

Rosendale Allotments Association: RULES (Revised May 2021)

1. The name of the Association shall be The Rosendale Allotments Association Limited.
2. The Registered office of the Association shall be 227 Rosendale Road, London SE21 8LR.
3. **The Association's Aims** are to:
 - i. advance education, skills and good practice in horticulture for members and the wider community.
 - ii. promote the good health of the public, through the provision of allotments for horticulture and healthy exercise and associated educational activities.
 - iii. encourage a broader understanding of the importance of environmental protection and environmental enhancement for sustainable horticulture.
 - iv. provide some designated allotment plots and facilities to local community groups working with people with special needs whose health, wellbeing and welfare can be advanced by access to horticultural space.
 - v. to manage and maintain the allotments site in good condition for the long-term benefit of residents of Lambeth and surrounding boroughs.
4. **The Objects of the Association** shall be:
 - i. to promote the interests of allotment holders and to take joint action for the benefit of members.
 - ii. to support the development of the allotment movement both locally and nationally
 - iii. to buy, sell and lease lands and goods for the benefit of members of the association.
 - iv. to support the aims of the allotment movement both locally and nationally so that the Association's aims can be strengthened.
 - v. to let land to members to be cultivated by them as allotments.
 - vi. to enter into agreements on behalf of and in the interests of members of the Association.
 - vii. to determine any dispute that may arise between members or between a member and the Association.
 - viii. to treat all members equally under these rules and by-laws of the Association, irrespective of age, gender, sexuality, race, or belief.
 - ix. to secure by all lawful means as may be necessary the provision and tenure of allotments.
 - x. to take reasonable steps to ensure the health and safety of members at all times when they are on land owned or leased by the Association and provision of equal access to facilities.

The Association shall have full authority to do such things it deems necessary or expedient for the accomplishment of its aims and objectives.

Membership

- 5 The Association shall consist of all existing members and such persons as the Committee may from time to time admit to membership. All current paid-up ploholders (including holders of a share in a plot) will be members. Members may be required to pay an annual affiliation fee, not exceeding £20, as determined by the Committee.

- 6 All members shall hold one share only in the Association, which shall be forfeited when membership is terminated for whatever reason. Associate membership will be available to non-plottolders at an annual subscription as determined by the Committee; associate members will not be issued a share in the Association.
- 7 An entrance fee, not exceeding £40, shall be paid by all those accepted for full membership of the Association, which shall entitle that member to one share and a copy of these rules and the by-laws and regulations of the Association. All members are required to abide by the rules and by-laws of the Association.
- 8 Membership shall cease automatically:
 - a. when a member submits his/her resignation to the secretary in writing
 - b. when a member dies
 - c. when a member, without prior agreement with the Committee, has failed to pay the required annual rent or subscription within 28 days of the last day of the period in which rents or subscription are due, this period to be fixed by the Committee and published on the Association's notice boards.
- 9 **Expulsion of members:** If, after investigation, the Committee decides to expel a member for breach of the by-laws and regulations, or for any other conduct detrimental to the interests of the Association, the member shall be given written notice of the reason for expulsion, sent to the address entered in the register. The member has the right within 30 days of receiving such written notice to request a personal hearing in front of the Committee at which he/she can be accompanied by another member or a friend. The Committee may then decide whether to confirm its original decision to expel or to impose such other penalty or warning as it thinks appropriate.
- 10 **Register of Members:** The Association shall keep at its Registered Office, a register of members in which the secretary shall enter the following particulars:
 - a. the name, address and contact number of all members, it being the responsibility of each member to inform the secretary of any changes
 - b. the date each member joined the Association and date of termination
 - c. the names, addresses and contact numbers of the officers and Committee members of the Association and the date on which they took office
 - d. the number of each allotment leased to the member and the date on which the member took responsibility
 - e. the share held by the member
- 11 **Shares:** Shares in the Association shall not be transferable or withdrawable. Shares in the Association prior to the registration of these Rules shall be cancelled and one share (of value, 0.1p) shall be issued to each member at the rent-taking following the registration of these rules and to each new member. The secretary shall register all shares in the register of members and shall be responsible for cancellation of shares under rules 5, 7 or 8. No shares shall carry any interest or confer any right of dividend.

