

1.1 The name of the Association will be the Marple and District Allotment Association.

## 1. AIMS

2.1 The aim of the Association is to advance the pursuit of gardening and in particular the benefits of education, health and community fellowship it offers to the people of Stockport and surrounding areas.

2.2 To further the above aims the Association may undertake the additional activities of working together and taking joint action to do all things necessary or expedient for the accomplishment of its aims including the power to:

## 2. POWERS

3.1 To make provision on the sites in the Association where practical for disabled and older gardeners to be able to pursue their recreational therapy, and to provide access, toilet and community facilities on all sites for both disabled and able-bodied gardeners.

3.2 Promote education, health and publicity with leaflets and posters and other such media.

3.3 Encourage co-operation with national and local government in all matters appertaining to environmental planning and development and representation on appropriate committees, which are concerned with the provision of gardens and allotments.

3.4 Negotiate with the local authority and private landlords for the use of land and provision of amenities.

3.5 Encourage the highest standards of cultivation, layout and landscaping.

3.6 Represent or assist members at Public Inquiries for the purpose of protecting and advancing their interest in the objects of the Association.

3.7 Co-operate with, or affiliate to, other national or international organisations having a similar object.

3.8 Acquire by gift, purchase or otherwise, and to hold, sell, exchange, mortgage, rent, lease, sub-lease, land or buildings of any tenure and to erect, pull down, repair, alter or otherwise deal with any buildings thereon.

3.9 Co-operate with any organisation supplying gardening requirements to unemployed persons, old age pensioners, widows and blind or disabled persons at reduced prices.

3.10 Undertake any other legal/lawful activity calculated to further the objects of the Association.

3.11 Actively to assist member allotment sites in upgrading their sites, particularly areas unused and overgrown which are unsuitable for allotment use, having been spoiled due to industrial or other activities, but can practically be put back into use by encouraging the good management of any wooded areas, wildlife areas, ponds and wetland areas, green waste management/recycling, e.g. composting and leaf mould production.

## RULES

The "ASSOCIATION" in conjunction with the conditions applicable to Allotment Gardens set by the Stockport Metropolitan Borough Council, provide hereafter the "RULES OF TENANCY" in accordance with the decisions agreed upon by members of the Marple and District Allotment Association at the Annual General Meeting held on xx January 2002.

## RULE 1 – THE ALLOTMENT ASSOCIATION ADMINISTRATION

For the purpose of administering the Rules and the running of the Association, the following OFFICERS and COMMITTEE shall be elected annually and be empowered to effect such decisions as may be required to maintain and uphold the conditions of the Tenancy Agreement held with the Stockport Metropolitan Borough Council and such rules democratically prescribed by the membership.

- a) CHAIRMAN – To be elected annually at the Annual General Meeting. Nominations to be received by the Secretary prior to the meeting and decided by ballot conducted at the AGM.
- b) SECRETARY – As for Chairman.
- c) TREASURER – As for Chairman.

In the event of a casual vacancy arising, the remaining Officers in consultation with the Management Committee shall be authorised to elect a successor for the unexpired period of the office.

- d) AUDITORS – Two members shall be appointed to Audit the Accounts of the Association and report accordingly to the AGM.
- e) MANAGEMENT COMMITTEE – Four members shall be elected annually by the AGM, nominations to the Secretary prior to the AGM and put to ballot at the AGM.

## DUTIES

### CHAIRMAN

- To call and chair all meetings – whose (The Chairman's) ruling on all matters must be accepted and obeyed by all concerned.
- Holds the casting vote.
- To ensure that the Association's Rules and Objects are followed.
- To keep in mind the interests of the members and be prepared to initiate changes in policy to meet changing circumstances.
- In expecting 100% all round support he/she lead by example.
- Get things done by consent and with the help of members.

### SECRETARY

- Carry out the decisions of the Committee. Be responsible only to the committee. Act always in accordance with the decisions taken or where and emergency arises, between Committee meetings, then with the Chairman's agreement.
- Deal with all correspondence and matters arising promptly.
- Keep an up to date list of the names and addresses of all members.
- Keep a register in strict rotation of all applicants for plots.
- Keep a register, separate from above, of Associate Members.

