

# KIRKNEWTON ALLOTMENTS ASSOCIATION

## DRAFT CONSTITUTION

**Thursday 13<sup>th</sup> May 2010**

### **1. Name**

The Association will be known as Kirknewton Allotments Association (Referred to below as “the Association”).

### **2. Objects**

The objects of the Association will be:

- A. to manage and supervise Allotments (within the Kirknewton area) for the benefit of the Members of the Association, in accordance with the Association's Rules and Regulations and in accordance with the Association's General Rule and Conditions of Let.
- B. to promote by whatever means agreed by the Membership, the suitable provision of allotments in the Kirknewton area.
- C. to promote, by whatever means agreed by the Membership, support for the ploholders and opportunities for the public to learn about allotments and their cultivation. In pursuit of these Objects, the Association will be non-political, non-sectarian and non-racial.

### **3. Membership Fees**

- A. Membership will be confined to persons who are resident or employed in the Kirknewton area as defined by the Community Council boundary and to include any resident of Wilkieston. Any applications from persons out with this area may be considered by the management committee. Membership Fees must be fully paid by the due date, and members must undertake to cultivate their allotment in accordance with the Association's Rules and Regulations.
- B. The due date for the payment of fees is normally the Annual General Meeting (AGM) or within 4 weeks of the AGM, at the Committee's discretion.
- C. The Annual Association Membership Fee will be determined at the previous year's AGM. Members will be notified of any proposed changes in Fee, at least 4 weeks prior to the AGM. In addition to the Association Membership Fee, members pay an Annual Rent to the Association. Changes in the Annual Rent will be notified to members in advance of the AGM, but are not open to alteration by the AGM.
- D. It is permissible for an allotment lease to be in the names of 2 eligible people. Where the lease is in

the names of 2 people, the registered addressee must be a member of the Association, but it is permissible for the second person also to be a member. When the second person has paid a membership fee, he/she will be sent Association communications, have full voting rights at the AGM and be eligible for election to the Committee. It is not permissible for 2 of the Association's office bearers to be joint leasees of a plot.

E. If a plotholder wishes to introduce a second eligible person to the lease, they will inform the Secretary. After a period of 3 years, or at the discretion of the Secretary, the second person would assume continuity rights as in 3D.

F. The Association's Waiting List will be maintained in a strict consecutive manner by the Secretary. In adding names to the Waiting List, the Secretary will employ an equal opportunities policy. The Secretary may refuse to add to the Waiting List any person known to have been expelled from an Allotment Association elsewhere.

#### **4. Management Committee**

A. Association members will appoint a Committee consisting of: President, Vice President, Secretary and Treasurer and up to 8 other members.

B. Office bearers will be appointed for a period of 2 years and may stand for re-election. Committee members will be elected annually and may also stand for re-election.

C. The Committee will have the power to manage the affairs of the Association between AGMs. The Committee will carry out any instructions given to them by a majority of Members at the AGM.

#### **5. Additional Members and Sub-committees**

The Committee will have the power to co-opt up to 2 additional members, as determined by the Committee. Co-optees will have no voting rights on the Committee. The Committee will have the power to appoint such sub-Committees as it may from time to time decide, and will determine their powers and terms of reference.

#### **6. Meetings**

A. The Committee will meet monthly during the growing season, or at the discretion of the President or Secretary.

B. The Annual General Meeting will be held in November of each year. An extraordinary General Meeting may be summoned on the request in writing of 35% of members.

C. Notice in writing will be given of motions or business to be brought forward at an AGM at least 4 weeks prior to the AGM.

- D. At the discretion of the Chair, relevant business may be discussed at the AGM without prior notice.
- E. To ensure that AGM business is fully completed any guest speaker invited to address the meeting will do so after the business of the AGM has been completed.

## **7. Rules and Procedures at Meetings**

- A. Chair: All meetings will be chaired by the President, or by another Association member, as agreed by those present.
- B. Voting: All votes will be decided by a simple majority of the Members present. In the event of a tied vote, the Chair has a casting vote.
- C. Quorum: The quorum for Committee Meetings is 4 elected members. The quorum for an AGM or an extraordinary meeting is 20% of members".
- D. Disputes: In the event of any dispute over the conduct of a meeting, the Chair's decision will be final.
- E. Resolutions: Any member may propose a resolution for discussion at a General Meeting. To ensure that a resolution is discussed, it should be submitted, in writing to the Secretary, along with the names of the Proposer and a Seconder, in time for it to be circulated to the Members 4 weeks in advance of the relevant meeting. Any member may propose a resolution at a General Meeting, but in this case, it will be the Chair's decision whether or not it will be put to the Meeting. Resolutions proposing alterations to the Constitution may only be put to an Annual General Meeting.

## **8. Finance**

- A. All monies raised by the Committee will be applied to further the objects of the Association (see clause 2, A,B,C) and for no other purpose.
- B. No member of the Committee will normally be paid fees or receive any remuneration other than out-of-pocket expenses.
- C. The Treasurer will keep proper accounts of the finances of the Association and will pay all monies not immediately required into a bank account in the name of the Association. The funds of the Association will be held in a bank account operated by 2 office bearers.
- D. The accounts will be passed to an independent examiner who will be appointed at the AGM. The accounts shall be passed to the independent examiner 2 months before the AGM, so that they can be circulated to the Members with the AGM papers.

## **9. Dissolution**

If the Committee, by a majority, decide at any time that it is necessary or advisable to dissolve the

Association, it shall call a meeting of all members of the Association. Notice shall be not less than 4 weeks, and shall state the terms of the resolution to be proposed.

## **10. Alterations**

Proposals to alter this Constitution can only be made as Resolutions at an Annual General Meeting of the Association. Alterations will be made as a result of resolutions by a simple majority of members present.

Adopted as the constitution of Kirknewton Allotments Association at an Annual General Meeting duly convened at

24 Main Street Kirknewton EH27 8AH

On

13 May 2010