

Whitemoor Allotment Holders Co-operative Society

Example of a set of Co-operative Society rules

Adopted at the AGM/SGM [date] and as amended [date/version no.]

Registered society under the Co-operative and Community Benefit Societies Act 2014

CONSTITUTION

of the

Whitemoor Allotment Holders Co-operative Society Ltd

Affiliated to

The National Society of Allotment and Leisure Gardeners Ltd

O'Dell House

Hunters Road

Corby

Northamptonshire

NN17 5JE

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NAME, OBJECTIVES AND POWERS

1. Name

The name of the Society shall be Whitemoor Allotment Holders Co-operative Society Ltd.

2. Site Locations Whitemoor Allotments, Wilkinson Street, Nottingham

3. Registered Office

4. Removal of Office

In the event of any change in the situation of the registered office, the Secretary shall send to the Registrar notice of such change within 14 days thereof in the form prescribed by the Treasury Regulations.

5. Aim of Society

To manage Whitemoor Allotments for the purpose of enabling members to grow vegetables, fruit and flowers for recreation and to produce their own food. The Society values community fellowship and the care of the environment.

6. Objectives

(a) To ensure the allotment site is managed in accordance with The Allotments Acts 1908/50 and to maintain standards and facilities on the site.

(b) To maintain a working relationship with Nottingham City Council as landlords.

(c) To manage the site as allotment gardens in accordance with the terms of the lease agreement with Nottingham City Council.

7. Powers

The Society shall have full power to do all things necessary or expedient for the accomplishment of its objectives. No sectarian or party political questions shall be introduced into any meeting and no action of the Society shall be directed towards the propagation of political or religious doctrines, racial or gender discrimination or any party-political activities.

USE OF NAME

8. The name shall be mentioned in all business letters of the Society, notices, advertisements, official publications, payments, cheques, goods, purporting to be signed by or on behalf of the Society, and in all bills, invoices, receipts and letters of credit of the Society. Official Communications shall normally be received and signed on behalf of the Society by the Secretary or in the absence of the Secretary by the Chair or Treasurer.

MEMBERSHIP

9. Members

All tenants shall be members of the Society. Not more than two Memberships will be allowed for each separately let plot. Each new member will be charged £1.00 membership subscription annually in addition to the rent payable for the plot. Plots will be allocated according to the waiting list and policies in force relating to the allocation of new tenancies.

10. Shares

Every member shall hold one share only which shall be forfeited on cessation of membership from whatever cause. Shares shall neither be transferred or withdrawable. They shall be of the value of 10p, this sum being part of a member's initial subscription. Upon cancellation of any shares in accordance with these rules the Treasurer shall make an appropriate entry relating thereto in the list of members.

11. Subscriptions

Members' annual subscription to the Society shall be paid at the same time the rent for the plot is paid. Rent is due on the 1st October and is payable in advance. If not paid by 31st October, membership will lapse with immediate effect and the plot re-let. Payment of the subscription is made with the rent payment and a receipt will be issued.

12. Cessation of membership

A member shall cease to be a member in the following eventualities:

The member's death.

The member giving up their plot.

The non-payment of the annual rent.

Termination of the tenancy

The expulsion of a member under Rule 13

13. Expulsion of Members

The Management Committee may expel any member for breach of the tenancy agreement, subject to the rights of appeal set out in the tenancy agreement and complaints procedure.

LIST OF MEMBERS

14. List of Members

The Committee of Management shall allocate the keeping of a Membership list updated annually to one of its Members in which shall be entered the following:

- (a) Name, address and telephone number of Member
- (b) Date of joining and leaving
- (c) Record of Shareholding

Any member may see the entry in respect of themselves recorded in the official list of members and in their own interest must notify any change of address to the Committee.

GOVERNANCE AND DAY TO DAY MANAGEMENT

15. Governance of the Society shall be vested in the General Meetings

16. Day to Day Management shall be delegated to the Management Committee

MANAGEMENT COMMITTEE AND OFFICERS

17. Management Committee

The Management Committee must be made up of members of the Society. The committee shall consist of a Chair, Secretary, and Treasurer and a maximum of 13 other members.

18. Election

The Chair, Secretary & Treasurer will be elected by Nominations received by the current Management and elected by a show of hands from members of the Society at an Annual General Meeting.

