

ALLOA ALLOTMENTS ASSOCIATION CONSTITUTION

1. NAME

The Association shall be known as Alloa Allotments Association (hereinafter referred to as “the Association”) and shall be an unincorporated association.

2. OBJECTS

The objects of the Association are to:-

- (a) represent and promote the interests of Plotholders and cultivators at Alloa Allotment Site, Sauchie;
- (b) foster good relations with residential neighbours and local statutory and non-statutory bodies;
- (c) practise good governance of Alloa Allotments and follow participatory and non-discriminatory principles;
- (f) adhere to the Data Protection Act 1998 and all other acts and regulations applicable to unincorporated associations.

3. POWERS

In furtherance of the objects the Association may:-

- (a) employ and pay any person or persons to supervise, organise and carry on the work of the Association;
- (b) engage and pay fees to professional and technical advisers or consultants to assist in the work of the Association;
- (c) co-operate and liaise with representatives of voluntary organisations, government departments, local and other statutory authorities and individuals;
- (d) become members of any organisations that may benefit the Association or are compatible with its objects;
- (e) promote or carry out or assist in promoting and carrying out research, surveys and investigations and the publication of their results;
- (f) arrange and provide for or join in arranging and providing for the holding of exhibitions, meetings, lectures, classes, seminars and training courses for members of the Association, the local community or the general public;

(g) purchase, take on lease or hire, exchange or otherwise acquire any property or any rights or privileges and construct, maintain or alter any buildings as appropriate for the furtherance of the objects;

(h) sell, let, dispose of or turn to account all or any of the property or assets of the Association;

(i) open and maintain such bank accounts as the Committee may think fit;

(j) raise money for the furtherance of the objects and accept gifts on such terms and on such security as shall be found appropriate;

(k) raise funds and invite and receive contributions from any person or persons by way of subscription or otherwise;

(l) invest the funds of the Association not immediately required for the objects in or upon such investments, securities or property as may be thought fit;

(m) perform any other lawful acts as are incidental or conducive to the attainment of the objects.

4. MEMBERSHIP

(a) Full membership of the Association shall be open to:-

(i) individuals of sixteen years and over;

(ii) national, international or local voluntary or non-profitmaking organisations, incorporated or unincorporated, deemed by the Committee to be interested in and conducive to furtherance of the work of the Association; such organisations to be represented at meetings of the Association by one individual nominated or appointed by the organisation concerned.

(b) There shall be two types of full membership, as follows:-

(i) Plotholder. The person named on the missive of let for an allotment on Alloa Allotment Site provided payment current plot rental. Each Plotholder shall be entitled to one vote.

(ii) Cultivator. A person not named on the missive of let but who works with the Plotholder. Not more than one Cultivator membership will be allowed for each Plotholder membership;

(c) Only Plotholders of the Association (or in their absence the Cultivator of the plot) shall be entitled to vote at meetings of the Association; to nominate or second candidates for the Committee or for Auditor; to serve on the Committee or hold any office in the Association.

(d) The Committee may at its discretion appoint honorary members but they shall not be full members nor enjoy any of the rights listed in Clause 4 (c).

(e) Plotolders are automatically members of the Association by virtue of payment of annual plot rental remitted to the Association. Any individual or organisation seeking Cultivator must submit an application signed by the applicant and the Plotholder. Admission to membership shall be at the discretion of the Committee which shall give reasons in writing for any refusal. Immediately following any admission under this procedure the appropriate entry shall be made in the Register of Members.

(f) The Committee shall have the right at any time to terminate a Cultivator for good and sufficient reasons subject to allowing the member concerned a right to make representations to the Committee before a final decision is made.

(g) In the event of misconduct by any Plotholder the Committee shall have the right to request a termination of that Plotholder's let subject to allowing the Plotholder to make representations to the Committee before any request is made.

5. OFFICERS

Only full members of the Association shall be eligible to serve as officers or members of the Committee. Nominations for officers and membership of the Committee must be made with the consent of the person nominated and given to the Secretary at least seven clear days before the Annual General Meeting if in writing or at a general meeting with the nominated person present. Members may not nominate or second themselves. In the event of competing nominations there shall be an election.

The officers of the Association shall be a Chair, Secretary and Treasurer. In addition there shall be two honorary auditors and such other officers as the Association shall from time to time decide who shall be elected at the Annual General Meeting and hold office until the conclusion of the Annual General Meeting next after their election. They shall then be eligible for re-election provided that no officer shall hold any office for more than three consecutive years. On the expiry of three years in any office a year must elapse before that officer shall be eligible for re-election to any office but s/he may remain an ordinary member of the Committee. No member of the Association may hold more than one office at a time.