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### SECRETARY CONT.

- Prepare agenda in consultation with the Chairman.
- Maintain an up to date Minute Book and attendance register.
- Be the expert in the affairs of the Association.
- Keep the Chairman and Committee informed and up to date on all matters.

### TREASURER

- Take charge of all monies paid to the Association.
- Pay all bills by cheques.
- Open a bank account in the Association's name.
- Ensure that the Secretary has sufficient Petty Cash for stamps, stationery, etc.
- All cash collections to be suitably recorded by the giving and taking or receipts.
- All transactions must be recorded and traceable to the person responsible.
- Keep proper accounts.
- Produce a Statement of Income and Expenditure for Auditors to approve for AGM.

### RULE 2 – MEMBERSHIP OF THE ASSOCIATION

- All paid up Tenants of plots shall be known as FULL MEMBERS of the Marple and District Allotment Association and become eligible for appointment to any office within the Association and entitled to vote at all Annual General Meetings called by the Chairman.

#### b) General Meeting

The Annual General Meeting of Full Members shall be held in the month of January in each year on a date fixed by the Committee, of which at least TEN DAYS NOTICE, with an Agenda of the business to be conducted at such meetings, shall be posted to each fully paid up FULL MEMBER.

The business of such meeting shall be to receive a report by the Committee for the previous financial year, to receive a Statement of Accounts from the Treasurer and the report of the auditors for the previous twelve months, and any other business as may be submitted by the Committee.

To appoint for the ensuing twelve months and in the following order:

- (1) CHAIRMAN; (2) SECRETARY; (3) TREASURER; (4) FIVE COMMITTEE MEMBERS (ONE OF WHOM CAN BE THE VICE-CHAIRMAN) (5) TWO MEMBERS AS AUDITORS.

Nominations are to be submitted to the Secretary FIVE DAYS prior to the meeting. All nominees' permission to be sought by the proposer before submission. Volunteers either before or during the meeting will be especially welcome. All proposed appointments will be submitted to the General Meeting and decided by ballot.

#### Any Other Business

Should any FULL MEMBER wish to raise any other subject, written NOTICE of his/her intention to do so together with the subject matter to be submitted to the Secretary at least FIVE DAYS as far as possible before the date of such a meeting and it shall be added to the Agenda by the Secretary.

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### c) Special and General Meetings

- Special and General Meetings shall be called by the Chairman.
  - a) In consultation with the Committee supported by an Agenda;
  - b) On a requisition signed by ONE FIFTH of the FULL MEMBERS supported by reasons in writing for which it is called and submitted to the Secretary FIFTEEN DAYS prior to the date of holding such a meeting.
- NO OTHER BUSINESS other than that named in the requisition shall be brought before a Special General Meeting.

### RULE 3 – MEMBERSHIP OF NSALG LIMITED

The Association shall make an application for and maintain membership of the National Society of Allotment and Leisure Gardeners Limited, taking up ONE 10pence SHARE in the Society and payment of £1.00 per member, and membership of SMAGA by a payment of 50pence per member, and yearly thereafter such fee as stipulated by the Societies.

### RULE 4 – TENANCY

- Rent – The Tenant shall pay the rent for the allotment garden(s), which he/she has agreed, to Hire as a Yearly Tenant, YEARLY on or before the 31 MARCH in every year – payment to be made to the appointed Treasurer. If rent or any part thereof is in arrears, following the expiration of the time for payment (ie March of each year) the Allotment Committee shall be authorised to re-allocate or effect to terminate such tenancy in accordance with the Conditions prescribed by Stockport Metropolitan Borough Council.
- The Tenant shall not without written consent of the Stockport Metropolitan Borough Council under let, assign or part with any land of part thereof.
- Tenancy may be terminated if the Tenant is not duly observing the Rules affecting the Allotment garden or any other term or condition of his tenancy.
- The Tenant shall pay on the yearly date on which his/her Rent Settlement becomes due such Association Membership Fees proposed by the Committee and agreed at the AGM.
- The Tenant shall pay, on the yearly date on which his/her Rent and Association Membership Fee falls due, the Annual Contribution fixed by the National Society of Allotment and Leisure Gardeners Limited for the support of the Association and thereby the Tenant is deemed to be a member of the NSALG Limited.
- To minimise costs, payment of Rent, Association Membership, BSALG and SMAGA shall be paid in ONE payment (Association Membership + NSALG + SMAGA Membership of £2.50)
- Associate Members paying £1.00 Membership Fees or such fees as agreed at the AGM.

