

Allotment Association Template Constitution

An allotment association will most likely be a voluntary organisation and there is no legal requirement for a voluntary organisation to have a constitution. However difficulties and disputes are much more likely to be resolved amicably if there is a framework for managing the organisation. These guidelines are taken mostly from the Scottish Council for Voluntary Organisations with my own modifications. Much of this information is available on the SCVO web site. Go to <http://www.scvo.org.uk/scvo/Information/FAQ.aspx> and click on the link '[I need a model constitution, can SCVO help?](#)' - happy reading!!

General

When starting out decide if you want charitable status or not. Being a charity opens doors to more funding and you may benefit from tax privileges but your accounting procedures, constitution, and management have to be much more rigorous. Not being a charity does not bar you from funding. If you decide you want to become a charity you should buy the SCVO booklet 'SCVO Guide to Constitutions and Charitable Status', a guide book on the process of setting up a charity in Scotland. Currently this costs £25 for voluntary organisations.

There is no one standard constitution as we have found that all organisations have their own peculiarities. If you are a new association then you may want to start with a simple constitution to get you going and build it up as time goes by. Do not try to put every thing in, the document will become very bulky and it will be expensive if you have to modify it. You can refer to Rules, standing orders for AGMs and Committee meetings.

Some items are essential, but on the whole you can cherry pick from the details below, always remembering that you want members to read the document and not be intimidated. The sections headed **Basics** should be contained in the constitution itself. the remaining Supplementary Documents support the constitution and can be referred to in it.

Basics.

Heading

Name

Objects

Powers

Members

General Meetings

Management Committee

Miscellaneous

Supplementary Documents

Rules for members

Standing orders for Management Committee

Standing orders for AGMs and SGMs

Missives of Rents between Landlord and Association, and /or plot holders.

Missive of rent between association and plot holders.

Basics

Heading

Constitution
Of
(.....)
Approved at AGM on

Name

The name of your association/group/society should be clear simple and non-discriminatory, for instance recently an allotment association took out “Working men’s” from its name

The name of the organisation is (insert name)

Objects

This section should set out clearly the main objects of the organisation. One liners are ideal. They should be carefully drafted to reflect the aims of the organisation.

Prospective funders will scrutinise them but you must not put in words just to gain credibility with funders if that is not what you do in practice.

The objects serve two purposes,

1. To direct future management committees in relation to the activities they should pursue.
2. To identify to others what the organisation does.

Sample Objects are (you need not – and should not – use all of these)

The co-ordination of all members.

The protection of members interests especially of their security of tenure.

To stimulate interest in and to encourage a commitment towards horticulture in allotments and gardens.

To purchase, on a co-operative basis, supplies for the use of the members.

To foster the interests and responsibilities of its members.

To preserve the existing allotment gardens.

To promote new allotment gardens.

To educate allotment gardeners and to preserve skills.

To advocate the benefits of environmentally sustainable allotment gardening.

To manage and supervise Allotments for the benefit of the Members of the organisation in accordance with the Association's General Rules and Missive of Let.

To promote by whatever means agreed by the Membership, the suitable provision of Allotments in the area.

To provide, by whatever means agreed by the Membership, support for the ploholders and opportunities for the public to learn about Allotments and their cultivation.

To represent and promote the interests of ploholders.

To promote a greater understanding of allotment gardening among the local community and beyond.

To protect and promote the biodiversity, landscape value and amenity of the allotment site.

To foster good relations with residential neighbours, and local statutory & non-statutory bodies.

To practice good governance and follow participatory & non-discriminatory principles;
To adhere to the Data Protection Act (1998) and all other acts and regulations relevant to unincorporated associations.

Nota Bene

In pursuit of these Objects, the Association shall be non-political, non-sectarian and non-racial.

Powers

The powers describe what you can do to carry out the objects.

You can just use a catch-all worded

“To do anything which may be incidental or conducive to the furtherance of the Associations Objects.”

Alternatively you can have a list of specific powers, but if you choose this route be careful you do not leave something out that you may want to do later. Sample powers are below:

Sample powers might be:

To carry out any activity in furtherance of the objects

To purchase, lease, hire, etc

To improve, develop, manage or other wise deal with the property and/or rights of the Association.

To sell, lease out, hire out, license or otherwise dispose of all or part of the property and/or rights of the Association.

To borrow money.

To employ staff

Engage consultants

Co-opt experts

To effect insurance

To invest funds

Liaise with other like-minded organisations.

To raise funds

To accept grants donations.

You may need to define your relationship between you and your Landlord if you do not own the land or put this into the Missive of Rent and the General Rules

You will need to fill out the wording of each of the above to suit your own circumstances.

Members

You may have several categories of members

The plot holder

The plot holders partner

Helpers

Waiting list members.

Honorary members, e.g. Council officers

However you define the members, be sure to state who has voting rights and how the rights are established. For instance if a full size plot is dug by two people do they

both have a vote? A full plot by one person does it carry one vote? How about half plots? What subscription/rent does each category of member pay?

Any person can apply to be a member and must lodge an application form with the organisation

Membership shall be open to..... And confirmed by the payment of the annual subscription/rent as determined by the management committee

The management committee may at its discretion refuse to admit any person for membership.

The management committee shall keep a register of members.

General Meetings

The management Committee shall convene an annual general meeting of all the members, not more than (15) months shall elapse between annual general meetings.

The business of an Annual General Meeting shall include but not be limited to:

A report by the chair of the years activities

A review of the annual accounts.

The election/re-election of officer bearers and members of the management Committee.

Any other competent business.

14 days clear notice shall be given of any annual general meeting or special general meeting.

The management committee may call a special general meeting at any time.

If ()% of the members sign a letter requesting a special general meeting, the management committee shall organise such a meeting within 21 days.

A quorum for general meetings shall be ()% of the voting members. (*Be careful here and do not set the bar too high*)

Voting shall normally be by a show of hands, if a poll of all members is called for the management committee will arrange a poll of all members within (14) days.

General meetings shall governed by standing orders for AGMs and SGMs

Management Committee

The maximum numbers of member of the management committee shall be ()

A person shall not be eligible for election unless he/she is a member of the organisation.

The AGM shall elect officers and ordinary committee members.

The officers off the organisation shall be:

President

Vice-President

Chairman

Vice-Chairman

Secretary

Treasurer

Officers shall retire each year but be eligible for re-election OR

Officers shall be elected for three years and be eligible for a further three years after the first period. Normally they would retire for a least one-year before being eligible for re-election.

Ordinary members shall be elected for three years and be eligible for re-election.

Initially after the first AGM one third of the ordinary management committee

members shall retire, similarly at the end of the second year so that in time one third of the ordinary management committee members retire each year.

You may want to put a brief description in about the officers job spec., or leave it to the standing orders

What you are looking for is a balance between continuity in the management committee while preventing take over by a small clique. Volunteers are hard to come by and your constitution does not want to be too strict about making existing committee members stand down, the use of the word "normally" can help out here.

Management Committee meetings shall be governed by standing orders for use at Management Committee Meeting

Miscellaneous.

You must always have a dissolution clause. No members must gain and having paid all debts etc, the balance either goes to a similar organisation or to charity as decided by the SGM.

You also need a clause which states how the constitution can be amended, usually at an AGM or SGM

Peter Wright July 2009