The duties of the officers shall be as follows:-

(a) The Chair shall chair all Committee meetings and General Meetings of the Association and represent the Association at meetings of any organisation of which the Association is a member and on other occasions as appropriate. Duties will include management and direction of the Association towards the furtherance of the objects with the assistance of the other officers and members of the Committee.

(b) The Secretary shall attend and keep minutes of the General Meetings and Committee meetings, maintain the Register of Members, give notice of meetings, ensure that members of the Association are given appropriate information and represent the Association if requested by the Chair;

(c) The Treasurer shall attend all meetings of the Association and the Committee, keep records of the financial transactions of the Association and its funds, prepare accounts showing the financial position of the Association annually for presentation to the Annual General Meeting and interim accounts for presentation to the Committee if requested and represent the Association if requested by the Chair;

(d) The honorary auditors, unlike the other officers of the Association, shall not be members of the Committee but shall audit the accounts prepared by the Treasurer each year.

6. COMMITTEE

(a) The affairs of the Association shall be conducted by a Committee comprising the Chair, Secretary and Treasurer together with five other ordinary members of the Association as may be elected or co-opted as provided below. One of the five shall be elected Vice-Chair by the Committee to stand in for the Chair as and when required.

(b) The Committee shall have power to exercise any of the powers of the Association other than those reserved to individual members;

(c) Meetings of the Committee shall be held not less than four times a year;

(d) In the event of vacancies arising of ordinary Committee members in the course of the year the Committee may co-opt a full member of the Association to serve on the Committee until the conclusion of the next Annual General Meeting at which such co-opted members shall be eligible for election to the Committee. Co-opted members shall be entitled to vote at meetings of the Committee. Not more than 4 co-opted members may serve on the committee at any one time;

(e) in the event of any officer demitting office in the course of the year the Committee shall appoint any full member of the Association to fill the vacancy who shall hold office until the conclusion of the next Annual General Meeting of the Association and shall be eligible for election to that or any other office at that meeting. A General meeting shall be called if no-one is found to fill the vacancy initially;

(f) The proceedings of the Committee shall not be invalidated by any failure to elect or any defect in an election, appointment, co-option or qualification of any member;

(g) The Committee shall have power to employ such persons and fix their remuneration as it may think appropriate. Such persons shall not be members of the Committee;

(h) The Committee may create any sub-committees or special or standing sub-committees to report to it as it considers appropriate and shall determine their terms of reference, powers, duration and composition.

7. MEETINGS

(a) The Annual General Meeting shall be held on the Second Thursday in November each year;

(b) The Committee shall determine the time and place of all General Meetings of the Association and at least twenty one days clear notice of a General meeting shall be given in writing by the Secretary to each member;

(c) The business of the Annual General Meeting shall be to:-

(i) consider the annual report on the work of the Association

(ii) approve the audited accounts

(iii) elect the officers and members of the Committee

(iv) consider and vote on any motions;

(d) The Chair may at any time call a Special General Meeting of the Association on giving twenty one days notice and the Secretary shall call a Special General Meeting of the Association within twenty one days of receiving a written request to do so signed by not less than ten full members with reasons or a copy of a motion to be considered by such Special General Meeting;

(e) All motions for consideration at any General Meeting must be submitted in writing to the Secretary with the name of the proposer not less than twenty eight days before the date of the meeting.

8. PROCEDURE AT MEETINGS

(a) The quorum for any Committee Meeting shall be one half of the current actual membership of the Committee;

(b) The quorum for a General Meeting shall be one fifth of the current actual membership of the Association;

(c) Unless otherwise stipulated in this Constitution all questions arising at any meeting shall be decided by a simple majority of votes cast. In the case of an equality of votes the person in the chair shall have a second or casting vote. The person in the chair shall have discretion to decide whether the voting on any question or motion shall be by a show of hands or ballot.

(d) Minutes shall be kept of all meetings whether General or of the Committee or any sub-committees or standing committees comprising a list of those present, in attendance and in the chair with a summary of the discussion and a record of all resolutions and decisions.

(e) The Committee shall have power to adopt standing orders for the Association and its committees and sub-committees. Any such standing orders shall come into effect immediately they are approved by the Committee but will be subject to any policy directions given by or amendments made by the Association in General Meeting;

(f) The Committee shall have power to draw up and publish Site Guidelines for the benefit of members of the Association and other visitors to the Alloa Allotment Site. Such guidelines shall, in particular, indicate the standards of practice and behaviour expected from members and visitors and the action that the Committee shall be entitled to take in the event of any infringement. The Site Guidelines are deemed to be bye laws of the Association and are subject to any directions or amendments made by the Association in General Meeting. The Committee shall make these general binding rules publicly available via the notice board.

