

Current Club Rules (approved at September 2023 AGM)

East Harpenden Gardening Club Rules

1. NAME

The organisation shall be called "East Harpenden Gardening Club" (hereinafter called "**the Club**").

2. OBJECTIVES

The objectives of the Club will be:

- a) To promote the interests of allotment holders and to take joint action for the benefit of members.
- b) To co-operate with any other bodies to further the interests of allotment holders.
- c) To have devolved management of agreed allotment sites as a licensee of Harpenden Town Council ("**the Council**") or its successors and to make this land available to suitable plot holders (hereinafter called "**tenants**").
- d) To manage, administer and improve licensed allotment land for the mutual benefit of members.
- e) To act in members' interests with regard to damage, trespass and theft.
- f) To arrange for the benefit of members, bulk purchase of fertilisers, seeds and garden supplies, etc.
- g) To advance the knowledge of the cultivation and production of plants and horticultural techniques.

3. MEMBERS

The Club shall consist of:

- a) Those persons renting allotment plots managed by the Club. Such persons shall be known as Full Members and have full voting rights and be entitled to all facilities offered by the Club. Full Members shall reside in an AL5 postcode.
- b) Those persons who share an allotment plot with a Full Member who rents the allotment plot managed by the Club. Such persons shall be known as Partner Members and have full voting rights and be entitled to all facilities offered by the Club. Partner Members shall reside in an AL5 postcode.
- c) Those other persons interested in gardening who are not plot holders, and be entitled to use the Club Shop. Such persons shall be known as Associate Members and may only vote on matters not directly concerned with allotment management and at the direction of the Chair. Associate Members may not be elected to the committee and hold office.

4. RULES

The Club rules are agreed by majority vote by the committee. Each member shall read, accept and abide by the Club rules issued at the time of joining and each year at renewal as provided by email and published on the Club website (a paper copy can be provided). The committee reserves the right to make amendments to the Club rules at any time. Any amendments will be communicated to members at the time they come into effect.

The tenant of an allotment shall comply with the following:

1. Keep their allotment plot reasonably free from weeds, clear of rubbish and otherwise maintain it in a good state of cultivation to the reasonable satisfaction of the committee and shall not deposit refuse or obstruct any path. Plots are to be fully used and regularly cultivated.

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2. Not do in connection with the allotment any act or thing which might be, or become, illegal or a nuisance or an unreasonable annoyance to the Council, to other plot holders, to committee members and to the owners or occupiers of other property in the neighbourhood.
3. Children must be accompanied and supervised on site at all times.
4. Entrance gates to be locked after entering and leaving the site, even if they are found to be open or unlocked.
5. All dogs must be kept under close control, on a lead, while on the site. They must not be allowed to foul or cause damage to any allotment plot.
6. Not transfer, underlet, assign or part with the possession of or otherwise deal with their allotment or any part of it without the written consent of the committee.
7. Not, without the consent of the committee, cut or prune any timber or other trees (other than those grown by the tenant on their plot for the purpose of crops) or take, or sell, or carry away any soil.
8. Keep paths that form part of the allotment at a width to be decided by the committee and not abuse or damage any fences, hedges or gates on the allotment.
9. Not erect any building or structure on their allotment, save where the following apply:
 - a) A garden shed and/or a polytunnel or covered frame is permitted but an application form must be completed and approved by the Lettings Officer prior to purchase and installation. The full terms and conditions and maximum sizes permitted are listed on the application forms on the Club website.
 - b) A year-round cage or frame structure to net or support crops that is 1.6m high or above is permitted but an application form must be completed and approved by the Lettings Officer prior to purchase and installation (Not including wooden canes for runner beans). The full terms and conditions are listed on the application form on the Club website. A year-round cage or frame structure under 1.6m high to support crops is permitted.
 - c) Load bearing structures are not permitted on site.
10. All raised beds and structures, including sheds and storage boxes (wood, metal, plastic etc.) must be either natural timber colour or painted black, dark brown or dark green.
11. Hoses are permitted only if hand held at all times, must never be left unattended, must always be removed from the tap after use, and stored away on the tenants plot out of sight.
12. Each plot must have a compost bin of plastic or wooden construction, located completely within the plot boundary.
13. Non compostable items must be removed from site or burnt.
14. The following are not permitted on site:
 - a) Glass e.g. for a cold frame.
 - b) Tyres.
 - c) Sprinklers and drip pipes/soaker hoses fed from the mains water.