### RULE 5 – CULTIVATION

- The Tenant shall use the said land for garden purposes only and shall keep the same free from anything which may in the opinion of the Committee be or become a nuisance or annoyance or in any way unsightly.
- The Tenant shall not keep any livestock or poultry upon his/her land without the written consent of the Stockport Metropolitan Borough Council Officer.
- The Tenant shall keep the said land free from weeds and well manured, and shall otherwise maintain it in a proper state of cultivation.
- No undesirable refuse shall be brought on to the Allotment site.
- The Tenant shall cultivate the land and shall not use for any purpose other than agriculture, horticulture, and the growth of fruit, vegetables or the like.

- f) The Tenant shall not plant any ornamental trees or shrubs upon the said land without the written consent of the Stockport Metropolitan Borough Council. Furthermore, plant fruit trees or bushes less than 10 feet from any path or boundary of the said land.
- g) Soft fruit bushes and rhubarb crowns shall be planted at not less than 3 feet from any path or boundary.
- h) The Tenant shall not take, sell or carry away or permit to be taken away, gravel, mineral, sand, clay, turf or soil from the said land.
- i) The Tenant shall not burn, bury or otherwise dispose of his own refuse on the said land, and shall not cause or permit any nuisance or annoyance to the occupier of any other piece of land or premises or obstruct any path or road set out by the Council for the use of the occupiers of the adjoining land.
- j) The Tenant shall at all times park his transport with due consideration for other car owners and the full and wise use of the space available.
- k) Members shall not trespass, or allow any trespass, on other plots.

#### **RULE 6 – BUILDINGS, FENCING, PATHWAYS ETC**

- a) The Tenant shall not, without the written consent of the Stockport Metropolitan Borough Council, erect any building whatsoever on the said land. Application forms for the purpose of obtaining planning approval shall be obtained from the Allotment Secretary.
- b) Where the requisite consents have been obtained for the erection of a building, it shall be placed at not less than six feet from any main path or three feet from any dividing path.
- c) Any wire netting or fencing erected by the Tenant on the land shall be subject to the approval of the Allotment Committee. Should the Committee prescribe the material to contravene standards laid down by the Stockport Metropolitan Borough Council the Tenant shall remove the same forthwith.
- d) The Tenant shall be deemed responsible for the maintaining of clear paths surrounding the said plot, and shall not cause or permit any nuisance or annoyance by obstructing any path or road set out by the Stockport Metropolitan Borough Council for the use of occupiers of the adjoining land.
- e) All paths between plots should be not less than eighteen inches in width.
- f) The Tenant shall not, without written authority from Stockport Metropolitan Borough Council, cut or prune any timber or trees now growing on the Allotment Site.
- g) Access to the Allotment Site shall be by the recognised entrance only. Each Tenant shall be issued with ONE key only (if applicable) – further requirements shall be purchased by the Tenant – to lock the entrance gate.
- h) The gates are to be closed and locked on the last tenant leaving the site.

#### **RULE 7 ASSOCIATED MEMBERSHIP**

On application to the Management Committee, persons other than Plot Holders (FULL MEMBERS) can be voted Special Membership, to be known as ASSOCIATED MEMBERS, of the Association on the payment of the Membership Fees prevailing at the time of acceptance and yearly thereafter.

Such ASSOCIATED MEMBER will have NO voting rights at any General Meeting or the AGM.

