

Kelvinside Allotments Association
CONSTITUTION (December 2013, revised version approved November 2018)

1. NAME

The Association shall be known as Kelvinside Allotments Association (hereinafter “the Association”).

2. OBJECTS

The objects of the Association shall be:

- a) to manage and supervise Kelvinside Allotments (at two sites, known as Julian Avenue and Kirklee respectively) for the benefit of the members of the Association, in accordance with any regulations set out by Glasgow City Council, and in conjunction with the Association’s Rules and any other governing documents agreed by the Association .
- b) to promote by whatever means agreed by the membership, the suitable provision of Allotments in the Glasgow West area.
- c) to provide, by whatever means agreed by the membership, support for the members and opportunities for the public to learn about Allotments and their cultivation.

In pursuit of these Objects, the Association shall be non- party political, non-sectarian and non-racial and show no sexual orientation bias.

3. MEMBERSHIP & FEES

- a) Membership shall be confined to persons (see section 3f) who are resident in the City of Glasgow and whose fees are fully paid by the due date, and who undertake to cultivate their Allotment in accordance with the Association’s Constitution and Rules. Charitable organisations which offer community care services within the City, and who believe that their clients will benefit from gardening, may also apply for membership. The Committee will review each such application and discuss it with the organisation before adding the organisation to the Waiting List (see 3f). The number of plots available to such organisations shall be limited to two at each site at any one time. A named representative of the charitable organization will be the member of the Association, and responsible for ensuring that the organisation’s allotment is well maintained and properly used according to the Association’s rules: members of the organization are not Association members in their own right.
- b) The due date for the payment of the Membership Fee and Annual Rent is at or before the Annual General Meeting (AGM) or up to four weeks after the AGM. A fine of £10 per week will be levied on any member paying later than the four weeks limit, up to two weeks. When levying the fine, the Secretary will remind such a member of the two week limit. Thereafter, membership will be considered as lapsed, and the Committee will begin re-allocation of the plot.
- c) The Annual Association Membership Fee shall be determined at the previous year’s AGM. Members will be notified of any proposed changes in Fee, at least four weeks prior to the AGM.

In addition to the Association Membership Fee, members pay an Annual Rent to Glasgow City Council. Changes in the Annual Rent will be notified to members in advance of the AGM, but are not open to alteration by the AGM.

The Membership and Rent/Lease forms will be sent to members in advance of the AGM and will also be available at the AGM.

- d) The Lease to a plot may only be held in one eligible person’s name. This person should sign the City Council’s Rent/Lease form.
- e) In addition to the lease holder, each plot may be associated with one other member of the Association who has gone through the Waiting List procedure (see section 3f). The second member may attend and vote at Association meetings, and serve on the Committee. The second member does not sign the Council Lease. If the leaseholder relinquishes the lease on that plot, the second member has the right to take it over. To maintain membership, both the lease holder and any second member must each pay the Membership Fee continuously year on year. Both the leaseholder and any second member must abide by the Constitution and Rules of the Association.
- f) The Association’s Waiting List will be maintained in a strict, consecutive manner, by the Secretary. In adding names to the Waiting List, the Secretary will employ an equal opportunities policy. The Secretary

may refuse to add to the Waiting List any person known to have been expelled from an Allotment Association elsewhere. Persons are eligible to join the Waiting List from age 16 onwards. Any person wishing to join the Waiting List must send the Secretary their name, date of birth, address and telephone number, and a non-refundable fee of £5. Persons on the Waiting List are eligible to become Members of the Association and to become official 'second member' on a particular plot only once they have reached the top of the Waiting List. It is, however, permissible for a waiting list person to act as a helper to a plot holder.

- g) No person can be a leaseholder of more than one Glasgow City Council plot at the same time. However, leaseholders of plots elsewhere in the City may join the Kelvinside Association Waiting List. If that person is offered and takes up a plot at Kelvinside, then he or she must relinquish the other plot.
- h) When a long-standing (=more than 15 years) Association leaseholder decides to give up his/her plot, members may propose to the following AGM that the lease-holder becomes an Honorary Life Member. Honorary Life Members may retain a key, will continue to receive newsletters and may attend the AGM, but are not asked to pay a membership subscription and do not have a vote at the AGM.