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- d) Paved or brick paths or areas.
 - e) Ornamental stones and aggregates.
 - f) Concrete, cement, sand, builder's rubble.
 - g) Sand pits.
 - h) Play houses of rigid construction.
 - i) Scaffold poles.
 - j) Sheet metal, corrugated iron (or any other non-compostable rubbish or waste).
 - k) Barbed wire.
 - l) Carpet, artificial grass or other floor covering material.
 - m) Fences, hedges, walls or other barriers around or inside plots.
 - n) Livestock and Bee keeping.
 - o) Ponds and water features.
 - p) Traps or poison for animals.
 - q) Wheelie bins.
 - r) Stone mounds, stone paths or areas, and stone edges. If stones are removed by tenants, they must be removed from site immediately.
 - s) Soil mounds and unenclosed compost heaps.
 - t) Chemical weed killer is prohibited. In exceptional circumstances, permission may be granted by the committee.
 - u) The selling of produce grown for personal gain.
15. Tools to be stored away out of sight.
16. Tenants shall not light inappropriate bonfires. Bonfires lit by tenants on their allotments must be kept under control at all times, must not be left unattended and must be completely extinguished before the tenant leaves the site.
17. No items to be taken from let or un-let plots.
18. All items left on vacant plots are the sole property of the Club.
19. The tenant must observe and perform all conditions and covenants contained in the Licence Agreement under which the Club holds the land.
20. Perform any special conditions which the committee considers necessary to preserve the allotments from deterioration and shall respond where a combined effort for maintenance or improvement is required by meeting reasonable requests for help.
21. Not, without the consent of the committee, use the allotment other than for the non-commercial purposes of growing vegetables, fruit and flowers.
22. Grass Paths & Mowing:
- a) All plots must have four grass boundary paths.
 - b) No items to be placed on paths surrounding plots.

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- c) All four grass paths including edges and the full width of main paths bordering the tenant's allotment must be kept regularly mowed and trimmed by the tenant.
- d) Tenants must regularly contribute to the mowing of communal paths and areas.

23. Boundaries:

- a) No items (Includes no stones, soil, other refuse, or rubbish) to remain or be placed by/on site boundaries or paths.
- b) A minimum one metre grass boundary path is to be kept between plots and site boundaries for contractor's access and maintenance. (Refer rule 4.8 too)
- c) No items to be placed on un-let plots, communal areas or open spaces including grass cuttings, pruning's and stones.
- d) All site boundary paths to be grass.
- e) In growing vegetation to be trimmed back to the boundary fence line to maintain a clear pathway around the site.

24. Trees:

- a) Ornamental trees are not permitted on plots.
- b) Only dwarf fruit trees are permitted to be planted on allotment plots.
- c) Fruit trees planted must be on dwarf stock. Dwarf stock is classified as 'M27 Very Dwarf Patio tree' or 'M9 Dwarf tree' or simply Patio tree.
- d) M26 fruit trees are not permitted.
- e) Self-planted dwarf stock trees are to be pruned annually to a maximum height of 6ft/1.8m.
- f) Inherited fruit trees and fruit bushes not of dwarf stock are to be pruned annually to a maximum height of 8 ft/2.4m.
- g) All trees and fruit bushes to be planted a minimum one metre within the plot boundary.
- h) A maximum of one third of a plot may be planted with dwarf fruit trees.
- i) An application form must be completed and approved by the Lettings Officer prior to planting a fruit tree. The full terms and conditions are listed on the application form on the website.

25. Furniture:

- a) Benches, chairs and small tables are permitted when of outdoor garden furniture type.

26. Tenants shall promptly report to the committee any matters of mains water leakage, any damage to fences, property or produce, through trespass or vandalism or from any other cause.

