

ST THOMAS ALLOTMENT HOLDERS' ASSOCIATION, EXETER, DEVON

STAA CONSTITUTION 18th November 2022

1. The name of the association shall be: The St Thomas Allotment Holders Association.

The Association comprises of the following sites within the St. Thomas area: Ashwood Road (AR), Clapperbrook (CB), Cowick Lane (CL), Guys & Hylton (GH), Ide Lane (IL), Newman Road (NR), Pinces Gardens (PG), Rackfields (RF) and Regent Street (RS).

2. The objectives of the association shall be:

- a) To promote the interests of the allotment holders and to take part in any joint action for the benefit of its members;
- b) To bring together and foster understanding amongst people from the diverse communities across the allotment sites;
- c) To promote recreational and creative activities, mutual support and joint aid among our members and the communities we exist within;
- d) To arrange for the provision of trading facilities if deemed desirable whereby all members may enjoy the benefit of bulk buying by the Association of (all) commodities necessary for the cultivation of allotments;
- e) To encourage allotment gardening generally by whatever means is considered appropriate, including reaching out to the wider community;
- f) To work closely with Exeter City Council¹ to promote and support for the good management and cultivation of allotments;
- g) To co-operate with any committee set up by the Government, Local Authority or any other bodies to further the interests of allotment holders;

3. Membership

Association Members are the tenants² of allotments rented from Exeter City Council and/or the Association.

Allotment holders are automatically members of the Association as soon as the Exeter City Council application has been completed, received and registered.

¹Exeter City Council, as Landlord, has responsibility for setting and collecting rents, making & enforcing the rules, maintaining the site as a whole, maintaining and repairing any site infrastructure such as boundaries, tracks, ECC buildings as well as settling disputes between their tenants.

²a 'tenant' is the person or persons registered with ECC or the Assn. or their wife/husband/partner.

Allotment holders may choose **to opt out** from STAA membership.

Membership will be for the duration of a plot-holder's tenancy, based on the tenancy lists current at any given time.

An up-to-date list of all members (plot-holders), provided on request by ECC, will be kept by the Membership Secretary. This list will show who is a tenant (and therefore an Associate) at any given time and may be used to check in cases involving insurance claims or the right to vote at general meetings.

Membership of the Association includes any group insurances arranged by the Association and public liability insurance associated with operating an allotment garden.

All members and plot holders must observe and comply with current rules and regulations and those which Exeter City Council may make at any time in the future.

The Association fully supports and endorses ECC Allotment Rules & Conditions and will support members, when presenting their case to ECC, if the following two clauses are breached:

- No Tenant may cause or permit harassment, alarm or distress to another occupier or user of the site;
- Nothing shall be done on the Allotment that will cause a nuisance to users of the other Allotments or those adjoining the Site.

4. Equal Opportunities

The Association adopts and works with ECC Equal Opportunities Policy. The Association will not discriminate on the grounds of sex, race (including colour, ethnic or national origin), sexual orientation, disability, gender reassignment, religious or political belief, pregnancy or maternity, marital status or age.

Grievance procedures³

Any offensive behaviour, including racist, sexist or inflammatory remarks, will not be permitted. The Secretary shall arrange for any complaint received in writing from any member of the Association to be considered by the Committee as soon as possible after receiving it. Anyone behaving in an offensive way or breaking the equal opportunities policy may be asked not to attend further association meetings or to relinquish their membership from the Association if an apology is not given or the behaviour is repeated.

³see STAA Grievance Procedures available on <https://www.stthomasallotmentsassn.org.uk>

5. Association Officers and the Committee

The business of the Association will be carried out by a committee, elected at the Annual General Meeting.

The Committee will meet as necessary and not less than five times a year, including the AGM.

The Committee will consist of 7 officers and 9 site representative members. The larger sites (CL & GH) may have 2 site representatives if deemed necessary. Additional members (e.g. Marketing & Promotion) may be co-opted at the discretion of the Committee.

In the event of an officer standing down during the year, a replacement may be co-opted onto the Committee and their position ratified/elected at the next AGM.

All Committee members have full voting rights.

Association Officers.

The Officers' roles are as follows:

Chair: will

1. chair both the AGM and the general committee meetings;
2. be empowered to give a casting vote in the event of equal voting on any matter being discussed;
3. possess all the traditional responsibilities usually associated with that office.

Vice Chair: will

1. work closely with the Chair;
2. in her/his absence, the Vice Chair shall preside and assume the full authority of the Chair for that meeting.

If neither are available, the Committee will elect a Chair from the members present, for that meeting.

Secretary: will

1. be the unique point of contact for the Association;
2. arrange the date and venue of all Committee meetings;
3. invite agenda items, draw up and circulate in advance the agenda for each meeting, as appropriate;
4. take and present recorded minutes of these meetings, noting decisions made and actions required;
5. prepare the Association's Annual Report.

Treasurer: will

1. maintain such bank accounts as are deemed necessary for the proper functioning of the Association;
2. ensure that all payments be authorised by two of the officers of the Association;
3. maintain such records as are necessary for the preparation of the annual accounts for inspection, and for presentation to the AGM;
4. present quarterly accounts at the Committee Meetings, to be included in the minutes.

Trading Manager: will

1. be responsible for the overall management and running of the Association's trading sheds, including the purchase and stock-taking of gardening requisites and commodities, and for their sale;
2. be responsible for keeping appropriate records of all transactions and for preparing quarterly updates for the Committee meetings and an annual report for the AGM.