9. FINANCE

(a) All funds raised by or on behalf of the Association shall be applied in furtherance of the objects of the Association and for no other purpose;

(b) Members of the Committee or any sub-committee or standing committee shall be entitled to reimbursement of reasonable expenses incurred in carrying out their duties to the Association provided claims for reimbursement are made in writing to the Treasurer and supported by receipts;

(c) The Committee shall authorise the three main office bearers to sign cheques on behalf of the Association. All cheques must be signed by at least two of the authorised signatories. All expenditure over £25 must have the prior approval of the officers of the Association. Any expenditure over £100 must be approved in advance by a meeting of the Committee.

(d) The Committee shall advise the members in the notification of the Annual General Meeting of any proposed changes to the Annual Rent. The members of the Association shall vote at the Annual General Meeting on any proposed changes after due discussion of all the issues.

10. PROPERTY

The title to all property, heritable or moveable, that may be acquired by or on behalf of the Association shall be vested in the names of the Chair, Vice-chair, Secretary and Treasurer for the time being ex officio or in the names of trustees of a trust established for that purpose.

11. ALTERATIONS TO THE CONSTITUTION

This Constitution may be altered only in a General Meeting by giving notice to all members in writing setting out the terms of the proposed alteration not less than twenty one days before the date of the General Meeting at which the alteration is to be proposed followed by a majority of two thirds of the members present and voting in favour of the alteration.

12. DISSOLUTION

The Committee may by a simple majority decide at any time that it is necessary or advisable to dissolve the Association and shall call a Special General Meeting of the Association by giving not less than twenty one days notice in writing stating the terms of the resolution for dissolution to be proposed at the meeting.

If the resolution is approved by at least two thirds of the members present and voting at such General Meeting then -

(a) The Committee shall apply the assets of the Association to settlement of the debts and liabilities of the Association including, as necessary, the sale of any assets of the Association for the best obtainable price;

(b) If dissolution is caused by the cessation of allotment or community gardening at Alloa Allotment Site any assets remaining after settlement of debts and liabilities shall

be given or transferred to such other organisation or organisations having similar objects to the Association as the Committee may determine;

(c) In the event of dissolution occurring for any other reason the Committee shall invite any other organisation or organisations having similar objects as it may determine to set up a trust to receive the remaining assets of the Association, if any, with power:-

(i) within three years of the date of dissolution to transfer the assets in trust to any new, properly constituted body with objects similar to the Association set up at Alloa Allotment Site and dissolve the trust; or

(ii) to use or dispose of the assets in the trust as seems fit if no such body is set up within three years of the date of dissolution.

ALLOA ALLOTMENT SITE GUIDELINES and RULES

These guidelines are byelaws of the Alloa Allotments Association. They are designed to help you by providing useful information and setting clear ground rules for the safe, responsible and considerate use of the site, including our behaviour towards neighbours and other members of the Association.

THE NOTICEBOARD

This keeps you in touch with what is going on and is situated near the gates. It displays contact details of your Committee, minutes and information on forthcoming events, adverts etc. This will contain details of the rules relating to the keeping and use of the plots.

WATER

Alloa Allotment site is well supplied with standpipes. They can be used with hoses as well as for filling watering cans. No barrels or other containers should be put under taps to ensure water quality and comply with safety directives. Equally never mix chemicals at a tap.

BONFIRES

Please be considerate and responsible if you have a bonfire. Make sure everything is dry and will not cause too much smoke. Never burn rubbish. It causes pollution and can poison others. If you do have a fire stay with it until it is out and if anyone complains about it - be courteous and put it out. Wait until a better time.

PATHS

We are responsible for maintenance of the paths adjoining our plots. Keep them weed free. Do not leave out items that will obstruct other people using the paths.

GREENHOUSES

If you want to put up a greenhouse on your plot make sure it is sited where it will not shade your neighbour's plot and clear it with the Committee first by letter. A basic site plan must be produced and submitted to the Committee for approval.

DOGS

You are welcome to bring your dog, so long as you keep it on your plot and on a leash at all times. All faeces must be collected and taken home to avoid infecting the site and causing eye infections or asthma to children and other plot holders.

CHILDREN

Make sure you know where your children are at all times and ensure that they are safe and not causing problems for other plot holders.

