



CONSTITUTION

OCTOBER 2024

Second DRAFT, after committee members feedback:

Blue text and crossed through = proposed removals, mainly to for consistency of language

Orange text = proposed additions/amendments

- 1 **Name:** The name of the Association shall be "Rosedale Road & Bull Meadow Allotment Association."
- 2 **Objectives:** The objectives of the Association will be:
 - a. To promote the interests of all members in garden activities and to take joint action for the benefit of members
 - b. To take action to protect members against damage, trespass and theft
 - c. To lend cultivators and other horticultural equipment to members, for a donation towards petrol costs. (Amount as agreed by members)
 - d. To support and encourage current members and attract new members.
- 3 **Powers:** The Association shall not take part in any Parliamentary, County Council, Municipal or other Local Government Elections.

USE OF NAME

- 4 **Use of Name:** The name of the Association shall be mentioned in all business letters, notices, advertisements and other official publications of the Association and in all bills of exchange, promissory notes, endorsements, cheques and orders of money or goods, purporting to be signed by or on behalf of the Association, and in all bills, invoices, receipts and letters of credit of the Association.

MEMBERSHIP

- 5 **Members:** Membership of the association is open to all Allotment Holders and gardeners with a paid subscription, the amount for which is agreed at an AGM. The committee have the right to refuse membership to any person who has been evicted from any site in Thurrock.
- 6 **Subscriptions:** Plot holders shall be required to pay an annual subscription of a sum set by the committee - a rate that will be reviewed by the Committee yearly at the Annual General Meeting.
- 7 **Cessation of Membership:** A plot holder shall cease to be a member in the following eventualities:
 - a. The member's resignation
 - b. The expulsion of the member for the reason of non-cultivation/under-cultivation of plot.
 - c. The expulsion of the member due to unacceptable behaviour as agreed by the committee.
 - d. Where the member has been required to pay an annual subscription, non-payment thereof for a period of 1 month after it has become due.
- 8 **Expulsion of members:** A Special 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 him/her is sent to him/her at his/her address entered in the register of members at least one calendar month prior to the date of the meeting.

REGISTER OF MEMBERS

- 9 **Register of Members:** The Association shall keep a register of members in which the Membership Secretary shall enter the following particulars:
- a. The names and addresses of the Members
 - b. The date at which each person was entered in the register as a member and the date at which any person ceased to be a member
 - c. The names and addresses of the officers of the Association, with the offices held by them respectively and the dates on which they assumed office.
 - d. Every person at the time of becoming a member shall notify the Secretary in writing of his/her address and subsequently any change therein.

GENERAL MEETINGS

- 10 The Annual General Meeting shall be held in October each year. Ordinary General Meetings shall be held monthly (9 per year).
- 11 A Special General Meeting shall be held whenever the Committee **of Management** think expedient or whenever a written requisition for such a meeting, signed by 10 members is delivered to the Secretary. Should the Secretary fail to convene a Special General Meeting within 28 days after delivery of such requisition, the members signing the requisition may convene such meeting by giving such notice.
- 12 **Notice of Annual General Meetings:** At least 7 days notice in writing of every Annual General Meeting, stating the business to be transacted at such meeting, shall be e-mailed to every member and also posted on the site notice boards. No other business than that stated in the notice shall be transacted at such meeting.
- 13 **Voting at ~~Annual General Meeting and General~~ Meetings:** Every member present at any Meeting and not otherwise disqualified shall have one vote and where the votes cast in any matter are equal the Chair shall have a casting vote in addition to his/her vote as a member. *Members who are not tenants shall not have the right to vote on questions affecting tenant members only.*
- 14 **Presiding Officer at ~~General~~ Meetings:** At all ~~General~~ Meetings the Chair shall preside.
- 15 **Quorum at General Meetings:** Unless otherwise determined by a previous **Annual** General Meeting, a quorum at General Meetings shall consist of three committee members, **at least one of which must be a trustee**, and one member.
- 16 **Discussions at Meetings:** No political or sectarian issue shall be raised, or resolutions of that character proposed, either at any Committee or General Meeting of the Association.