27. Tenants acknowledge and accept that:

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- a) the Council's authorised officers or contractors may at any time enter and inspect the allotment sites and carry out any works or repairs required or authorised by the Council, as the case may be; and
 - b) members of the committee may at any time enter and inspect the allotment sites;
 - c) the committee's authorised contractors may at any time enter and inspect the allotment sites and carry out any works or repairs required or authorised by the committee, as the case may be.
28. Tenants shall not erect any notices or advertisements without the permission of the committee.

5. RULE BREACHES

The rule breach procedure is as follows:

- a) Site and plot inspections will be carried out approx. every quarter.
- b) Rule breaches will be advised to plot holders by email with 21 days to rectify.
- c) Where a rule breach email has been issued but not rectified within the set timeframe, a Warning letter will be issued.
- d) If there is no response to the warning letter, or the rule breach is not rectified by the date set in the warning letter, a Termination letter will be issued. 14 days will be given to remove all personal property from the plot.

6. NEGLECTED PLOTS

The Neglected Plots procedure is as follows:

- a) If a plot is persistently uncultivated, the site rep contacts the plot holder to discuss. A timescale for improvements is discussed and agreed.
- b) If the plot continues not to be cultivated, a Warning letter is sent, 21 days are given to respond. An action plan is put in to place with an agreed set date to work towards.
- c) If there is no response to the warning letter, or the agreed work plan is not actioned within the agreed timeframe, a Termination letter is sent, 14 days are given to remove all personal property from the plot.
- d) Where a Warning letter has been issued, but the plan put in place is not resolved by February when the rent renewal letters are issued, a renewal letter may be issued but with a 3 month probation condition. If the conditions set are not met by 31st May of that year, the tenancy will be automatically terminated with no refund of the years rental payment paid.

7. SUBSCRIPTIONS

- a) The annual subscription to the Club will be of such amount as shall be decided at a committee meeting and shall be payable by the 1st of April each year.
- b) For plot holders subscriptions to the Club are payable in addition to the rent of the plot.

8. TENANCIES AND PLOT RENTALS

- a) Annual Rent - The plot rents shall be decided by a simple majority at a committee meeting and shall include an additional charge for water if provided on the site, and shall

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be payable by the 1st of April each year. Annual allotment term runs from 1st April to 31st March.

- b) Payment of the renewal rental is an agreement to abide by the current Club rules.
- c) Joining Fee - A joining fee is payable at the start of the tenancy for an amount decided by a simple majority at a committee meeting and is non-refundable.
- d) Plot Deposit – A plot deposit is payable at the start of the tenancy for an amount decided by a simple majority at a committee meeting. A photo is taken of the plot on joining. The plot deposit is refunded to the tenant if the plot is left clear of all personal items, vegetation cleared to ground level to enable the plot to be covered while un-let, and fruit trees and fruit bushes pruned according to the Club rules 4.24.
- e) Rents are non-refundable.

Following any termination of tenancy, the member shall remain responsible for:

1. Clearing their plot of all personal property.
2. Leaving their plot clear of all vegetation so that Club groundcover matting can be placed on the plot until the plot is let to a new tenant.
3. Leaving fruit trees and fruit bushes on their plot pruned according to the Club rules 4.24.
4. Returning Gate and Machine store keys. The refundable key deposit paid by the tenant will be returned on receipt of the keys.

9. ARREARS OF RENTAL AND SUBSCRIPTIONS

If by the end of March rents have not been paid, it will be assumed that the plot is vacant for reletting. Similarly with subscriptions not paid by the end of March the membership will be assumed to have lapsed.

Both rental and subscriptions are payable in March via bank transfer. All payments are due by April 1st. If payment is not received by April 1st the membership is deemed to have lapsed, and therefore the Joining fee is payable to become a member again. If a Plot deposit had not previously been paid due to the tenancy starting prior to the introduction of plot deposits, a plot deposit is payable too to become a member again.

