

CITY ROAD GARDENS ASSOCIATION CONSTITUTION

(November 2025)

1. OBJECTIVES OF THE ASSOCIATION

- To advance environmental protection or improvement by encouraging a variety of people to use the allotments for cultivation of fruit and vegetables and by helping to raise awareness of issues such as food waste, reducing food miles, increasing composting and issues surrounding the protection of the environment.
- To provide recreational facilities, or the organisation of recreational activities, with the object of improving the conditions of life for the persons for whom the facilities or activities are primarily intended by providing affordable allotment spaces and opportunities for people to keep physically and socially active.
- In furtherance we will
- Actively promote, encourage, and protect the local wildlife.
- Create a climate of cooperation and effective participation on allotments policies and practices city wide learning from models of good practice.
- Provide and promote allotment plots to organisations that work with the vulnerable or disadvantaged to develop vocational, interpersonal skills and gardening skills.
- Enable City Road Gardens Association to be a source of education and inspiration for the whole of Dundee city in good food, healthy living and promoting biodiversity.
- Provide a sustainable way of producing good quality, locally grown food'.

2. MANAGEMENT

- a. The Association will be managed by a committee of office bearers and Association members as follows:
 - CHAIR To chair all Committee meetings
 - VICE-CHAIR — Default Chair in absence of Chair
 - SECRETARY
 - TREASURER
 - Additionally, not less than six and not more than eight members of the Association.
- b. The Committee shall be elected for a one-year period by nomination or ballot at the Annual General Meeting of Association members. All Committee members are trustees of the charity. Retiring members of the Committee shall be eligible for re-election.
- c. The Committee shall hold monthly meetings on an agreed date, with five members forming a quorum. Resolutions are carried on a one vote per person basis- In the event of a tie, the Chair (or default Vice-Chair) will have an additional casting vote, returning a majority.

The Committee shall circulate draft minutes of the October committee meeting held prior

to the AGM, and in sufficient time that allows for members to submit potential resolutions arising from such minutes.

- d. The Committee may fill any vacancy that may occur during the year by co-opting other members of the Association as required. The Committee additionally has the power to appoint and delegate powers and responsibilities to a sub-committee.
- e. Communication for inclusion on meeting agendas must be lodged with the Secretary not less than three days prior to the meeting.

The Secretary shall be responsible and hold in safe custody all correspondence and documentation relating to the Association. These records are to be passed over on retiring from office. The Secretary is not responsible for documentation relating to the post of Treasurer.

3.ALLOCATION OF ALLOTMENT PLOTS

When a plot becomes vacant, the person or body managing the allotment site (i.e., the Association) owned by the City Council, may offer the vacancy as a transfer to an existing member (individual leaseholder), or members (joint leaseholders) of the site (Association) before recourse to the waiting list.

- a. Transfers: Association members, individual, and both parties of a joint leasehold who wish to transfer to another plot should contact the Association Secretary to include their details on a transfer list held by the Committee. Any vacancy will be offered to existing members as their name appears in order on said transfer list. Where a joint leasehold exists, both members transfer, individual members are not eligible to transfer. However, as a second member they may add their name to the Association waiting list, provided they are of differing households. Members granted a transfer should leave their original plot in good condition. Any shed/greenhouse etc that requires financial agreement may be referred to the Committee to establish reasonable valuation.
- b. Waiting List: The Association shall hold a waiting list and allocate vacant plots to prospective members in the order that their name appears on said list. People on the waiting list who refuse three plots are returned to the bottom of the waiting list. Applications for membership will only be accepted from those who live within the City of Dundee.
- c. Only one allotment plot per household within the Dundee City boundary is permitted.

Without prejudice to existing rights, in future, membership for any plot will be limited to two members and each member must sign the missive of let. In the event of a member terminating their tenancy, the tenancy will continue with the remaining member of the missive.

d. Termination of tenancy should be in writing to the Secretary giving a least one month's notice.

i. Termination in the event of death —the Association will allow heirs/family access to personal belongings and disposal of goods including sheds/greenhouses. Any unclaimed property will be held securely for a three-month period after which become subject to Association procedures.

e. Members are not permitted to sub-let their plot.