OFFICERS AND COMMITTEE ~~OF MANAGEMENT~~

- 17 Officers:** The Association shall have the following officers: a Chair, a Secretary, Membership Secretary, a Treasurer and any other officers who may appear to the Committee ~~of Management~~ to be necessary for the conduct of the Association's business.
- 18 Election of the Committee:** The Committee shall be elected from amongst the members of the Association by a vote of the majority of the members present and entitled to vote at an Annual General Meeting. If any officer shall die, resign, be removed, or become unfit to act, the Committee may fill the vacancy until the next Annual General Meeting, unless the vacancy has already been filled at a Special General Meeting.
- 19 ~~Removal from Office: Any member of the Committee may be removed at any time by a resolution of the majority of the members present at any Special General Meeting called for that purpose, which may proceed to fill the vacancy.~~**
- (Note to all – item 19 on removal will change numbering of all items below)*
- 20 Powers of the Committee ~~of Management~~:** The ~~Management~~ Committee shall have full power to superintend and conduct the business of the Association according to the Rules /Constitution thereof.

TRUSTEES

- 21 HM Revenue & Customs (HMRC) anti-money laundering legislation.** The Association holds money from its members, acting as an express trust, and is so registered with HMRC. The signatories to the account are effectively trustees as they manage the bank funds on behalf of the members.
- 22 Trustees:** The Association will have no fewer than two and no more than four trustees at any given time, these will be members of the Committee.
- 23** If the Association wish to appoint additional trustees, the appointment will be made with a members vote at the AGM.
- 24** The trustees will be responsible for signing the lease for the allotment land on behalf of the Association. The trustees will also be responsible for upholding the terms of the lease.
- 25** To confirm the terms of the lease are being followed, at least one trustee must be in attendance every meeting.

REMOVAL FROM OFFICE – OFFICERS, COMMITTEE AND TRUSTEES

- 26** An individual may be removed from the role of trustee, and/or committee member, in the following ways
- following the death of an individual
 - where the trustee/committee member/officer voluntarily retires
 - by a two thirds majority vote by the members at an AGM or Special General Meeting
 - following the dissolution of the Association

MEETINGS OF THE ~~MANAGEMENT~~ COMMITTEE

- 27 Quorum at Committee Meetings:** Unless otherwise determined by an Annual General Meeting, a quorum at Committee Meetings shall consist of four members i.e. two thirds of the committee.
- 28 Special Meetings of the Committee:** A Special Meeting of the Committee shall be held on the requisition in writing of at least four Committee people.
- 29 Conduct of Committee Meetings:** At all meetings of the Committee every question shall be decided by a majority of votes and if the votes are equal the presiding officer shall have a casting vote in addition to his/her vote as a member.

NAMED BANK ACCOUNT

- 30** An account shall be kept by the Association of all income and expenditure of the Association. The income shall be applicable as may be determined by the Committee ~~of Management~~ for the following purposes and for no other purpose whether during the existence of the Association or on dissolution:
- a. For payment of the expenses of managing land, and buildings acquired or erected under the said Rule, including payment of rent, rates, taxes and other like outgoings;
 - b. For payment of expenses of repairs or improvements from time to time made by the Association on such land and buildings;
 - c. For payment to the general account of the Association.
 - d. for the encouragement of the proper cultivation of the land, and
 - e. For the benefit of the tenants generally, in such manner as the Committee may determine.

TREASURER

- 31** The treasurer will maintain the bank account and an income and expenditure account.

ACCOUNTS

- 32** The treasurer shall make a report to the Association of the accounts for the year in respect of which s/he is appointed. Copies of the audited accounts will be presented to the Annual General Meeting

ARBITRATION

- 33** In case any dispute arises between the Association or any of its officers and any member, application may be made to the Committee for redress, and should the Committee not bring the parties to agreement, the matter in dispute may be submitted for arbitration to The Association of Thurrock Allotments. The decision of the Arbitrators shall be final, and the costs of such arbitration shall be borne by the disputing parties in such proportion as the arbitrators may determine.

DISSOLUTION OF THE ASSOCIATION

- 34** **Dissolution:** The Association may at any time be dissolved by the consent of three-fourths of the members, testified by their signatures to an instrument of dissolution. Any funds will be returned to its members.

COPIES OF RULES/CONSTITUTION

- 35** **Copies of Rules:** A copy of the Rules/Constitution of the Association shall be delivered by the Membership Secretary to every person on demand. The Committee of Management shall provide the Membership Secretary with sufficient copies of the said Rules/Constitution for this purpose.

AMENDMENT OF RULES

- 36** **Mode of Amending Rules:** The Rules/Constitution may be amended by a resolution of a two-thirds majority at a Special General Meeting or the Annual General Meeting. Constitution is valid until registered.

SIGNED & DATED

CHAIR:	
SECRETARY:	
TREASURER:	