12 Meetings

All share-holding members who are not in debt to the Association are entitled to attend and vote at General meetings, Special General meetings and Annual General meetings of the Association and are entitled to stand for election to the Committee.

13. The Annual General Meeting (AGM) shall normally be held within 7 months after the end of the financial year (September) at such time and place as the Committee decide. The purpose of the AGM is to approve the annual accounts of the Association, to consider proposals to amend the Rules, to decide matters of general policy and to elect (or re-elect) the members of the Committee. Nominations to become a Committee member, which can include an indication of interest in undertaking a particular Committee role or of becoming one of the four statutory officers of the RAA, must be submitted in writing to the Secretary at least 10 days before the day on which the AGM is to be held.

14. Notice of the AGM shall be published on the Association's notice boards at least 28 days before the meeting, and all members invited to make nominations to the Committee or submit proposals for debate at the meeting. Such proposals for debate must be given to the Secretary in writing at least 10 days before the meeting.

The Secretary will be responsible for distributing to all members in writing, an agenda for the meeting together with a list of those nominated for the Committee and any proposals for debate submitted before the deadline. No accidental failure by the Secretary to distribute this information to any member shall be reason for the meeting to be invalid.

15. General meetings may be called by the Committee, which shall give at least seven days' notice to members, of the purpose, time and place of the meeting (by publication on the Association's notice boards).

16. The Committee shall call a Special General Meeting when it receives a written requisition for such a meeting, signed by 40 members stating the business to be transacted, which must cover one or more of the following issues:

- proposals on general issues of policy
- proposed changes to the Rules of the Association
- proposals offering advice to the Committee to reconsider its decisions on any matter within its Powers and Responsibilities to manage the affairs of the Association in accordance with these Rules and take any necessary actions.

A Special General Meeting can also be called by a members' petition to consider a vote of no confidence in the Committee, or the removal of one or more Committee members. However, where a member has brought a dispute between members to the Committee for its resolution, the Committee's decision is final. Any members' petition to call for a Special General Meeting to challenge such a decision shall be disallowed.

On receiving a petition for a Special General Meeting which accord with one or more of these criteria, the Committee shall, at its next meeting, call a Special Meeting of all members within 14 days and shall give at least seven days' notice to members of the purpose, time and place of the meeting (by publication on the Association's notice boards).

17. At any general meeting the quorum shall consist of 20 members, but no meeting shall become incompetent to transact business for want of a quorum once the Chair has opened the meeting. The Committee has the right to propose an independent chairperson for such meetings.

18. Voting

At the annual, general and special meetings, every member who is not in debt to the Association shall, on a show of hands, be entitled to one vote. Proxy votes shall not be allowed under any circumstances. The chair of the meeting may exercise the right to a deliberative or, if the votes are equal, a casting vote, but not both.

19. Officers of the Association

The Association shall have the following officers: Chair, Vice-Chair, Secretary, and Treasurer. The officers shall be elected by the Committee from among the members of the Committee at their first meeting following the AGM. Should any of the officers resign or be unable to continue in post at any time, then the Committee shall have the power to appoint a Committee member to hold the position until the next AGM. Officers of the Association shall hold office for one year but shall be eligible for re-election for a maximum of 4 consecutive years.

20. Management Committee

The Committee shall be composed of the officers of the Association together with up to 12 other members elected at the AGM. The Committee has the power to co-opt voting members onto the Committee up to this number between AGMs.

21. Removal from Office

a. Any member of the Committee, elected at the Annual General Meeting, may be removed at any time by a resolution of the majority of RAA members voting at a General meeting called for that purpose. The meeting shall have the power to fill the vacancy if it chooses to do so.

b. Any member co-opted by the Committee may be removed from membership of the Committee, and any officer elected by the Committee may be removed from their elected position at any time by a resolution of the majority of the Committee members voting at a special meeting of the Committee called for that purpose. The meeting shall have the power to fill the vacancy.

Powers of the Committee

22. Unless otherwise provided by these rules or prohibited by statute, the Committee shall have the power to act on behalf of and in the interests of the Association according to its aims and objects (3 and 4). The Committee may from time to time make by-laws relating to the tenancy of the allotment gardens, provided no such by-laws shall be inconsistent with these rules.