4. TERMINATION of LEASE/EXPULSION of MEMBER

- a) All Members should be aware that failure to follow the Constitution and Rules of the Association can result in expulsion. Grounds for expulsion include failure to pay Fees and Rent by the due date (see section 3b) and failure to maintain their plot adequately (see section 4b).
- b) If a plot falls below the required standard of maintenance (see Rules section 1), an initial improvement notice will be sent to the leaseholder by the Secretary of the Association giving 21 days in which to rectify matters. If there is no improvement after that time, this will be followed by a second improvement notice giving a further 14 days. If there is still no improvement, a FINAL IMPROVEMENT NOTICE giving a further 7 days will be issued. Following the expiry of this time, the leaseholder will be notified to vacate their plot within 14 days. During this final 14 days period, the leaseholder has the right of appeal to the City Council. A copy of any appeal letter must be sent to the Secretary of the Association. Improvement notices in place at the end of the season will remain in place for the start of the following growing season.
- c) If any serious complaint (see separate Association document: Complaints Procedure) is made against a member (or second member), and the Committee (after investigating the complaint) is satisfied of the complaint's validity, then the Committee, by a simple majority of its members, can expel the member from membership of the Association. Following the investigation, the member will be notified of the Committee's decision and the member will have the right of appeal, within 7 days, to the City Council. A copy of any appeal letter must be sent to the Secretary of the Association.
- d) Any member who wishes to terminate their membership, or who has it terminated, has the right to remove the following from the plot before the new member takes over: a) any hut or greenhouse erected by the member; b) any bushes growing on the plot; c) any produce still to be harvested from the plot.

5. MANAGEMENT COMMITTEE

- e) Association members shall appoint a Committee consisting of: President, General Secretary, Membership Secretary, Site Maintenance Secretary, Treasurer and up to six other members.
- f) Principal Office-bearers (President, General Secretary, Membership Secretary, Site Maintenance Secretary, Treasurer) are elected for a three-year term, renewable once consecutively i.e. a maximum of six years. A Principal Office-bearer may stand again for the same Office after a break of one year. On standing down from a Principal Office, that member is immediately eligible for election to the Committee as an ordinary member, or to a different Principal Office.
- g) If members are dis-satisfied with the performance of any committee member, including Principal Office-bearers, they may call an Extraordinary General Meeting (see section 7b) that can discuss the removal of that member from the Committee, or they may discuss the matter at the AGM.
- h) To assure the efficient operation of the Committee from year to year, Committee members will try to ensure that no more than two Principal Office-bearers retire at any one AGM.
- i) Ordinary Committee members are elected annually and may also stand for re-election.
- j) Once a new Committee has been elected following the AGM, that Committee will agree on which members carry out the different aspects of the Association's work. If the AGM has not been able to elect any Principal Office-bearer, the Committee is empowered to appoint one of their number to that role, or to co-opt a member of the Association to fill the role until the next AGM, when the appointed Principal Office-bearer is eligible for election to a first term.
- k) The Committee shall have the powers to manage the affairs of the Association between AGMs. The Committee shall carry out any instructions given to them by a majority of members at an AGM.
- l) Members willing to be elected as either an Office-bearer of the Association or as an ordinary member of its committee should be proposed and seconded by two other members either in writing in advance of the AGM or in person at the meeting itself. In the event that only one person is nominated for an Officer post,

that person will be deemed elected unopposed. Should two or more persons be nominated for an Officer post, an election will be held at the AGM in accordance with the following procedure: The candidates (if present) should withdraw and the proposers (or seconders) provide brief statements on the candidates' suitability. Members then vote by secret ballot, the chair having appointed tellers. The person gaining the most votes is declared elected. The candidates may then return.

In the event that the number of persons nominated as ordinary members of the committee is no greater than the number of vacancies to be filled, all the duly nominated candidates will be deemed elected unopposed. Should the number of persons nominated as ordinary members be greater than the number of vacancies to be filled, an election will be held at the AGM in accordance with the following procedure. The nominated members (if present) should withdraw; the proposers or seconders then provide short statements on their candidates. Members then vote; in this case, each member can cast their votes for up to the required number of candidates; the candidates receiving the most votes in total will be declared elected, and all may then return.

- m) If a committee member resigns at any time between AGMs, it is up to the remaining committee members to decide whether a replacement (by co-option) is needed before the next AGM.
- n) The Committee shall have the power to co-opt up to two additional members, as determined by the Committee. Co-optees shall have no voting rights on the Committee. The Committee shall have the power to appoint such sub-Committees as it may from time to time decide, and shall determine their powers and terms of reference.