#### **EQUAL OPPORTUNITIES POLICY**

The Association recognises that everyone has a contribution to make to our society, and a right to equal treatment. We aim to ensure that no-one will be discriminated against by us on the grounds of: age, class, race, employment status, physical or mental disability, political belief, religion, sex, marital status or caring responsibilities, sexuality, unrelated criminal convictions.

#### **DISSOLUTION OR TERMINATION**

If the General Committee, by a simple majority, decides at any time that on the grounds of expense or otherwise it is necessary or advisable to dissolve the Association it shall call a meeting of all members of the Association who have the power to vote, of which meeting not less than 21 days notice stating the terms of the resolution to be proposed thereat shall be posted to all local Association Secretaries and any national body to which the Association is affiliated. If such resolution shall be confirmed by a simple majority of those present and voting at such meeting of the General Committee shall have power to dispose of any assets held by or in the name of the Association. Any assets remaining after the satisfaction of any proper debts and liabilities shall be transferred to one or a number of voluntary organisations or registered charities with charitable aims similar to those of this organisation. Or in the case of funds that originated from Landfill Tax Rebate, these shall be paid to another environmental body registered with ENTRUST, or in the case of funds that originated from the National Lottery, these shall be returned to the funding body.

#### **ENVIRONMENTAL POLICY**

The environmental policy of this Association is that of SMAGA, the umbrella organisation of Stockport Allotments, as attached hereto.

#### **SMAGA ENVIRONMENTAL POLICY**

The Allotment Movement has an important role to play in promoting sustainable lifestyles. Access to healthy food produced locally using environmentally sensitive methods has implications for both the health of individuals and communities and the environment. Allotments also provide valuable pockets of greenspace for individuals and wildlife in urban areas.

In doing the above the Allotment Movement is supporting a range of national and local initiatives aimed at improving the quality of life and the environment.

SMAGA is committed to reducing the impact of its operations on the environment and promoting sustainable allotment practice by:

- Encouraging members to undertake a programme of self-help projects aimed at upgrading of their sites and, where practicable, bring vacant and overgrown areas back to sustainable use.
- To encourage good management of any wooded areas, support the creation of wildlife havens, ponds, wetland and bog areas and provide a focal point for the local community interested in their local environment. Encourage biodiversity/"wildlife friendly" practices on allotment plots through the provision of information and support to plotholders.
- Green waste management, recycling e.g. composting and leafmould production. Reducing the amount of waste generated by day-to-day running of plots, and encouraging and exploring new ways to reduce waste and encourage re-use and recycling on allotments.
- Promoting the efficient use of water on allotments by storing water in tanks or water butts, and the non-wasteful use of tap water.
- To make provision on all allotment sites where practical for disabled and older gardeners to be able to pursue their recreational therapy. Work towards wider community access, widening participation for groups who may experience difficulty using conventional plots, e.g. wheelchair users, visually impaired.

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- To provide access/toilet/storage/community facilities on all sites for both disabled and able-bodied gardeners.
- 'Responsible' purchasing – encouraging allotment trading huts to supply products which minimise environmental impact.
- SMAGA Executive Committee intends to continue promoting awareness of environmental issues to SMAGA plotholder members.

|                                                                                     |                          |
|-------------------------------------------------------------------------------------|--------------------------|
| <b>Adoption of the updated Constitution</b>                                         |                          |
| This Constitution was adopted at an Annual General Meeting held on 30 January 2002. |                          |
| Signed: _____                                                                       | Chairman (David Jones)   |
| Signed: _____                                                                       | Secretary (David Tipper) |
| For <u>Marple &amp; District Allotment Association</u>                              |                          |

# MARPLE & DISTRICT ALLOTMENT ASSOCIATION

## RULES

### OBJECTIVES

1. The Association shall be known as Marple & District Allotments Association
2. The objectives of the Association shall be:
  - (a) to encourage the practice of horticulture and food production
  - (b) to protect the interests of allotments holders
  - (c) To arrange the supply of seeds, fertilisers and other garden requisites.