Management Committee members will be elected by ballot but nominations will be taken from the floor at the Annual General Meeting.

The management committee will take office at the end of the Annual General Meeting at which elected until the end of the next Annual General Meeting. Members shall retire annually and shall be eligible for re-election. No two members from the same plot may serve on the Management Committee.

19. Mid-Term Vacancies

The Management Committee may fill any vacancy arising during the year. Members appointed in these circumstances will be full voting members of the Committee and count towards a quorum.

21. Co-option

The Management Committee may co-opt any member to the Committee or to specific working groups to assist in its work. Such co-opted members will be non-voting and not count towards a quorum.

22. Powers of Committee

The Management Committee shall have full power to supervise and manage the day-to-day work of the Society according to the rules for the purpose of accomplishing its objectives.

23. Attendances

Any Management Committee member who has failed to attend three meetings in any year for any reasons unacceptable to the Committee will cease to be a Committee member.

24. Removal from Committee

Any officer or member of the Committee may be removed at any time by a resolution of the majority of the members present at a Special General Meeting called for that purpose, which may proceed to fill the vacancy.

MEETINGS OF MANAGEMENT COMMITTEE

25. Frequency of meetings

The Management Committee will meet six times per year or more frequently if required by decision of the Committee.

26. Quorum at Committee Meetings

A quorum for meetings of Management Committee shall be 7 or such other number as decided at a General Meeting.

27. Emergency Actions

The Chair and either the Secretary or Treasurer may take any executive emergency actions required where it is not possible for the business to be decided upon at a regular or special committee meeting. Such actions are to be restricted to emergencies. Details of the action will be reported and recorded at the next meeting of the Management Committee.

28. Conduct of Meetings

Where possible, the Committee will seek to reach a consensus in their decision-making. Where necessary, decisions will be taken by majority vote. If the Chair is away an acting Chair shall be elected

and shall preside for that meeting. The Chair has no vote unless votes are tied in which case the Chair has a casting vote.

FINANCE

29. Financial Records

The Treasurer will keep in date order a record of all income and expenditure related to Society's financial transactions. All expenditure must be supported by a supplier's receipt and an expense form. Rental income must be supported by a list of plots stating the plot number, the rental amount and the date banked.

Every year within the time allowed by legislation the Secretary shall send to the Financial Conduct Authority (FCA) the annual return in the form prescribed in the Mutual Societies Annual Return relating to its affairs for the period required by the Act to be included in the return together with:

- A) The latest copy of the Society Constitution and Tenancy Agreement
- B) A copy of each balance sheet made during that period.

Any member of the Society shall be allowed to inspect his/her own account, and the accounts of the Society at the registered office of the Society, by arrangement with an officer of the Society.

30. Banking

The Treasurer will maintain a Bank or Building Society cheque book account held in the name of the Society. Cheques shall be endorsed by any two authorised signatories, and by three authorised signatories if the amount is more than £500.

31. Annual Accounts Format

The financial year will run from 1 January to 31 December. The Annual Accounts will be prepared by the Treasurer and will be audited by an independent party. The Treasurer will liaise with the Auditor to ensure that the Annual accounts are available to be circulated with the Agenda at the Annual General Meeting.

32. Loans & Borrowing

Loans, borrowing or other credit arrangements will require a specific decision at a Management Committee meeting or General Meeting before any contractual transaction is entered into.

33. Reports to Committee

The Treasurer shall make a verbal report at each meeting on income and expenditure and liabilities, and make available at the meeting the most recent bank statement. The Treasurer's verbal financial report shall be recorded in the minutes.

35. Financial and Legal Advice

The Management Committee may approve expenditure on professional financial or legal advice if this is needed in exceptional circumstances.

36. Mid Term Vacancy

Where for any reason the Treasurer ceases to hold office the Management Committee will appoint an Acting Treasurer and ask the Auditor to carry out an interim audit in preparation for the new Treasurer taking up office.

AUDITOR

37. Appointment of Auditor

The Auditor shall be appointed at each Annual General Meeting and shall hold office until the close of the following Annual General Meeting.

38. Qualifications

The Auditor must not be a member of the Society, but otherwise any person who has agreed to carry out the duty may be nominated and appointed year by year at the Annual General Meeting.