Membership Secretary: will

1. maintain a Register of Association Members, drawn up from a list of all STAA allotment plot holders provided on request by Exeter City Council;
2. will retain a list of all plot holders who have submitted an 'opt-out' signed declaration of membership and remove their names from the Register of Members;
3. to check the attendees right to vote at General Meetings.

Events Coordinator: will

1. propose and organise social activities for the benefit of STAA's members and the communities of St. Thomas and Exeter.

The Committee meetings will be open to any member of the Association wishing to attend, who may be invited to speak but not vote.

6. Meetings

The Association has a strict code of conduct for meetings which must be adhered to. In the case of misbehaviour, the person concerned will be warned and further flouting of the code will result in the expulsion of that person/s from the meeting.

6.1. Annual General Meetings

An Annual General Meeting (AGM) will be held within fifteen months of the previous AGM and normally take place in October or November.

Notice of the AGM (venue, date, time and agenda) shall be given at least 30 days in advance of the meeting by posting a notice or notices in each allotment site in the Association area, by the website and email where possible.

Nominations for the Officers and Representatives of the Committee will be made to the Secretary 30 days before the meeting. Received nominations will be posted, as before, 14 days prior to the meeting.

The quorum for the AGM will be a minimum of 25 members. Binding decisions⁴ may only be made by a minimum of 10% of the members of the association.

At the AGM:-

- The Committee will present an annual report of the work of the Association over the previous year.
- The Committee will present the annual inspected accounts of the Association.
- The inspector/accountant for the following financial year, will be endorsed.
- The Officers and Committee for the following year will be ratified/elected by the members present, including proxy⁵ votes.
- Any agenda items given to the Secretary at least 7 days in advance of the meeting will be discussed as any other business (AOB).

6.2 Extraordinary General Meetings (EGM)

The Secretary will call an Extraordinary General Meeting at the request of the majority of the Committee or at least eight other association members giving a written request to the Chair or Secretary stating the reason for their request. Only the requested matter(s) will be on the agenda and discussed.

The meeting will normally take place within twenty-one days of the request.

All members will be given at least two weeks' notice of such a meeting, giving the venue, date, time and agenda, and notice will be posted on notice boards at each site, on the website, and by email where possible.

The quorum⁶ for the Extraordinary General Meeting will be 25 members.

Any contract longer than one year that the Committee may enter into, shall be reviewable by the Members at the next General Meeting. Members shall have an unfettered right to agree, reject, or propose new terms at that GM. This power of call-in must be acknowledged in any such contract unless there is a more general clause allowing either party to withdraw/cancel at any time.

6.3 Committee Meetings

Committee meetings may be called by the Chair, Secretary or at the request of 50% of the members. Committee members must receive notice of meetings and propose draft agenda items at least 7 days before the meeting.

⁴ see STAA rules for voting including proxy votes available on <https://www.stthomasallotmentsassn.org.uk>

⁵ ibid

⁶ ibid

A quorum for Committee meetings is 50% of the Committee members.

Anything Not Provided For & Force Majeure

Anything not provided for, nor reserved for decision by Members at a General Meeting, may be undertaken by the Committee.

7. Rules of Procedure for meetings

All matters and questions that arise at any meeting will be discussed openly and the meeting will seek to find general agreement that everyone present can agree to.

If a consensus cannot be reached a vote will be taken and a decision will be made by a simple majority of members present. If the number of votes cast on each side is equal, the Chair of the meeting shall have an additional casting vote.

Any Other Business shall be decided at the discretion of the Committee.

8. Finances

Two Officers of the Association, namely the Chair and the Treasurer, will be appointed as Trustees of the Association, who will be responsible for the Association's assets and contracts.

An account will be maintained on behalf of the Association at a bank agreed by the Committee. Three cheque signatories will be nominated by the Committee (two being the Treasurer and the Trading Manager + one other). The signatories must not be related nor members of the same household.

Records of receipts and payments will be maintained by the Treasurer and reported quarterly.

The Association's financial year ends 30th September.

All money raised by or on behalf of the Association is only to be used to further the objectives of the Association, as specified in item 2 of this Constitution.

Accounts. The annual accounts shall be inspected by a suitably qualified person who can receive a fee for their services. The appointed inspector shall be endorsed at the AGM and shall submit a report on the financial affairs of the Association.

9. Amendments to the Constitution

Amendments to the Constitution may only be made at the Annual General Meeting.

Any proposal to amend the Constitution must be given to the Secretary in writing. The proposal must then be circulated with the notice of meeting.

Any proposal to amend the Constitution will require a two thirds majority of those present⁷ and entitled to vote.

10. Dissolution

At an AGM or Other General Meeting, by simple majority, decides that it is necessary to close-down the Association it may call a Special General Meeting to do so. The sole business of this meeting will be to reach a decision whether to dissolve the Association.

The Secretary will call the Other General Meeting and if it is agreed to dissolve the Association, all remaining money and other assets, once outstanding debts have been paid, will be donated to a local charitable organisation(s). The benefiting organisation(s) will be agreed at this meeting.

This revised Constitution was agreed at the General Meeting of the Association on:

Date: 18th November 2022

Name and position in group: John Butler, STAA Chair

A handwritten signature in black ink, appearing to be 'John Butler', written over a light blue rectangular background.

Signed:

Name and position in group:

Signed:

⁷see STAA rules for voting including proxy votes available on <https://www.stthomasallotmentsassn.org.uk>