10. MEMBER CONTACT DETAILS

- a) The member must inform the Lettings Officer immediately of any change of address or other details.
- b) The committee, and appointed allotment site representatives, reserve the right to contact members by email, telephone or any other contact method which has been provided, unless other arrangements have been made with the member.
- c) All personal details provided by the member will be held electronically and used for club purposes only. These details will not be passed on to third parties.

11. FACILITIES, EQUIPMENT, MACHINERY

All persons using equipment, facilities or machinery are to ensure, prior to operating, that such equipment, facilities or machinery are in a fit condition, to be operated without:

- a) causing personal injury to themselves or others.
- b) causing damage to property, equipment, facilities or machinery.

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No person shall use equipment or machinery without having read and understood the operating instructions for the equipment or machinery.

Machinery must be thoroughly cleaned after each use and stored in the locked, secure shed provided when not in use. Any faults in the machinery must be reported promptly to a site representative or committee member by email.

12. LIABILITY

All equipment, facilities and machinery either on loan or hire are used by members and others entirely at their own risk. The Club will not be responsible for any injury to persons, or damage to property no matter how it may be caused.

13. OFFICERS

The Officers shall be a Chair, Deputy Chair, Treasurer and Lettings Secretary who shall be ex-officio members of the committee. The Chair shall serve a maximum term of seven years.

14. COMMITTEE

A committee of management of not more than sixteen members shall conduct the affairs of the Club; three members shall form a quorum..

15. GENERAL MEETINGS

The Annual General Meeting at which the independently inspected accounts and Officers reports shall be submitted and the officers for the ensuing year elected, and other general meetings, shall be held at such times as the committee or a general meeting shall determine. Ten members shall form a quorum and a two-thirds majority needed to pass any resolutions. Each and every member shall be informed, in writing, giving not less than seven days' notice of any Annual General Meeting, Special Meeting or General Meeting, such notice to include an agenda of the business in hand. Special General Meetings shall be called on the requisition in writing of at least fifteen members.

16. DISCUSSIONS AT MEETINGS

No party political or sectarian discussion shall be raised or resolutions proposed either at any committee or General Meeting.

17. FUNDS

The committee shall open banking accounts in the name of the Club with such bank as the committee may select, and all monies received from any source by the Treasurer, Letting Secretary or any other committee member on behalf of the Club shall be paid into such accounts.

Any two of the three signatories (Chair, Deputy Chair and Treasurer) shall authorise bank transfers via on-line banking and sign cheques.

18. ACCOUNTS

The annual accounts will be independently inspected by a non-member of the club.

19. INSPECTION OF BOOKS

Any member may inspect the Club's books after giving 14 days' notice in writing to the secretary.

20. TRADING

The Club Shop will be open for trading at times decided by the committee. Anyone requiring to make a purchase at the Club must advise their plot number or Associate membership status or the sale may be refused.

21. CONVERSION, DISSOLUTION, ETC.

The Club may be converted into a registered society, or may be dissolved, or these rules may be amended by a simple majority of Full Members (not Associate Members) voting at a General Meeting,

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of which 14 days' notice shall be given, or replying to a circular ballot. The objects for which the meeting is called shall be stated on the notice convening the meeting.

22. OFFENCES

Membership, and therefore allotment tenancy, may be terminated at the committee's discretion if, after due warning, a member continues to break any of the Club rules. An appeal against the committee's decision in this matter may be made to a panel consisting of a representative from each of the following bodies:

- a) East Harpenden Gardening Club
- b) Harpenden Town Council or its successors

The decision of the above shall be final.

23. ABUSIVE, AGGRESSIVE, DISCRIMINATORY OR THREATENING BEHAVIOUR

Abusive, aggressive, discriminatory or threatening behaviour towards the Club's representatives, Club members or any neighbouring residents will not be tolerated and will result in termination of membership and tenancy.

24. EQUAL OPPORTUNITIES POLICY

The Club operates an equal opportunities policy for all existing members, and for those wishing to become members and will not tolerate discrimination on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation in accordance with the Equality Act of 2010.

25. MATTERS NOT PROVIDED FOR

The committee, at its discretion, shall deal with any matters not provided for in these rules.

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