LITTER

Do not drop litter or allow your family to do so and be careful on windy days that you do not leave light articles on your plot that may blow away onto someone else's plot for them to have to dispose of.

SECURITY AND THEFT

Please look after any money or valuables you have with you as things may go missing from sheds even when people are working nearby. Thefts of tools and crops also occur. Breaking that trust is viewed very seriously. If any plot holder or visitors/family with them are seen stealing or behaving in an antisocial way the Committee will consider terminating that plot holder's tenancy. Report anything suspicious and if you are the last member leaving the allotments, please ensure you lock the gates behind you.

AGM

The Annual General Meeting shall be held on, or as near as possible to, the Second Thursday in November each year.

TERMS OF LET

The Allotments shall be let as from the 28th November to the 27th November the following year. If a plot becomes vacant it can be allocated at any time

RENTS

The Plot holder, or his/her representative, must pay the Annual rent, including Water charges, at the AGM. If this is not possible, the rent must be paid within 28 days of the AGM to the treasurer. If the rental is not paid by this time, it will be taken to mean that the plot holder has resigned the plot. Any change to the Annual Rent which the Committee find to be advisable will be notified to the members before the AGM and the members will vote on any proposed changes after due discussion.

ROADS AND PATHS

The main or middle road shall be 8 ft wide. This centre path must be kept clean and level. No rubbish is to be dumped on it, nor must there be any encroachment on it. There shall be a path a minimum of 2 ft wide between plots, 1 ft on each side of the boundary line. Each "Plot Holder" should seek agreement with his/her neighbour regarding type and upkeep of paths. Cars and vans are allowed on to the site to allow "Plot Holders" to drop off or uplift personal material only. Vehicles should then be parked in the car park provided outside the allotments.

GATE

Each member must make sure the gate is closed and locked after he/she leaves the Allotment ground.

CAR PARK

The Car Park is provided for the exclusive use of the Association and members must park any cars in the Car Park. The slope outside the Car park must be kept clear for emergency vehicle access and members must not park their cars there.

KEYS

All members must provide their own padlock and keys for their sheds. There shall be a deposit of £5 taken for the issue of a main gate key, which shall only be repaid when the key is surrendered.

SHEDS

It will be the responsibility of the Plot holder or shared Plot holders to keep their shed in a maintained condition. The committee will inspect sheds and report any defects to

be repaired on a monthly basis. A new member taking on a shed which is in need of repair will have the necessary wood supplied free of charge by the association if required.

PLOT INSPECTIONS

The Committee shall inspect all plots monthly, immediately prior to any Committee meeting the dates of which are posted on the notice board, and, if a plot is found not to be up to an acceptable standard, shall in the first instance contact the plot holder by telephone or otherwise, on the need for improvement. It will also be the duty of the plotholder to notify a committee member if he/she feels a reason for neglecting a plot.

Failing such improvement the committee shall write to the "Plot Holder" on the need for improvement. Failing any further move for improvement, the let will be terminated with no compensation given. (If no improvement, is made after the issue of 2 improvement letters in any one year). All plots should have few or no weeds and should be in the main, cultivated and planted. The top of the upper plots and the bottom of the lower plots are to be kept tidy. No plot inspections will be carried out at any other time.

PROTOCOL

All cases of vandalism, pilfering or observed safety risks should be referred to the Secretary or any Committee member and where appropriate to the police. You must not remove produce from another allotment without the express consent of the Plotholder.

BEHAVIOUR

Any Plotholder found to have acted in a way that could reasonably be held to cause annoyance or inconvenience, or acting in an aggressive manner, to any other Plotholder or Plotholders should be reported to the committee.

After full investigation by the committee, notice of immediate termination may be served, on any Plotholder, deemed to be guilty of misconduct. It will also decide whether or not the current year's fees are forfeited.

DISPUTES

Any dispute that may arise from any cause whatsoever between Plotholders or between Plotholders, and the Association shall be referred to the Committee whose decision shall be final and binding.

ENCROACHMENT ON OTHER ALLOTMENTS AND PATHS

You must not go on to another Plotholder's allotment without the express permission of the Plotholder. This applies to all members of the Association whether officers, Committee members or ordinary members. (Unless during official monthly meeting inspections)

CONTACTING THE COUNCIL

Only the Chair of the Committee or a delegated representative should contact the Council regarding any matter of concern to the Association or its members. Any concerns which members have should be sent to the Secretary in a letter. The letter will be acknowledged and brought before the next Committee meeting for discussion. If the matter is deemed urgent the Chair may call an ad hoc Committee meeting.