6. MEETINGS: Committee, General and Additional

- a) The Committee shall meet at least five times during the year following the AGM, at the discretion of the President or Secretary.
- b) The Annual General Meeting shall be held in November of each year. An Extraordinary General Meeting may be summoned on the request, in writing to the secretary, of 25 members. An EGM should only be summoned for serious reasons. The Secretary will contact the membership of the Association on behalf of any five members who wish to gain support for an EGM. The notice required for an EGM shall be four weeks.
- c) Notice, in writing, shall be given of motions or business to be brought forward at an AGM, at least 4 weeks prior to the AGM. Any member wishing to propose an amendment to a resolution should send it to the Secretary, to arrive no later than two weeks prior to the relevant meeting. Such amendments should have both a proposer and a seconder and be dated. The Secretary will collate all such amendments and circulate them to members no later than one week prior to the meeting. Additional amendments may be suggested at the meeting, but it will be at the Chair's discretion whether or not they can be discussed or voted on. In voting on resolutions which carry suggested amendments, the procedure will be that the amendments are presented and voted on first. If an amendment is carried, then the resolution as amended will be presented and voted on.
- d) At the discretion of the chair, relevant business may be discussed at the AGM, without prior notice.
- e) Additional meetings of other kinds, for example to listen to a relevant speaker, can be arranged at any time and advertised to the membership by the Secretary. Any member or members who wish to propose that the Association holds an additional meeting to discuss a topic relevant to the Association's objects (section 2) should send their suggestion in writing to the Secretary so that it can be discussed by the Committee. The Committee may ask the proposer to attend a Committee meeting so that the proposal can be fully discussed and appropriate action taken.

7. RULES AND PROCEDURES AT GENERAL MEETINGS

- a) **Chair:** All General Meetings will be chaired by the President, or by another Association member, as agreed by those present.
- b) **Voting:** Those attending the AGM or EGM are only entitled to vote if they are paid-up members of the Association. Voting at the AGM or an EGM can only be in person: there is no proxy or postal voting provision. All votes will be decided by a simple majority of the members present. In the event of a tied vote, the Chair has a casting vote.
- c) **Quorum:** The quorum for Committee Meetings is four elected members; for General Meetings, 15 members.
- d) **Disputes:** In the event of any dispute over the conduct of a General Meeting, the Chair's decision shall be final.

- e) **Resolutions:** Any member may propose a resolution for discussion at a General Meeting. To ensure that a resolution is discussed, it should be submitted, in writing to the Secretary, along with the names of the Proposer and a Secunder, in time for it to be circulated to the members four weeks in advance of the relevant meeting. Any member may propose a resolution at a General Meeting, but in this case, it will be the Chair's decision whether or not it will be put to the Meeting. Resolutions proposing alterations to the Constitution may only be put to an Annual General Meeting.

8. FINANCE

- a) All monies raised by the Association shall be applied to further the Objects of the Association (see Section 2 a,b,c) . To support our community, 15% of the income derived from our Open Days will be donated each year to an appropriate registered charity chosen by the membership. Any member is able to nominate a charity. The charity should be land, environment and gardening related. The Committee will circulate any information about the nominated charities and the choice will be made by ballot at the AGM. The chosen charity will be invited to attend Open Days.
- b) No member of the Committee shall be paid fees or receive any remuneration other than out-of-pocket expenses.
- c) The Treasurer shall keep proper accounts of the finances of the Association and shall pay all monies not immediately required into a bank account in the name of the Association. The funds of the Association shall be held in a bank account operated by three committee members, from whom two are required to sign any cheques.
- d) The end of year accounts shall be passed to an independent examiner who shall be appointed at the AGM. The accounts shall be passed to the independent examiner in advance of the AGM, so that the examiner's comments can be dealt with in time for the agreed accounts to be circulated to the Members with the AGM papers.

9. DISSOLUTION

If the Committee, by a majority, decides at any time, that it is necessary or advisable to dissolve the Association, it shall call a General Meeting of Association members. Notice shall be no less than four weeks. The notice will include a resolution proposing the Dissolution of the Association and the disposal of any assets belonging to the Association, following the settling of any outstanding debts. Assets will only be transferred to an organisation or organisations with similar objects to those of the Association.

10. ALTERATIONS

Proposals to alter this Constitution can only be made as Resolutions at an Annual General Meeting of the Association. Alterations will be made as a result of resolutions passed by a simple majority of members present.

ADOPTED AS THE CONSTITUTION OF KELVINSIDE ALLOTMENTS ASSOCIATION AT AN ANNUAL GENERAL MEETING DULY CONVENED AT HILLHEAD LIBRARY IN NOVEMBER 1997, AND FURTHER REVISED ON THE 29TH DAY OF NOVEMBER 2001, THE 25TH DAY OF NOVEMBER 2010, THE 24TH DAY OF NOVEMBER 2011, THE 22ND DAY OF NOVEMBER 2012 , THE 21ST DAY OF NOVEMBER 2013, THE 29TH DAY OF NOVEMBER 2018 AND THE 21ST DAY OF NOVEMBER 2019.