4. RENT/DEPOSITS

- a. Rent for allotment plots is charged on a square metre basis.
- b. For sites managed by Dundee City Council, the rent will be published annually, the rent will include costs of management and services provided by City Council and provision of any applicable concessions.
- c. City Road Gardens Association manages the allotment site on behalf of Dundee City Council the Association will determine rents for plots on square metre, and in addition to the Association annual membership fee. The Association will use its own discretion to set rent rates under the terms and conditions of the site lease between City Council and the Association. Plot rent rates and subject to change by agreement at the AGM.
- d. New members of the Association will be required to pay a returnable deposit fee for a gate key issued to allow access to the allotment site. The deposit is returned when keys are returned on lease termination. Association membership fees are non returnable.
- e. Annual rent period for plots run from 1st November to 31st October, subject to lease between City Council and Association. Allotment plots let within this period will be charged an apportioned rental rate at the discretion of the Committee.
- f. Plot rents and Association membership fees are paid annually in advance, and payable during November. Rents not paid by 30th November renders a member liable to an additional administration fee of E5 per week. The Committee will consider requests for late payment, applied for in person, before 30th November. Unpaid rents, without prior agreement, not received by 31st December will render a member liable to eviction from the Association.
- g. All monies paid in respect of Annual Membership, and rent must be in a single transaction. This includes plots of joint membership, whereby the transaction includes all membership fees and total plot rent. Exception given when new members are added during the year with new missives signed.

5. CULTIVATION OF ALLOTMENT PLOTS

Members must cultivate their plots annually and prepare for the next growing season. Plots to be cultivated for production of vegetable, fruit and/or flowers. Plots to be kept neat and tidy and free of seeding and invasive species. On termination of lease, members should leave the plot in a cultivated condition.

6. MAINTENANCE OF ALLOTMENT SITES

- a. On sites managed by Dundee City Council or a managing body (i.e., the Association), all communal areas shall be maintained in a safe, neat and tidy condition.
- b. Members are responsible for the maintenance of pathways adjacent to their plots. The inspection of said pathways form part of the inspection policy and is covered in section "LANDLORD INSPECTIONS".

7. BUILDING AND OTHER STRUCTURES

- a. No building or structure shall be erected on any plot on site without prior permission of the Association on behalf of Dundee City Council. Any structure erected without permission shall be removed at the request of the Association. Prior to erecting structures, e.g., greenhouse/shed, members must submit two copies of proposed plans, complete with a list of materials being used, to the Committee. If approved, one copy will be retained in Association records. In the event of refusal, both copies will be returned with a letter stating reasons for rejection.
- b. Upon vacation of the allotment plot, the tenant will be responsible for the removal of all structures erected during tenancy, unless the managing body (i.e., the Association) agrees that the structures may remain on the plot. The Association will confirm this in writing to the outgoing tenant. Structures on plots are subject to inspection by the Committee to ensure they are maintained in a safe condition under the section of 'LANDLORD INSPECTIONS'.
- c. As trustees the Management Committee shall pay special care to the maintenance and the storage of the Association equipment and the maintenance of the Association huts, both structurally and decoratively. One of the huts shall be retained for the communal use of its members and wider community.

8. KEEPING OF LIVESTOCK

- a. The keeping of livestock and birds on any allotment plot or site is strictly prohibited. The only exception to this is the keeping of bees.