### MEMBERSHIP

3. Members may be either tenant or non-tenant members.
4. Tenant members shall pay to the Association annually a rent that shall be determined by the Committee and an annual subscription as fixed at the Annual General Meeting.
5. Non-tenant members shall pay to the Association an annual subscription as fixed at the Annual General Meeting.
6. Rents and subscriptions are due by 31<sup>st</sup> March, and are payable in advance. Members over one month in arrears may be called upon to terminate their membership.
7. Members will be loaned a key(s) for access to their group of allotments/buildings which must be given up to the Association when membership is terminated

### MEETINGS

8. There shall be an Annual General Meeting of members for the purpose of (i) receiving a report of the years working of the Association, (ii) approving the Balance Sheet (iii) electing officers and a committee for the ensuing year (iv) fixing subscriptions for the coming year (v) any other business to be submitted in writing seven days prior to the meeting.
9. The Committee may call an Extraordinary General Meeting on any other occasion if this is considered to be necessary, or if there is a written demand for this from two members.
10. At least seven days notice shall be given of any General Meeting by an advertisement in the public press or by direct notification to members at their last known address.
11. Any changes in or addition to the Rules shall be approved by a majority vote of members at a General Meeting.
12. Non-tenant members shall only be entitled to vote on matters which concern non-tenant members.
13. At each Annual General Meeting two people, not officers of the Association, shall be elected as auditors to audit the accounts for the previous year

### COMMITTEE

14. The officers of the Association shall be the Chairman, the Treasurer and the Secretary, who shall be elected by the Annual General Meeting. Other officers may be created and filled by a General Meeting

The Committee shall consist of the Officers of the Association together with such number of other members as may be determined by the Annual General Meeting. The committee members shall be proposed and voted for by the AGM. The Committee shall be empowered to fill vacancies caused by the resignation of any of its members by co-option. The quorum for a committee meeting shall be three committee members. The Committee shall elect a Lettings Secretary who shall be responsible for the letting of plots.

Should any matters arise which are not specifically provided for in the Rules, members shall approach a member of the Committee in the first instance for consideration by the Committee if necessary. As set out in the Constitution, members have a right to appeal to SMBC regarding any dispute between a plotholder and the Association which cannot be resolved by the Association.

## ALLOTMENTS

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- 19 The land shall be allotted only to members of the Association and members shall not sub-let, directly or indirectly, any portion of their plots.
- 20 Upon the death of a member, the spouse/partner has the first right of their plot tenancy.
- 21 Members must keep to the designated access paths and shall not take any produce from other plots without permission, or their tenancy will be terminated with twenty eight days notice.
- 22 Plots must be cultivated and kept in good condition to the satisfaction of the Committee, otherwise members are liable to be called upon to relinquish all or a portion of the land held by them (full details of the plot management process is contained in the appendix).
- 23 Boundary marks must not be moved.
- 24 Members shall not put up any buildings, erections or fences, without the approval of the Committee.
- 25 Members shall maintain and keep in good order the paths adjoining their land. Fruit bushes and trees must not be allowed to overhang paths or adjoining land and any items kept upon the plot and considered to be causing the plot to become untidy shall be removed at the request of the Committee.
- 26 Any member who is unable to cultivate their plot as result of ill health or other agreed cause, must notify the Committee.
- 27 The tenancy will be terminated with twenty eight days notice if a member verbally or physically abuses another plot holder or a representative of the Council.
- 28 Any dogs brought on to the site must be on a lead and they must be kept within the perimeters of the member's own plot whilst on site.
- 29 Any children brought onto the site must be under the supervision of the plotholder.
- 30 Any member whose conduct is considered by the Committee to be detrimental to the interests of the Association may be called upon to give up his plot and be expelled from the Association. Such termination to be subject to the approval of a General Meeting. If a motion to expel a member is brought before a General Meeting, that member is entitled to receive fourteen days notice of the motion and to be informed of the reason, in writing.
- 31 Any complaint against a member must be sent to the Secretary in writing and shall be considered by a Committee Meeting.