee for the next rental year and the Annual General Meeting will consider and decide on the membership fee. Any subsequent revision that may be required will be presented at a Special General Meeting.

AUDITOR

36. Appointment of Auditor

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

37. Qualifications

The Auditor must not be an officer of the Association 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.

38. Mid Term Vacancy

Where 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

39. Audit Procedure

The Auditor shall receive the draft accounts, payments, receipts files, bank statements and bank book from the Treasurer by the 3rd Monday in January each year, and will examine them and agree final accounts as an accurate and fair record based on the documents of the Association's financial transactions for the year.

40. Tax Liability

The Association's tax position will be addressed with HMRC by the Treasurer and/or Auditor.

41. Approval of Audit Accounts

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

42. 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 subject to payment of a sum not to exceed £5.

GENERAL MEETINGS

43. Annual General Meeting

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

44. Special General Meeting

A Special General Meeting shall be held whenever the Committee of Management thinks expedient or whenever a written request for such a meeting by 15 members is delivered to the Secretary. A Special General Meeting shall be convened by Committee of Management within 6 weeks of receipt of request. Should the Secretary fail to convene the meeting the members signing the requisition may convene such meeting by giving such notice themselves by use of the allotment notice boards.

45. Notice of General Meeting

At least fourteen days' notice in writing to be given of every General Meeting by methods deemed appropriate by the Committee of Management which shall include the posting of notices on allotment sites.

46. Agenda Items

Agenda items should be notified in writing to the Secretary one week prior to the meeting.

47. Notices of Motions

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

48. Changes in Rules

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

49. Voting at General Meetings

Every member present at a General Meeting and not otherwise disqualified shall have one vote. 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. Associate Members (who are not allotment tenants) shall not have the right to vote on questions affecting allotment tenant members only.

50. Presiding Officer at General Meetings

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

51. Quorum at General Meetings

A quorum at General Meetings shall consist of 10 members or 10% of membership whichever is the lesser.

52. Discussions at General Meetings

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

MEMBERSHIP WITH THE NATIONAL SOCIETY OF ALLOTMENT & LEISURE GARDENERS LTD

53. Membership of NSALG

The adoption of these Rules shall constitute an agreement to apply for one fully paid 10p share in the National Society of Allotment & Leisure Gardeners Ltd and an agreement to pay such annual affiliation fees as maybe prescribed by the rules of the National Society.

DISPUTE RESOLUTION

54. Dispute Resolution

In the event of any dispute arising between the Association or any of its officers and any member, or between members, an application may be made to the Disputes Panel who shall arbitrate on the Matter.

The Disputes Panel shall be elected annually at the AGM from members who are not officers or committee members of the Association. The Panel will then elect a Chairperson from its members. Not fewer than 3 and not more than 5 members shall be elected to the Panel of whom any 3 shall arbitrate in any individual case.

The decision of the Disputes Panel shall be final, and the costs of such arbitration shall be shared between the parties as determined by the Panel.

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 ASSOCIATION

55. Dissolution

The Association 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 the National Society of Allotment and Leisure Gardeners Ltd and held against any reformation of a successor Association.

COPIES OF RULES

56. Copies of Rules

A copy of this constitution and rules of the Association may be viewed on the Association's website and at Witney Town Hall. A printed copy may also be supplied on request subject to payment of a sum not to exceed £5.

AMENDMENTS OF RULES

57. 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.