Sir John Stirling Maxwell Allotment Gardens

Constitution

2026

At a Public Meeting held on 19th October, 1888, in the Tontine Hall, Ex-Provost Nicol Cameron, in the chair, a Committee was appointed to wait on Sir John Stirling-Maxwell with a view to securing a site for Garden Plots for Pollokshaws. On the 24th December following, at a Public meeting, the Committee reported as follows:-

"That Sir John had kindly agreed to let them 3 acres of ground at Bankhead at a rent of 5 shillings per year. That as he was unable to give them a lease of the ground he undertook, in the event of it being necessary to change the position of the plots, to pay at least half the expense involved in moving them, for new fencing etc."

This generous offer was accepted with thanks to Sir John.

- *Preamble to the 'Rules and Regulations for the Government of "The Sir John Stirling Maxwell Gardens", Bankhead, Pollokshaws' (1937)*

A. Objectives

1. This allotment society will be known as 'The Sir John Stirling Maxwell Allotment Gardens', hereinafter referred to as 'The Gardens'.
2. The object of The Gardens will be:
    - to manage and supervise the site for the benefit of all The Gardens' members in accordance with The Rules & Regulations
    - to preserve and enhance the quality and nature of the site environment, which includes its biodiversity
    - to provide, by whatever means agreed by the membership, support for the plotholders and opportunities for the wider public to learn about allotments, their cultivation, and their importance in our society
    - In pursuit of these aims, The Gardens will be inclusive and open to everyone, irrespective of age, disability, gender identity, marriage and civil partnership, pregnancy and maternity, ethnicity, religion or belief, and sexual orientation.

B. Fees and membership

Fees

3. Membership will be dependent on fees being paid up to date, and the plot being cultivated and maintained according to The Rules & Regulations.
4. Fees must be paid according to the schedule outlined in the current version of The Rules & Regulations (unless a satisfactory reason for not doing so is received and agreed by the Committee beforehand).

Membership

5. The Gardens' waiting list must be organised in a strictly consecutive manner by the Secretary. Letters of application should be dated by the Secretary for this purpose.
6. All plotholders must be over 16 years of age.
7. Each plot shall have one Leaseholder.
8. Each Leaseholder shall be entitled to one vote (see also paragraph 14, below).

Associate Membership

9. Where two people wish to cultivate a plot together, Associate Membership can be offered to the second party.
10. This Associate Member shall also sign up to abide by the Rules & Regulations.
11. Maintenance of Associate Membership shall be subject to payment of an Associate Membership fee.
12. No more than one Associate Member shall be permitted per plot.
13. The main, non-Associate Member shall be known as the Leaseholder, and overall responsibility for the lease and plot upkeep shall ultimately lie with them.
14. The Associate Member shall be permitted to cast the plot's vote on behalf of the Leaseholder if they are not present or available.
15. Annual renewal of an Associate Membership status shall be subject to the approval by the Committee of the Associate Member's continued active involvement on the site over the preceding year.
16. In the event of the termination of the Leaseholder's Membership, the relevant Associate Member may become a Member and take over the lease if (and only if) they have actively maintained Associate Membership status and worked on that plot to the Committee's satisfaction for a period of 2 years beforehand (or the duration of the lease to date, if shorter).
17. Associate Members shall not be entitled to assume responsibility for any plot other than that which they have been sharing with their Leaseholder;

Associate Members wishing to move to their own independent plot shall apply to join the consecutively ordered waiting list in the normal way.

Non-heritability

18. Plots cannot be transferred or inherited; plots revert to the disposition of The Gardens once a plotholder ceases to be a Member (except where a fee-paying Associate Member is eligible, according to the conditions outlined in paragraphs 9 to 17, above).

C. Management Committee

Powers and Purpose of Committee Meetings

19. To manage the affairs of The Gardens, Members shall elect and appoint a Committee at each Annual General Meeting.
20. For role descriptions and responsibilities, see documentation on the website, or contact the Secretary.
21. Committee meetings are to be held once monthly during the growing season at a minimum.
22. At Committee meetings, four shall form a quorum.

Composition and Eligibility

23. The Committee shall comprise up to nine Members of The Gardens, and shall include a Chair, Secretary, and Treasurer (the 'Office Bearers').
24. Also elected shall be two Auditors, although these positions shall not constitute part of the Committee. The Auditors shall not be related to any member of the Committee.
25. An Associate Member is not eligible to stand for the Committee or an Auditor position.

