Constitution of the Binswood (Ex-Servicemen) Allotment Society

1 NAME

The name is the Binswood (Ex-Servicemen) Society referred to in the Constitution as **the society.**

2 OBJECTIVES

The objectives of the society are to:

a. Promote and encourage the cultivation and enjoyment of the allotments,
b. Provide good access, good security, well maintained pathways and freedom from neglected or misused plots,
c. Provide effective allotment management,
d. Provide fair, open and equitable tenure,
e. Promote and develop gardening skills,
f. Ensure fair rents and charges are implemented,
g. Promote the use of allotments within the local community for people of all backgrounds and abilities,
h. Take steps to promote and encourage environmentally sustainable gardening methods,
i. Promote and encourage the management of green waste and materials recycling,
j. Promote and encourage the efficient use of water on allotments by storing water in tanks or water butts and non-wasteful use of tap water,
k. The society shall at all times act within the rules and in support of the National Society of Allotment and Leisure Gardeners Ltd,
l. To provide equal opportunities to all Members without discrimination on any grounds.

3 POWERS

The powers of the society are to:

a. Encourage co-operation with national and local government in all matters appertaining to environmental planning and development and representations on appropriate committees which are concerned with the provision of gardens and allotments,
b. Negotiate with the local authority for the use of land and provision of amenities,
c. Encourage the highest standards of cultivation, layout and landscaping,
d. Represent or assist Members at Public Inquiries for the purpose of protecting and advancing their interest in the objectives of the Association,
e. Co-operate with, or affiliate to, other local, national or international organisations having similar objectives,
f. Actively assist Members in upgrading their plots, particularly areas unused and overgrown, which are unsuitable for allotment use, having been spoiled due to industrial or other activities, but can practically be put back into use.
g. Actively pursue grants or the improvement of the society amenities.

4 MEMBERSHIP

a. There shall be two membership categories: Full Members and Affiliate Members (Allotmenteers).
b. A Full Member is an individual who has paid the appropriate annual tenancy rent to the society such person being the plot holder.
c. An individual who, by mutual agreement, jointly shares the use of the plot with the Full Member but has no vote, such person being an allotmenteer.
d. An Affiliate Member (Allotmenteer), shall be entitled to succeed in the tenancy of a plot in the event of the resignation, retirement or demise of a Member, and should notify the Membership Secretary in the event, as soon as is practical.
e. Allotments which have become available for reletting shall be offered and let to suitable new applicants held on the Society's waiting list.
f. No person holding an allotment in any other association shall be eligible for a plot.
g. No member shall sub-let his/her allotment or any part of it thereof to any other member or person**.**

5 TENANCY

a. No member shall, without the written consent of the Society, cut or prune any tree (except fruit trees) or take, sell or carry away any soil, mineral, gravel or clay, or plant any tree (except fruit trees or fruit bushes).

b. No member shall bring any materials to the allotments other than those to be used in the cultivation, management and enjoyment of the allotment. Any materials brought to the allotment for use in its cultivation and management must be brought into use within a reasonable period. Tyres, carpet and hazardous materials of any kind are deemed unacceptable by the Committee and may be removed.

c. Members are responsible for the safe and proper disposal of any materials not needed for the proper cultivation and management of their allotment. All arisings from allotments must be composted within the confines of the members plot or disposed of appropriately at a local authority site.

d. Every member shall keep their allotment in a proper state of cultivation to the satisfaction of the Committee, and so kept and maintained, leave it at the termination of their tenancy.

e. New fruit trees or bushes must not hang over the roads or an adjoining allotment. They must be planted so that the canopy of the mature tree will be entirely contained within the member's plot, excluding the paths.

f. Members are permitted to erect temporary structures.

- a shed, (3m x 2.5m, height to eves 2 metres) for the storage of tools and equipment needed for the cultivation, management and enjoyment of the allotment, and
- a greenhouse, (3m x 2.5m, height to eves 2 metres) or polytunnel, (6m x 3m, height to eves 2.5m), to be placed with due consideration to neighbouring members.

- Sheds or greenhouses on half plots should not exceed 2/3 of the above floor areas.

g. Members are encouraged to arrange a system of water collection and storage on any sheds, greenhouses or polytunnels.

h. Raised beds are permissible when constructed of wood or similar sustainable material. New beds of bonded brick or concrete block are not acceptable materials for this purpose.

i. Wells, water holes and ponds must be securely covered to protect against accidents.

j. Members shall keep every path or road bordering their allotment in good repair. Paths or roads must not be obstructed. No plot shall have a fence or hedge.

k. No livestock shall be kept on the allotments. Bees can be kept only with the Committee's prior written consent. Dogs must be kept on a leash; owners are required to clean up after their pets and no dogs are to be kept on the allotments.

l. Bonfires should be kept to a minimum and managed in line with Local Authority Guidelines: https://www.warwickdc.gov.uk/info/20505/air_pollution/602/smoke_and_smoke_control_areas such as not to cause a nuisance to neighbours.

m. Vehicles are not to be kept or garaged on any parts of the allotments.

n. No business or trade may be carried out by any member on any allotment.

o. Members are not permitted to reside on the allotments.

p. Members must ensure that tools and other personal equipment are kept safe and secure when not in use. The tenant acknowledges that the Society accepts no liability for loss or injury.

q. The allotment is not to be considered to be let or treated as a market garden within the meaning of the Agricultural Holdings Act 1908**.**

r. Cases of dispute between two or more members shall be referred to the Committee for resolution whose decision shall be final.

s. Ditches are for land drainage to prevent flooding and are to be kept clear.

