

# Constitution of the Alric Avenue Allotment Association

## 1. Name:

The Alric Avenue Allotment Association (“the Association”)

## 2 Administration.

- 2.1. Subject to the matters set out below the Association and its property shall be administered and managed in accordance with this constitution by the members of the Executive Committee (“the Committee”).

## 3 Objective.

- 3.1. The Association is a self-managed body, which holds the allotment site as tenant under a lease from the Royal Borough of Kingston-upon-Thames (“the Council”). This allows the Association to sub-let allotments to members. The Association’s objective is to ensure the efficient administration, management and operation of the site within the terms of this lease and for the benefit of the members.

## 4 Powers.

- 4.1. The Committee may exercise the following powers;
- to review annually the rent charged to members for use of the allotments including any concessionary discounts.
  - to raise funds and to receive contributions, provided that in raising funds it does not undertake any trading activities and conforms to any relevant requirements of the law
  - to co-operate with other self-managed or voluntary bodies and statutory authorities in furtherance of the objective or similar purposes and to exchange information and advice with them.

## 5 Membership.

- 5.1. Membership of the Association is open to any person over 18 years and who has paid their annual subscription as determined by the Committee. Details of individual membership are held confidentially in the database administered by the Secretary.
- 5.2. Membership is subject to compliance with the rules and regulations of the Association. Failure to comply may result in membership being terminated. This will be done in writing by the Secretary (see section 16).
- 5.3. Members are required to cultivate their allotment and maintain any uncultivated or fallow areas in good order. The Committee will undertake regular inspections of the site and will issue notices to members in the event their plot does not meet the necessary standard. If after 2 such notices, a

member's allotment does not meet the required standard, their tenancy will be terminated in writing with immediate effect and their plot made available for re-letting.

- 5.4. Any actions in respect of 5.2 & 5.3 will be reported by the Secretary to the Committee at their next meeting.

## **6 Executive Committee.**

- 6.1. The Committee will consist of up to 13 members of the Association elected by a ballot of members who will hold office at the conclusion of the Annual General Meeting
- 6.2. All members of the Committee will retire from office together at the end of the Annual General Meeting next after the date on which they came into office but they may be re-elected or re-appointed.
- 6.3. The proceedings of the Committee will not be invalidated by any vacancy among their numbers.
- 6.4. No person shall stand for the Committee if he or she is incapable by reason of mental disorder, illness or injury of managing and administering the affairs of the Association.
- 6.5. A member of the Executive Committee will cease to hold office if (s)he;
- becomes incapable by reason of mental disorder, illness or injury of managing and administering the affairs of the Association.
  - is absent without the permission of the Committee from two of their meetings held within a period of 1 year.
  - notifies to the Executive Committee a wish to resign
  - ceases to be an allotment holder.

## **7 Honorary Officers.**

- 7.1. Honorary Officers will consist of a Chairman, Vice-Chairman, Secretary and Treasurer, who will be appointed by the membership at the Annual General Meeting

## **8 Committee Members interests.**

- 8.1. No member of the Committee shall acquire any interest in property belonging to the Association or receive remuneration or be interested, other than as a member of the Committee, in any contract entered into by the Committee.
- 8.2. Any member of the Committee who is a solicitor, accountant or other person engaged in a profession, may charge and be paid all the usual professional

charges for their business when instructed by the Committee to act in a professional capacity on behalf of the Association.

- 8.3. The Committee may make ad hoc payments to individual members of the Association or other persons, for services provided in the furtherance of the work of the Association. The limit of such payments shall be agreed by the Committee.

## **9 Meetings and proceedings of the Committee.**

- 9.1. In addition to an Annual General Meeting, the Committee shall hold at least three ordinary meetings each year. A special meeting may be called at any time by any three members of the Committee upon not less than 5 working days notice being given by the Secretary.
- 9.2. The Chairman shall be responsible for the conduct of the meetings. In his/her absence the role will be undertaken by the Vice-Chairman or Secretary.
- 9.3. There shall be a quorum when a minimum of five members of the Committee are present.
- 9.4. Proceedings will be determined by a majority of votes of the members of the Committee present. In the case of no majority, the Chairman of the meeting shall have the casting vote
- 9.5. The Secretary of the Association shall keep minutes, of the proceedings and decisions at meetings of the Committee.
- 9.6. The Committee may from time to time make and alter rules for the conduct of their business and meetings. No rule may be made which is inconsistent with this constitution.
- 9.7. The Committee may appoint one or more ad hoc sub-committees for the purpose of performing any function or duty which in the opinion of the Committee would be more conveniently undertaken or carried out by a sub-committee, provided that all acts and proceedings of any such sub-committee are within the terms of the constitution.

