Constitution

Court Oak Road Allotments Association.

1. NAME.

   The name of the association will be:
   The Court Oak Road Allotments Association (the Association).

2. MEMBERSHIP.

   2.1. All plot holders on site shall be entitled to be members of the Association.

   2.2. Membership is open to any person who wishes to further the objectives of the Association.

3. OBJECTIVES.

   The objectives of the Association will be:

   3.1. To safeguard and promote the interests of plot holders.

   3.2. To work to the benefit of all plot holders and ensure effective communication between everyone.

   3.3. To ensure the good management and cultivation of the sites.

   3.4. To promote safe and healthy gardening.

   3.5. To promote cooperation for the enhancement of common areas of the site.

   3.6. To operate, where authorised by a General Meeting, any Management Agreement with Birmingham City Council.

4. ANNUAL GENERAL MEETING.

   4.1. An Annual general meeting (AGM) will be held each year. At least 28 days notice will be given, posted on the notice boards or by post and e-mail. At the AGM the members will:

   a. Receive the committee's report for the previous year.

   b. Receive the Treasurer's report and accounts for the previous year.

   c. Elect the Committee for the following year.

   d. Elect a person who shall act as auditor by undertaking an independent review of the financial records of the Association.

   e. Determine any other matter of which notice has been given or which members
wish to raise.

5. EXTRAORDINARY GENERAL MEETINGS.

5.1 EGMs may be held at any time if called by the Committee or if at least twenty members of the Association make such a request to the Committee. An EGM must be called within two weeks of such a request.

5.2. Voting at all meetings will be by show of hands, in the event of equal votes, the Chairperson will have the casting vote.

6. COMMITTEE.

6.1. The Committee will consist of:- four Officers, Chairperson, Treasurer, Association Secretary, Safety Officer and additional Committee Members.

6.2. A Committee meeting will be quorate with at least five members provided two of whom will be officers

6.3. Committee members will be Full Association members.

6.4. The Committee will meet at least five times per year.

6.5. The Committee has the power to co-opt members to the committee.

6.6 Committee Members who fail to attend 50% of Committee Meetings will not be eligible to be re-elected in the next year.

7. COMMITTEE NOMINATIONS.

7.1. Members of the Committee are eligible for re-election and those wishing re-election should be confirmed before the AGM.

7.2. New candidates who wish to stand for election to the Committee shall make themselves known to the Chairperson before the beginning of business at the AGM. Each nomination should be proposed and seconded.

7.3. Nominations may also be accepted at the relevant point in the meeting provided the person named is willing to accept the nomination and is proposed and seconded.

9. FINANCE.

8.1. All funds belonging to the Association may only be used in furthering the Objectives.

8.2 The Committee shall maintain an account for the association at a Bank or Building Society and make regulations governing the signatories (of which there must be at least two) on such accounts. All monies received by the Association shall be held in this account.
8.3. No member of the committee shall receive any payment or other benefit from its funds except for reasonable out of pocket expenses properly incurred for the purposes of the Association. In addition the Committee reserves the right to award modest gifts to individual Committee (and other) members in recognition of the work undertaken throughout the year on behalf of the Association. The levels of gift to be paid will be determined by the Committee each year.

8.4. The Committee is responsible for the keeping of books of account and for the preparation of an annual report and annual statement of accounts for the Association.

8.5. The Committee, Officers or any person delegated by the Committee shall enter into contracts only so far as expressly authorised, or authorised by implication, by the members or the City Council. No one shall, without express authority of the membership by General Meeting, borrow money or incur debts on behalf of the Association or its membership.

8.6 The members of the Committee and Officers shall be indemnified by the members of the Association against all personal liability and expenses properly incurred by them in the management of the affairs of the Association.

8.7 The liability of each individual member (including Committee Members and Officers) is limited to one’s year’s subscription.

9. ROLES OF OFFICERS AND COMMITTEE.

9.1. Officers:

a. Chairman - To be the representative of Allotment Holders, to be responsible for the running of meetings and issues directly involving tenants.

b. Association Secretary - To keep records of committee meetings, have charge of records and books (other than financial), to maintain a register of applications for tenancies, liaising with City Allotment Officers, and should be aware of all matters affecting the site, be responsible for the rent collection (actual rent collection can be delegated with agreement of Committee) and ensure plot holders are kept informed of allotment issues.

c. Treasurer - To keep records of financial transactions. To ensure financial accounts are correct and available for Committee Meetings and the AGM, to act as a financial adviser in expenditure of Association Funds.

d. Site Safety Officer – to keep appropriate health and safety records and documentation, identifying maintenance and safety issues on site.

9.2. Committee Members
To represent the views of tenants on the site and participate actively in site issues. To propose and agree, as required, supplementary Association rules. In the event of any conflict, the Birmingham City Council Allotment Rules shall take precedence. To form Sub-Committees for the effective management of the site and events.
9.3. Any Committee Member in dispute with either the Committee or the City Council shall be temporarily suspended until the dispute is resolved.

10. **SUBSCRIPTIONS.**

10.1 Ordinary Members
All plot-holders will be enrolled as Ordinary Members and a nominal sum (as decided by the Committee) shall be set aside each year, taken from the commission received from the City Council, for each member. Any plot-holder wishing to be exempt from membership shall make representations in writing to the Chair of the Association explaining the reasons for refusing membership. The Committee retains the right to refuse the request if the reasons given are not considered valid.

10.2 Full Members
Full Members of the Association shall pay an additional annual subscription of such amount as the Committee decides from time to time. Only Full Members shall be eligible to stand as Officers, Committee Members or have access to the site shop.

10.3 Associate Members
Non-plot-holders may join the Association, for an annual subscription as decided by the Committee, in order to use the site shop but may not participate in any vote regarding the management of the Allotments.

10.4 Period of Membership
Full and Associate Membership shall commence when the subscription is paid and last for 12 months. Ordinary Membership shall last for as long as the plot-holder retains their tenancy.

11. **DISSOLUTION.**

11.1. The Association may be dissolved at a General meeting by resolution passed by a simple majority of members present. In the event of a dissolution, the members of the Committee holding office will remain responsible for the orderly winding up of the affairs of the Association. After paying or making provision for all debts and liabilities of the Association, the Committee shall transfer any remaining assets as appropriate.

12. **VALIDITY.**

12.1. These rules were voted as the Constitution of the Court Oak Allotments Association at the inaugural AGM on the 9th of January 2015.