6 COMMITTEE OF MANAGEMENT

a. The affairs of the society will be carried out by a Committee of Management comprising the offices of President, Chair, Vice Chair, Secretary, Treasurer and Membership Secretary, who must be full members of the society.

b. In addition, other Members can be elected or co-opted to the Committee but must stand for election at the next AGM.

c. Officers of the Committee shall stand for election annually. Candidates to serve on the Committee should be nominated, seconded and accept the nomination at least 7 days in advance of the Annual General Meeting. If there are no contested officers then acceptance of those candidates will be decided at the meeting by a

vote of Members, subject to a quorum of ten votes. Where there is a contested office then this will be decided by a private ballot at the Annual General Meeting.

d. The President should be selected and appointed by the Committee and shall serve a 5 year term. The purpose of the President is to be the figure head and provide consistency for the governance of the Society.
e. The Committee should meet to discuss issues relating to the allotments at least six times each year. A quorum of 5 members consisting of at least the Secretary, Treasurer and Chair or Vice Chair is required to vote through decisions. In the event of a hung vote the Chair or Vice Chair will have the casting vote.
f. Officers of the Committee must keep accurate records of their dealings on behalf of the society, which shall be available for inspection by Members.
g. Officers or Committee members may be removed at any time by a resolution of the majority of the members present at any General meeting called for that purpose, subject to a quorum of 30 votes.
h. When a member is unable to attend the Annual General Meeting, they shall be entitled to nominate another member to act as their proxy and vote on their behalf. Nominations for proxy should be made in writing to the Secretary in advance of the AGM.
i. The Committee may arrange for the care of the allotment of any member who, through ill health or other cause, is unable to work it.
j. Any surplus land not required for allotments may be maintained by the Committee for the benfit of the Society.

7 MEETINGS AND VOTING

a. There shall be three categories of meeting: a Committee meeting, a General Meeting and a Special General Meeting.
b. Full Members of the society will be eligible to attend and vote at the meetings, Affiliates may attend but will not be given a vote.
c. The Chair of the meeting shall have a casting vote in the event of equal numbers of votes being cast both 'for' and 'against' the motion under consideration.
d. An Annual General Meeting will be held at such time that the Committee decides. However, this will normally be during March at a venue to be decided in advance.
e. Special General Meetings can be called if considered desirable either by the Committee or by a minimum of ten Members. The Chair, Secretary and/or Treasurer will then advertise the date, venue and .
f. Members must be given at least 28 days advance notice of the date, venue and agenda of any Special General Meeting or Annual General Meeting, which shall be subject to a quorum of 20 Members.
g. In the event that no quorum exists for a Committee, Special General or Annual General Meeting, (after a period of 30 minutes has elapsed from the advertised starting time of the meeting), the Members present may discharge the matters notified in the agenda, but no other item under the heading of 'Any Other Business' may be discussed,
h. Items for the agenda of a Special General Meeting must be passed to the secretary in advance of the meeting and in sufficient time to allow preparation

for the meeting. No items under the heading of 'Any Other Business' are to be raised.

i. The Chair and Treasurer's reports will be presented to the Annual General Meeting,
j. The Annual General Meeting shall be to receive the report of the Accounts for the year and to elect the Officers and Committee, and appoint the accountant for the coming year. The Annual General Meeting can consider additional items for inclusion at the meeting under “Any Other Business” provided that the agenda items are notified to the Secretary at least 14 days before the date of the Annual General Meeting,
k. Any changes to the constitution must be considered and voted on by Members at a Special General Meeting.

8 FINANCES

a. The Committee will maintain a bank account in the name of the society and all monies received from any source on behalf of the society will be paid into that account.
b. All withdrawals are subject to two signatories, one of whom is the Treasurer and the other the Chair.
c. No withdrawals or reimbursements are to be made without approval of the Committee of Management.
d. Any expenditure over £1,000 can only be made if 3 quotes have been secured prior to the expenditure have been secured save, or where a specialist contractor is required, or particularly favourable terms have been secured and “time is of te essence” such as in the case of an emergency where the approval of the two signatories on the committee has been approved.

9 SUBSCRIPTION

a. A one-off membership fee shall be paid on joining the society.
b. The annual rent shall become payable on 1st January and should be paid by 31st January.
c. All subscriptions collected must be remitted to the Treasurer.
d. Members failing to pay their rent within 30 days will be subject to a late payment fine notified from time to time when rents are due. Failure to pay the rent and the late payment fine will lead to termination of the tenancy.

10 TERMINATION AND EXPULSION

a. A Member shall cease to be a member of the society in any of the following eventualities:
    I. The withdrawal of the Member from the society,
    II. Non-payment of subscriptions as outlined in Article 9(d) above,
    III. Failure to maintain their plot to a reasonable standard,
    IV. Inappropriate behaviour, nuisance to other plot holders or the neighbourhood.
b. The Committee may expel any Member who does not in its opinion conform to the rules and decisions of the society provided that at least 1 months’ clear

notice is given in writing to the member of the intention to expel and an opportunity is offered for the Member's case to be stated. A Member aggrieved of any action of the Committee may appeal to the President of the society, whose decision will be final.

c. The Committee may arrange for the care of the allotment of any member who, through ill health or other cause, is unable to work it.
d. Any surplus land not required for allotments may be maintained by the Committee for the benefit of the Society.

11 DISSOLUTION

If the committee by simple majority decides at any time on the grounds of expense, or otherwise, that it is necessary or advisable to dissolve the society it shall call a Special General Meeting of all members of the society. If such a resolution is confirmed by a simple majority of those present, at such a meeting the committee shall have the power to dispose of any assets held by or in the name of the society. Any assets remaining after meeting of any debts and liabilities shall be donated to a charity for the benefit of ex-service personnel.

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Signed

----------Chair

----------Secretary