39. Mid-Term Vacancy

Where for any reason the Auditor ceases to hold office the Management Committee will appoint a replacement auditor as soon as is practicable and record the action in the minutes.

AUDIT OF ACCOUNTS

40. Approval of Audit Accounts

The Annual General Meeting will consider the annual accounts presented by the Treasurer and/or the Auditor. Adoptions of the audited accounts will be proposed by a member other than the Treasurer. Audited accounts will be provided to the Management Committee 28 days in advance of the AGM.

41. Availability of Audited Accounts

Any member has the right to request a copy of the adopted audited accounts from the Secretary who will provide a copy within 2 weeks of the request provided that a payment of £2 is enclosed with the request. Audited Accounts are available Free at all Annual General Meetings.

GENERAL MEETINGS

42. Annual General Meetings

The Annual General Meeting shall be held in February annually or at such times as the Management Committee shall determine as soon after the accounts are completed as is convenient, however, an Annual General Meeting must not exceed two months from the month of February. Only members may attend General Meetings.

The minutes of the previous General Meeting will be available at all General Meetings. Copies can be obtained from the Secretary providing £2.00 is enclosed with the request.

43. Special General Meeting

A Special General Meeting shall be held whenever the Management Committee thinks expedient or whenever a written requisition for such a meeting signed by at least 20% of membership is delivered to the Secretary stating the purpose for which such a meeting is required. A Special General Meeting shall be convened by Committee of Management within 4 weeks of receipt of request. Should the Secretary fail to convene the meeting the members signing the requisition may convene such meeting by giving such notice themselves.

44. Notice of General Meeting

At least fourteen days' notice in writing to be given for every General Meeting, stating the business to be transacted at such meeting. The notice shall be sent to every member using contact details provided in the list of members. No other business than that stated in the notice shall be transacted at such a meeting.

45. Agenda Items

Agenda items must be notified in writing to the Secretary at least 7 days prior to the meeting.

46. Notices of Motions

Motions must be notified in writing to the Secretary at least 7 days prior to the meeting signed by the Proposer and Seconder.

47. Proposed Changes in Rules

Proposed changes in rules must be notified in writing to the Secretary at least 7 days prior to the meeting.

48. Voting at General Meetings

Every member present at a General Meeting shall have one vote and where the votes cast in any matter are equal then the Chair shall have the casting vote in addition to his/her vote as member. Voting will be by a show of hands. The Chair cannot use his/her casting vote to cause a tie.

49. Presiding Officer at General Meetings

At all General Meetings the current elected Chair shall preside.

50. Quorum at General Meetings

A quorum at General Meetings shall consist of at least 10% of membership.

51. Discussions at Meetings

No political or sectarian issue shall be raised or discussed at General Meetings.

MEMBERSHIP WITH THE NATIONAL SOCIETY OF ALLOTMENT & LEISURE GARDENERS LTD

52. Membership of NSALG Membership Number [insert membership no here]

Whitemoor Allotment Holders Co-operative Society is affiliated to, and a member of, the National Society of Allotment & Leisure Gardeners Ltd (NSALG). The Society holds one 10p share in the NSALG Ltd.

53. Arbitration

In case any dispute arises between the Society or any of its officers and any members or persons claiming on account of a member or under the Rules, or in case of any complaint against any member, application may be made to the Committee for redress in accordance with the Complaints Procedure

DISSOLUTION OF THE SOCIETY

54. Dissolution

The Society may at any time be dissolved by consent of three quarters of the members, testified by their signatures to an instrument of dissolution. Instructions for dissolution will clearly set out what is to happen to any assets and residual cash after payment of expenses. Cash may be lodged with the National Society of Allotment and Leisure Gardeners H/Q office and held against any reformation of a successor Society.

COPIES OF RULES

55. Copies of Rules

A copy of the Rules of the Society shall be delivered free by the Secretary to every member on joining. Further hard copies may be provided at a cost not exceeding £2 or for free via the Society web site as standard.

AMENDMENTS OF CONSTITUTION

56. Mode for Amending Constitution

The constitution or rules may be amended by resolution/proposal, on a simple majority vote by those members attending a General Meeting called for that purpose.