## **10. Receipts and expenditure.**

- 10.1 The funds of the Association, including all plot rentals, donations and sundry contributions, will be paid into an account (or accounts) operated by the Committee in the name of the Association and administered by the Treasurer. All withdrawals made from the account(s) must be authorised by two of the Honorary Officers of the Committee or as prescribed by operating procedures of the bank(s) holding the account(s) and approved by the Committee.
- 10.2. The funds belonging to the Association shall be used **only** in furthering the objective.

## **11. Accounts.**

- 11.1. The Treasurer, on behalf of the Committee shall be responsible for:
- the keeping of accounting records for the Association
  - the preparation of statements of account for the Association for presentation at the Annual General Meeting
  - the independent auditing of the statements of account of the Association.

## **12. Annual General Meeting.**

- 12.1. There will be an Annual General Meeting of the Association held in March each year or as soon as practicable thereafter. The Secretary shall give at least 14 days notice of the date of the meeting. All the members of the Association shall be entitled to attend and those over eighteen years of age shall be entitled to vote at the meeting
- 12.2. The Committee shall present to each annual general meeting the report and accounts of the Association for the preceding year.
- 12.3. Nominations for election to the Committee must be made by members of the Association to the Secretary at least 7 days before the Annual General Meeting. If nominations exceed vacancies, election will be by a ballot of the members present at the Annual General Meeting

## **13 Extraordinary General Meetings.**

- 13.1. The Committee may call an Extraordinary General Meeting of the Association at any time. At least 14 day's notice must be given by the Secretary. The notice must state the business to be discussed

## **14 Procedure at Annual General Meetings.**

- 14.1. The meeting shall be chaired by the Chairman, or in his or her absence, by the Vice-chairman or Secretary.
- 14.2. The Secretary shall keep a record of proceedings at every Annual General Meeting of the Association.
- 14.3. There shall be a quorum when a minimum of 15 members of the Association are present.

## **15. Notices.**

- 15.1. Any notice required to be served on any member of the Association shall be done so in writing by the Secretary either personally or by post addressed to the member at his or her address. A certificate of postage will be obtained and any letter will be deemed to have been received within 10 days of this date. It is the responsibility of individual members to advise the Secretary of any changes to their address, including e-mail.

**16. Alterations to the Constitution.**

16.1. This Constitution may be amended by a resolution passed by the Committee. The amendment will be ratified by the members at the subsequent Annual General Meeting. The notice of the general meeting will include notice of the resolution, setting out the terms of the amendment.

**17. Dissolution.**

17.1. If the Committee decides to dissolve the Association it must call a meeting of all members, of which not less than 14 days' notice must be given.

17.2. If the proposal is confirmed by a two-thirds majority of those present, the Committee shall have power to realise any assets held by or on behalf of the Association. Any assets remaining after the satisfaction of any proper debts and liabilities shall be distributed as the members of the Association may determine.

17.3. In recognition that private individuals who, as present or past officers of the Association may be deemed to be financially liable for meeting the Associations contractual obligations in the event that the Association is wound up and/or ceases to self-manage the Alric Avenue Allotment site, a sum not less than that estimated to cover the total liabilities of such individuals will be held in the reserves of the Association. The amount will be reviewed by the Committee to take account of any changes in such liability and will be notified to the membership at the AGM each year. Should the Associations assets at any time fall to the level of the then currently agreed figure, a special general meeting shall be called at which the Association will be dissolved unless alternative finance can be raised.

**18 Date of adoption of this Constitution.**

18.1. This constitution was adopted on the date shown below for and on behalf of the members of the Alric Avenue Allotment Association.

Signed .....

Dated 18 March 2008