Term Limits

26. Committee Members shall be elected for a period of 2 years at a time.
27. Members shall be eligible for election to Committee or Auditor positions for up to a maximum of 6 consecutive years (in any combination of posts), after which they may not serve as a Committee member or Auditor for a period of 2 years.
28. In the exceptional case that no suitable or willing Member wishes to stand for an Office Bearer position (i.e. Chair, Secretary or Treasurer) which has been vacated as the result of a term limit, the assembled and quorate Members of that AGM may propose a resolution to re-nominate that Office Bearer. Such a resolution must be proposed and seconded, and then voted for by a **two-thirds** majority of the votes available at the AGM.

29. To ensure that this only happens as a last resort, this must take place after the outgoing Committee has stood down at the end of the AGM, and after Members from the floor have been given a reasonable period of time by the Interim Chair to volunteer to stand, and for them also to seek verbal support from a proposer and seconder. A vote shall then continue on the nominees as per the normal election process (see paragraph 35, sections (3) to (5), below).
30. If one or more Members come forward from the floor in this way, the attending Members may no longer propose a resolution to re-nominate the outgoing Office Bearer beyond their term limit to stand against them.
31. Re-election beyond a term limit shall not function to negate or amend this term limit clause, and any further such re-elections must be approved annually by the same exceptional process if to continue.

Election Process

32. The incumbent Secretary will invite nominations in advance for any positions open in that year (see paragraphs 26 and 27, above) according to the AGM timeline outlined in paragraph 43, below.
33. Nominations should be sent in writing to the Secretary by the deadline.
34. Nominations should include a Proposer and a Seconder. (Self-nomination is permitted, but a Proposer and Seconder should be identified in addition.)
35. At the AGM, after the main business of the meeting has been concluded:
    (1) The Committee and Auditors shall stand down.
    (2) An Interim Chair shall be elected from the floor by a simple majority agreement. (Members of the outgoing Committee are not eligible.)
    (3) The Interim Chair shall direct voting on the nominations received, beginning with Office Bearer positions.
    (4) Where more than one nomination has been received for an Office Bearer / Auditor position, or where there are more nominations for general Committee Members than spaces available, the nominees will be given the opportunity to speak to the floor on why they should be elected.
    (5) Voting shall be conducted by a show of hands, and decided by a simple majority.

Additional Members and Sub-Committees

36. Should vacancies arise throughout the year, 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 at the meetings.
37. The Committee shall have the right to appoint Sub-Committees as it may need from time to time. The Committee shall decide their powers and Terms of Reference at the time of their formation.

D. General Meetings

Powers / Purpose of General Meetings

38. The General Meeting shall be the highest decision-making body of The Gardens, whether Annual, Extraordinary, or otherwise scheduled.
39. Decisions taken by a quorate General Meeting may only be amended or reversed by an equivalently quorate General Meeting.
40. Only an Annual General Meeting (AGM) shall have the power to amend the Constitution or The Rules & Regulations.
41. An Extraordinary General Meeting may also be called on the request, in writing, of 20 Leaseholders.

Annual General Meeting (AGM)

42. The Annual General Meeting shall be held on the second Sunday of May of each year, unless exceptional circumstances dictate otherwise. In all eventualities, no more than 14 months shall pass between AGMs.
43. Business timeline:
    (1) Invitations for motions, agenda items, and Committee nominations shall be issued to Leaseholders and Associate Members by the Secretary **at least 4 weeks** prior to an AGM.
    (2) Any responses should be received by the Secretary **at least 2 weeks** prior to an AGM. Any supporting material deemed necessary (e.g. financial quotes, reports, names of proposers and seconders for nominations, or background information on an issue to be discussed) should be included in the Member's response.
    (3) The Secretary shall pass these to the Chair for approval for inclusion in the agenda.
    (4) The agenda, papers, and nomination details shall be displayed on the allotment noticeboard in full, and sent by email to all Members, **at least 1 week** prior to the AGM.
44. At the discretion of the Chair and Committee, relevant business can be adiscussed at the AGM without prior notice. Such issues can still be raised under Any Other Business.

E. Rules and Procedures at Meetings

45. At a General Meeting, 20 members shall form a quorum.
46. All meetings will be chaired by the Chairperson (or by another member of the Committee, subject to the agreement of those present).
47. Non-Members who regularly share in the work and contribute to the upkeep of the plots shall be entitled to attend, subject to venue capacity after

Members and Associate Members have been admitted. Such legitimately attending non-Members shall be entitled to contribute to discussions with their experiences of site matters (subject to timing limits as managed by the Chair), but shall not be entitled to vote.