9. LANDLORD INSPECTIONS

- a. In order to monitor compliance with these regulations:
 - i City Council shall be entitled to inspect any plot or site owned and/or managed by City Council upon giving reasonable notice.
 - ii On allotment plots owned by City Council but managed by a body (i.e., The Association), a regime of regular inspections is to be carried out.
- b. The Committee will carry out inspections every 2 months from the beginning of March through to the beginning of November. The dates of the inspections will be posted on the main hut noticeboard prior to inspections.
- c. Evidence of preparation for annual cultivation should be noted by the May inspection, and the plot should be under full cultivation by the end of June. Inspection criteria will be found in the 'INSPECTION POLICY' document.
- d. Members failing to meet standards outlined in 'INSPECTION POLICY' will be issued with a written warning detailing the areas requiring action. Should a second warning be issued to the same member within a six-month period for failure to meet standards will result in a notice of eviction being issued.
- e. New members are automatically on a twelve-month probationary period and the committee will closely monitor progress and problems that may cause concern. If progress is deemed unsatisfactory over the probationary year, a notice of eviction will be issued.
- f. The Committee has the discretion to waive notices in exceptional circumstances should a member lodge an appeal in writing.

10. PROPERTY

- a. In addition to the communal property stated in the buildings section, the Committee acts as trustees for the care, maintenance and storage of equipment currently owned and hereafter acquired by the Association.
- b. The Committee shall have power to purchase on behalf of the Association items which can be sold to Association members in the communal shop (e.g., compost, fertilisers, seed potatoes etc.). These items are available to purchase during times advertised on the general noticeboard.
- c. The Committee shall have the powers to promote garden competitions and shows amongst the members of the Association and participate in external events or exhibit produce in the name of Association. The Committee shall have the powers to engage and participate with agencies and organisations allowing members of the public to access the allotment site for the purposes of promoting the aims and objectives of the Association.

11. FINANCE

- a. All active Members shall be required to pay an annual membership fee as determined by the Management Committee.
- b. All monies belonging to the Association shall be lodged in a bank, nominated and verified by the Committee, in the names of the office bearers. All accounts shall be verified and cheques in payment thereof signed, after approval by the Committee, by any two of the office bearers. All accounts shall be paid forthwith. The annual receipts and payments account of the Association shall be scrutinised by an external financial examiner.
- c. The financial year of the Association shall commence on 1 October. An annual receipts and payments account including a Statement of balances, a Financial Examiner Report and a Trustees Annual Report shall be distributed to all Members at the Annual General Meeting. As a requirement of the Association holding charitable status, we shall submit copies of the accounts and reports to the Office of the Scottish Charity Regulator (OSCR).
- d. All monies due from Active Members in connection with any event / fund raisers or purchase, shall be accounted for, and paid to the Treasurer by an agreed date.
- e. Within two calendar months after any major fundraising event produced by the Association, the Treasurer shall prepare or cause to be prepared a full statement of the receipts and expenditure of that event and the same shall be open for the inspection of Members at such time and place as the Committee shall from time to time decide.
- f. No two signatories of the Association's bank account/s should be closely related. Closely related is taken as in the common usage and it may be assessed by the Committee and Association members if a concern is expressed.
- g. The Funds, Property and Assets of the Association shall be invested in the Committee in trust for behalf of the Association. Active Members shall accept responsibility for the whole management of the Association, and for any financial loss which might be incurred.

12. GENERAL MEETINGS

- a. The AGM of the association will be held each calendar year, the date of which will be advertised 21 days before the meeting date.

Resolutions for inclusion at the AGM must be lodged with the Secretary at least fourteen days before the date of the AGM.

The AGM will have a presentation of reports from the Chair, Secretary and Treasurer — covering the previous year period.

Other business covered by lodged resolutions shall be transacted.

Current office bearers and Committee members shall retire.

Retiring office bearers and Committee members are eligible for nomination to be re-elected. Election of office bearers may be by nomination and/or ballot.

- b. A General Meeting may be called by the Committee giving fourteen days' notice of the meeting date.
- c. An Extraordinary General Meeting may be called by the Committee or on demand of ten Association members, having signed and lodged in writing the subject for the meeting with the Secretary. The meeting date will be within fourteen days of receipt of the request.
- d. A Special General Meeting other than the AGM is the only time when changes to the Association constitution may be addressed. A Special General Meeting called specifically to address matters of the constitution will be advertised three weeks before the meeting date. Changes to the constitution requires that in order to implement changes, a voting criterion of 75% of attending members are required to endorse said changes. Only fully paid-up members are entitled to vote at any meetings.
- e. All General meetings require attendance of 25% of total membership. Should this not be achieved, the meeting will be formally adjourned and rescheduled for a future date.

