



Newdigate Road Allotments Association:

Memorandum of Association (Constitution) 2012

1 Name

The name of the Association shall be Newdigate Road Allotments Association. The mark of the Association shall be either form of the logo pictured in this document.

2 Objects

The objects of the Association shall be:

- (1) To promote the interests of allotment holders and to take joint action for the benefit of members.
- (2) To co-operate with any committee set up by the government, local authorities and other bodies, to further the interests of allotment holders.
- (3) To take such steps as may be required with the local authority for the good management and cultivation of allotment gardens.
- (4) To protect members from damage, trespass and theft, where possible.
- (5) To adhere to all legislation and regulations applicable to unincorporated associations;
- (6) To approve the appointment of Trustees for the Newdigate Road Allotment Site, as provided for by any lease between the Association and Nuneaton and Bedworth Borough Council or its successors.

3 Members

The Association shall consist of all persons who are current, legal, and paid-up holders of allotment gardens on the Newdigate Road Allotment Site.

Plots will be allocated to one named individual and plot holders will automatically become full members of the Association upon payment in full of any rents and subscriptions due.

Named members will have voting rights at open Meetings and the AGM on the basis of one member one vote, regardless of the number of plots held.

All members are expected to abide by the Constitution, and all rules, guidance or policies adopted by the Association. Breaches of these may lead to termination of membership and expulsion from the site.

A member shall cease to be a member/plot holder in the following circumstances:

- Resignation of that member;
- Death of that member;

- The non payment to the Treasurer of the annual rent and other subscriptions by the last day in February;
- The expulsion of that member by the Committee for a breach of the Constitution, Rules, Policy's or Guidance

In all of the above circumstances the tenancy of any plot held by a member automatically reverts back to the Association.

3a Associate Member(s)

In celebration of the Associations 70th year there shall be a new class of member "An Associate Member"

An associate member must be affiliated to a Full Member or the Association as a whole. They shall pay an annual membership fee and insurance levy and may sit on the committee in any position other than Chair (the total number of Associate members sitting on the committee shall not exceed 50% excluding the Chair). Whenever the committee approve a motion for an open vote to member's Associate members shall also be able to cast a vote.

4 Subscriptions

Every member shall pay an annual subscription of such sum notified in advance of a General Meeting. The construction of each year's total amount payable will be in accordance with the financial tariff drawn up by the Committee.

Subscriptions will be payable in advance and in the case of a cheque must be cleared funds by last day of February.

Failure to do so will result in the automatic termination of both membership and plot holding.

5 Officers

The Officers of the Association shall be a Chairperson, Treasurer and Secretary. The role of Treasure and Secretary may be jointly performed providing there are two separate signatories.

6 Committee

The affairs of the Association shall be conducted by a Committee of Management consisting of not less than 7 members, each of whom may serve as a Trustee for the Newdigate Road Allotment Site, as provided for by any lease between the Association and Nuneaton and Bedworth Borough Council or its successors. All the Committee and other officers shall retire at the Annual General Meeting but shall be eligible for re-election. Unless otherwise determined, a quorum at Committee meetings shall be not less than 4 members. Casual vacancies shall be filled by the Committee, and the member so appointed shall hold office until the next Annual General Meeting following. Any meeting other than the AGM may be declared by the committee as an open meeting.

The committee shall issue Standard Operating Procedures, Policy and Guidance from time to time to ensure the Objectives of the Association are met for the well-being of ALL members and visitors.

Members are encouraged to avail themselves of the details of such guidance, process and policy.

7 General Meetings

The Annual General Meeting (normally in February), of which 14 days' notice shall be given and at which the audited accounts and Secretary's report shall be submitted and the officers for the ensuing year elected, and other General Meetings, shall be held at such times as the Committee or a General Meeting may determine. Ten members shall form a quorum, and in the case of equal voting the Chairman shall have a casting vote. Special General Meetings shall be called on the requisition of at least 10 members. Voting shall be on the basis of one vote per allotment holder, irrespective of the number of plots cultivated.

8 Discussion at Meetings

No party, political or sectarian discussions shall be raised or resolutions proposed either at any Committee or General Meeting of the Association.

9 Equality Act 2010

No person will be treated less favourably on grounds of race, colour, nationality, ethnic or national origin, disability, sex, marital or parental status, pregnancy and maternity, age religion or belief, sexual orientation, proposed or actual gender reassignment, economic group, employment status, politics, staff association or trade union membership or any other condition which cannot be shown to be wholly justified in relation to membership of or within the Association or delivering service on behalf of the Association to the members and wider community.

10 Funds

The Committee shall open a banking account in the name of the Association with such bank as the Committee may select, and all monies, be they subscriptions, rents, or donations received from any source by the Secretary or Treasurer on behalf of the Association shall be paid into such account. No expenditures shall be made by the Committee other than as provided for by any lease between the Association and Nuneaton and Bedworth Borough Council or its successors or as may directly benefit the members of the Association.

11 Audit

There shall be a report submitted to the Annual General Meeting for members scrutiny.

12 Fiscal Policy

The Associations financial year shall be 1st January – 31st December.

The Rental Year shall be 1st March- last day in February.

13 Alterations to the Constitution

Any member wishing to seek an amendment to the Constitution must submit a written notice, in precise terms, to the Secretary by 31st December preceding the next AGM.

This does not apply to rules amended as a result of a new lease.

14 Arbitration

All matters not provided for in the constitution will be resolved by arbitration by the Committee; their decision shall be final and binding on all parties concerned. Members breaching any of the rules will be liable to expulsion at the discretion of the committee.

15 President

The committee may tender a recommendation to an AGM to appoint the position of President in acknowledgement of that person's long service and/or membership of the association.

16 Winding Up

Should it become necessary to voluntarily wind up the Association a Special General Meeting will be convened.

After payment of all the debts any balance remaining will be donated to the Mary Ann Evans Hospice or, if no longer extant, to such like charity as the members may decide by a simple majority.

A further meeting will be held not more than three months from the date of decision to confirm to the Auditors that all actions are complete.

Thereafter, all records of the Association will be handed over to the local library for retention or disposal as they see fit.

This revised Memorandum of Association was adopted at the AGM of 10th February 2012 by 22 voting members present and supersedes all previous articles.

Chair _____

Secretary _____

President _____