48. All votes will be decided by a majority of the Leaseholders (or the corresponding Associate Members, if voting on their behalf) present at the meeting.
49. If there is a tied vote, the Chair has the casting vote.
50. Members disrupting the meeting, or not allowing others to speak, will be asked to leave the meeting forthwith.
51. In the event of any complaint being made about the conduct of a meeting which cannot be resolved, the final decision will be put to all those entitled to vote at the meeting.

F. Finance

Book-keeping

52. The funds of the Allotments will be held in a bank account operated by at least two Office Bearers in the name of the Sir John Stirling Maxwell Allotment Gardens.
53. The Treasurer shall keep accurate accounts of the finances.
54. Receipts shall be kept for all expenses.
55. No member of the Committee shall be paid monies, other than for out-of-pocket expenses, and Honoraria for the Groundskeeper, Secretary and Treasurer.
56. All money raised by the Committee shall be used to further the needs and development of The Gardens, unless otherwise made clear at the point of collection (e.g. donations to local charities at Open Day).
57. All money not immediately required will be paid into the bank account.
58. Internal bookkeeping records of any spend greater than £50 must be countersigned by the recipient to confirm their receipt.

Quotes from suppliers

59. For project costs in excess of £500, **at least two** competitive quotes should be obtained.
60. For project costs in excess of £1000, **at least three** competitive quotes should be obtained.
61. All quotes should be retained for submission to the Auditors at the end of the Financial Year.

Single-project Spending Limit (£1250)

62. Except in circumstances of emergency affecting the security or integrity of the site, the Committee shall have the power to spend **up to £1250** of The Gardens' funds on any individual project before requiring approval from the wider Membership.

63. Itemisation of individual costs within a wider project shall not qualify as a justification to circumvent this limit; the spirit is for the Committee to consult the Membership for approval before committing to large expenditures with The Gardens' communal funds.

64. The process for seeking approval shall be as follows:

    (1) Notice will be issued by the Secretary to the Members, both on the noticeboard and by email, with an invitation to vote upon the proposal At least a week's notice must be given before the deadline for voting in order for Members to consider the proposal properly.

    (2) The invitation should explain the need for the large expenditure, a clear statement of how much money is being sought, and the requisite quotations (see paragraphs 59 and 60, above).

    (3) Any projects which eventually go over this approved budget shall require a further vote to approve any supplementary spending from the communal funds.

    (4) In line with the threshold for General Meetings, 20 written responses to the Secretary shall form a quorum.

    (5) Non-quorate voting turnouts shall mean that the spend has not been approved, even if all votes are cast in favour.

    (6) The vote shall be decided by simple majority of votes received by the deadline.

    (7) Members must actively submit a vote in writing (physical or electronic). Where no vote is received from a Leaseholder (or the appropriate Associate Member – see paragraph 14, above), that Leaseholder shall be deemed to have abstained.

65. Records of votes (e.g. emails, or printed or hand-written responses) shall be retained and included in the package of receipts supplied to the Auditors at the end of the Financial Year (see paragraphs 70 to 73, below).

66. In circumstances where the Committee has the desire and opportunity to spend more than £1250 but, for whatever reason of the supplier's, does not have time to conduct the minimum 1-week consultation and voting, the Committee shall not have the power to commit to the spend.

External Funds, and Exemption from Spending Limit

67. External funding secured for specific projects, e.g. City Council grants, shall be regarded as having been approved by the funding body at the point of award

for spending on the projects as detailed in the associated grant application paperwork.

68. Such grants shall be recorded under a separate sub-account in The Gardens' book-keeping records.
69. As such funds will have been approved for spending by the funding agency that approved the release of the monies, the internal £1250 limit shall not apply (although Committees may choose to seek input from the Membership on appetite for, and content of, such grant funding applications in the first place).

Auditing and Record-keeping

70. The Financial Year shall end on 31 March of each year.
71. The accounts, receipts, quotations, and copies of Member votes on large expenditures, should be made up to the end of the Financial Year and passed to the two Auditors **at least 1 month** before the AGM to allow books to be checked, and to allow time for a report to be prepared for the members to examine at the AGM.
72. Full records shall be kept for a period of 5 years, after which time any receipts, quotations and copies of large-expenditure votes can be discarded (except where receipts are required for warranty purposes, or where grant funding bodies require any retention schedules longer than this).
73. Annual financial summaries shall be kept for a period of 10 years.