13. DISSOLUTION

The Committee, acting as trustees, shall have the power to dispose of assets held by or on behalf of the Association. Assets remaining after satisfaction of debts and liabilities of the Association shall be transferred to another charity or charities having similar objectives to that of the Association. The identity of said charity or charities will be determined by Association members at, or prior to, dissolution.

14. ASSETS LOCK

For the avoidance of debt, the income and property of the Association shall be applied solely towards promoting the Association's charitable objectives.

15. ADDITIONAL ADVICE, RULES AND REGULATIONS

- a. Access to the allotment site shall be by gates on City Road only — not through any part of the boundary fence.
- b. Entry gates must be locked at all times.
- c. Gate keys must not be given to children under 16 years of age.

- d. Children on site must be under the supervision of an Association member.
 - e. Dogs are not permitted on the allotment site unless on a leash.
 - f. Cycling on site is not permitted.
 - g. Cars/vehicles on the main path must not exceed 5mph.
 - h. Wheeled bins are provided on site for the disposal of compostable (brown bins) and general waste (grey bins). Members are responsible for separating any plot waste material and are required to follow guidelines for disposal in bins. Any dumping of waste materials on common parts of the site is strictly prohibited.
 - i. Members must provide their own composting facilities on their plots. Information regarding composting and bins is available in the members' hut.
 - j. Bonfires are not permitted.
 - k. Members are not permitted to advertise the sale of produce.
 - l. Mutual fences between plots must be maintained by members and must not exceed one metre in height.
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- m. Watering on plots: members are encouraged to use water butts and barrels.
Hoses can be used to water plots with a restriction of 30 minutes per day. Unattended watering and use of lawn sprinklers are not permitted.
- n. Association members causing the Association to incur any unnecessary costs will be liable to have these costs recovered by the Committee.
- o. Any member(s) found removing items and/or produce (vegetables, fruit, flowers) from any plot is liable to expulsion from the Association and allotment site. If permission has been granted by the plot holder, then no action will be taken.
- p. Any member who creates, or tends to create, dissatisfaction, or attempts to bring discredit on the Association, subject to corroboration, shall be liable to expulsion from the Association.
- q. Areas of planned structures on plots will be considered on each individual application. However, any structure on any plot must not exceed 3metres in height.

Members must adhere to all terms and conditions contained herein, as members of the Association. The Association acts as managing body of the allotment site on behalf of Dundee City Council.

Allotment sites managed by Dundee City Council are presently as follows:

Ancrum Road

Arklay Terrace

Macaulay Street

Magdalen Green

Allotment sites managed on behalf of Dundee City Council are presently as follows:

City Road

Kinnaird

Murrayfield

South Road

Stirling Park

West Law

GLOSSARY

Allotment Site

Land owned by Dundee City Council consisting wholly or partly of partly of allotment plots.

Allotment Plot

An area of land owned by Dundee City Council that is leased on a square metre basis. This land is for use of cultivation of vegetables, fruit and/or flowers.

Communal Structures

A structure or facility on any site that is accessed by a number of allotment plot holders (Association members) Structures on individual plots are not considered communal.

ADDITIONAL READING

Allotment Site and Plot
Inspection Policy

This policy will outline inspection of plot criteria and monitoring of structure maintenance and safety issues

Complaints Procedure

In respect to complaints between a member and the Association that cannot be resolved by the Committee, the City Council shall be the final referee in these matters.

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CONSTITUTION PROPOSED AND ADOPTED	
CHAIR	ROBERT BRYDEN P.P.B.S.
TREASURER	F. Cleary → F. CLEARY
DATE	17/1/26