23. Regular meetings of the Committee will be held, at least six times a year. The quorum at a Committee will be 5 members. All questions will be decided by a majority of those present, no member having more than one vote. In the event of equal votes, the chair shall declare the proposal not carried. Committee meetings are open to all members to attend and minutes will be available for inspection at the registered office.

24. Finance

The Treasurer shall be responsible for maintaining the accounts of all income and expenditure of the Association. He/she shall submit a financial report to each meeting of the Committee and arrange for annual accounts to be prepared for approval by the AGM.

25. The income shall be used for the following purpose and no other purposes:

- a. for payment of expenses of managing land and buildings acquired or erected,
- b. including payment of rent, rates, taxes and other like outgoings
- c. for payment of expenses of repairs and improvements from time to time made by the Association on such land or buildings
- d. for the creation of a Special Reserve Fund not exceeding one year's annual value of the land and buildings, so that such reserve fund shall be available for any purpose authorised by this Rule but for no other purpose.
- e. for prizes for encouragement of proper cultivation of the land.
- f. for payment of expenses of managing the Association and for the benefit of members generally, in such manner as the Committee may decide.

26. All profits and dividends shall be used for purposes outlined in rule 24 and for no other purpose. The Committee shall have authority to invest funds of the Association in accordance with the objectives of this rule, in any of the securities referred to in section 31 of the Industrial and Provident Societies Act 1965, but not otherwise. The Association shall not contract loans or receive money on deposit from members or any others.

Audit

27. The members shall vote annually, at the Annual General Meeting, to have, when necessary, in law, or where the membership require, an audit carried out by a registered auditor, or an audit carried out by two or more lay auditors, or a report carried out by a registered auditor, or un-audited accounts, where the conditions for such prevail.

28 If a full audit or a report is required, a person who is a qualified auditor under section 7 of the Friendly and Industrial and Provident Societies Act 1968 shall be appointed.

29. The qualified or lay auditors, if so appointed, shall not be officers of the Association and nor shall they be partners of, or in the employment of, or employ, an officer of the association. Lay auditors shall be chosen by the Committee from the general membership and/or other.

30. If the membership vote for unaudited accounts, the Association's income/expenditure ledger shall be scrutinised by the secretary and Committee members and signed, as a true record, by the secretary and two Committee members or such other members as may be required by legislation. An income/expenditure report will be presented to the Association's members at each AGM.

31. Annual Return Every year, and within the period prescribed by statute, the secretary shall send to the Financial Services Authority the annual return relating to its affairs, in the form prescribed under the Industrial and Provident Societies Act 1965 for the period, together with: (i) a copy of the report of the auditor or other appropriate person on the Association's accounts, as required by statute for the period included in the return; (ii) a copy of each balance sheet made during that period and of the report of the auditor or other appropriate person on the balance sheet as required by statute.

32. Inspection of books Any member of the Association shall be allowed to inspect his own account, and the accounts of the Association at the registered office of the Association, by arrangement with an officer of the Association.

33 The Seal The Association seal shall not be affixed to any document without the express authorisation of the Committee and such authorisation shall be attested on the sealed document by the signatures of two members of the Committee and the Secretary. The seal will be kept in the custody of the Secretary at the registered offices of the Association.

34. Affiliation The Association is affiliated to the National Society of Allotment and Leisure Gardeners, Ltd. No decision to disaffiliate from the NSALG shall be taken except on proposal agreed by the AGM.

35. Dissolution The Association may at any time be dissolved by the consent of three- quarters of the members by their signatures to an instrument of dissolution or by winding up the Association in a manner provided by the Industrial and Provident Societies Acts.

Rules

36. It shall be the duty of the Committee to provide a copy of these Rules and the Association By-Laws and Regulations to each new member of the Association.

37. Any Rule of the Association may be amended or rescinded, or any new Rule be made, by a resolution of which proper notice has been given and which is agreed by a majority of the votes cast at the AGM or a meeting specially convened under these rules for that purpose.

38. No amendment of these Rules shall be valid or have any effect until the Committee has received confirmation from the Financial Services Authority or its successors that the change has been registered.

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