

MOORSIDE ALLOTMENTS ASSOCIATION (MAA)

Committee Meeting

5.30pm on Tuesday 9 January 2024
Nunsmoor Centre, Fenham, NE4 5AH

MINUTES

Present

Steven McDonnell, Barbara Taylor, Karen Brown, Sarah Farrell, Susan Pownall (in the chair), Nicola Francis, Nick Coster, Emily Sweetman

1 Apologies for Absence

Frank Lightfoot, Rich Littlewood, Simon Rutherford

2 Minutes of previous meeting (5 December 2023) and matters arising

Nicola confirmed she had gathered newly-signed forms, sent them to the bank and was awaiting confirmation.

3 Chair's Report

(i) Lease

Nicola had joined a meeting on 8 December with Newcastle City Council (NCC), a number of wartime site representatives, and David Wilson, the Chair of the Stewards to the Freeman. There was agreement about a number of amendments to the draft lease which the sites had proposed. It was agreed that the NCC solicitor would re-draft the lease. To assist the process, the Allotment representatives subsequently submitted their own redraft that included amended buildings and structures proposals (in line with MAA's current approach). All the sites were content with the changes. It remained with NCC to consider the principle that Associations would need to obtain joint consent from the Freeman and NCC, which had practical implications for NCC in terms of its capacity.

Nicola clarified that MAA owed rent of £1,500, accrued in 2023, and £3,000 for 2024. A one-off legal fee of £1,050 was owed to NCC for preparation of the (seven year) lease. Moorside had indicated its willingness to to pay rent immediately but need the lease would need to be agreed before NCC was able to accept payment on behalf of the Freeman.

Nicola confirmed that a level of insurance cover at £5 million was agreed, pending NCC's confirmation. (NCC may opt to provide blanket insurance cover across the relevant sites.) Meanwhile, Nicola had renewed Moorside's insurance policy at £5 million.

It was noted that the adopted buildings and structures policy allowed for poly tunnels. However, MAA could still prohibit them locally via an amendment to the Tenancy Agreement. It was **AGREED** to review such specifics once the new lease was in place.

Action: Emily add to forward plan

Nicola advised that the Freeman were unwilling to move on the issue of the lease signatories' (i.e. members of the MAA committee) personal liability, and that it would be necessary to incorporate the Association in a form which limited the personal liability of those members. It was possible to progress this action whilst waiting for the lease to be finalised.

It was agreed to move to item (4) at this point.

4 Treasurer's Report

(i) Year End Accounts (Nicola)

Nicola reported that the Year End Accounts needed finalising and asked for key fund information.

Action: Barbara to provide to Nicola.

Nicola noted that the gate repair charge cheque (£144) had not yet been cashed.

Action: Susan to follow up with supplier.

Repeated problems with the west lane gate lock were noted.

Action: Emily in the next Chair's update, to ask people to alert a member of the committee to any problems and not to leave any gate unlocked if avoidable.

Action: Steven to post advice to nearest noticeboard.

It was suggested that having all committee members on the WhatsApp group was the best method for sharing any information needing an urgent response, such as lock damage, leaks etc.

Action: Susan to join the WhatsApp group via Richard.

Nicola noted that water bill had reduced from previous years, which represented the only significant difference in the accounts between 2023 and 2024. Steven noted that he was still owed money from the Plants Scheme fund. Susan had ordered compost for the Plants Scheme which would need to be invoiced separately from the Trading Hut.

(ii) 2024 Rent Setting

It was **AGREED** that rent should remain at £80 for a full plot, £65 for concessions and £40/£32.50 for half plots, pending ratification at the AGM on 28 February. This was on the basis that the accounts included sufficient headroom for unexpected expenses and it was acknowledged that it had been a bad year for gardening in 2023. It was confirmed that concessions were available for retired and unwaged plot holders. Karen Brown noted there was no specific concession for those experiencing in-work poverty, but the

committee was reminded that plot holders could make direct applications to the committee for assistance at any time. It was **AGREED** to remind plot holders of these arrangements in the next Chair's Update.

Action: Emily

It was further **AGREED** that rent letters would be issued the day after the AGM and that 31 March was the deadline for payment.

Action: Emily

The committee returned to Item **3 (ii) Review of 2023 Forward Plan** (circulated with agenda) and revisited outstanding actions:

- It was noted that Northumbria Water's planned work in December had been cancelled, presumably because of weather.
- A suggestion that the committee consider creating an Equalities Officer had initially been made by Tony Whittle, but no firm proposal had been forthcoming. The committee considered that the Association's existing Equality Statement covered its intention to operate inclusively and resolve any problems that arose. Sarah, as an HR professional, offered to provide informal advice to the committee as needed.
- Sarah had secured a quote of £700-800, depending on material costs, for a large bespoke noticeboard in solid oak, fitted to the existing supports in the central lane. It was **AGREED** to proceed on that basis.

Action: Sarah to initiate.

5 Incorporation options (Nicola)

Incorporation of Moorside Allotments Association was proposed as a means to limit the personal liability of signatories (i.e. Committee members) and ensure that only the assets of the Allotment Association could be pursued to cover costs of, for example, the closure of the site and its return to grazing land. Other allotment sites covered by the same lease had chosen to incorporate in various forms such as a charitable incorporated organisation (CIO) or a limited company. Nicola's advice was that MAA might have difficulty establishing its charitable aims, and that route would involve potentially onerous reporting to the Charity Commission. Her recommendation was to adopt the model rules sponsored by National Society of Allotments and Leisure Gardeners (NSALG) which were acceptable for use under the Co-operative and Community Benefit Societies Act 2014, for a Co-operative Society. The Society, once confirmed by NSALG, would seek registration with the Financial Conduct Authority (FCA). This approach was suitable for bodies with charitable objects, whose have members who pay a fee and have no monetary shares. It would be necessary to make an Annual Return to the FCA.

Nicola noted that the key differences between the model rules and MAA's existing constitution were that the model rules state that:

- Joint plot holders are both members and can both vote.

- At the end of a tenancy, membership with the society ends (Associate members are not affected).
- Chair, secretary and treasurer are elected at the AGM.

Overall, the model rules were less detailed than the existing MAA constitution. The process would be to agree the rules (with some minor changes), seek approval from NSALG, and present to the AGM on 28 February, seeking agreement for incorporation and adoption of the rules. An application to register with FCA would follow, and a response was usual within 15 days. It was **AGREED** to proceed as recommended. Nicola would speak to the topic at the AGM.

Action: Nicola to circulate the NSALG model rules, requesting the committee identify any objections or issues and respond within seven days.

6 Other updates

(i) Treasurer (Nicola)

Covered in Item 4.

(ii) Trading Hut (Susan)

Takings in December were £233.40. Susan had ordered new stock, including compost for the Plant Scheme (to be invoiced separately and kept in the store by the WCs.)

Action: Susan and Steve to liaise re storage.

Seed potatoes had been ordered, although availability of some varieties was affected by adverse weather.

(iii) Inspections (Nick)

Nick circulated a summary which included the date concerns were first recorded and noted that problems with some plots were first identified over a year ago. It was acknowledged that fencing was an issue in some places. Steven noted that there was some wood donated by the Freemen which could be provided for fencing on application to him.

Although the weather had impacted many plot holder's activities for some months, it was acknowledged that serious action would need to be taken to reassert standards after the AGM.

Action: Emily to alert plot all holders in next update.

The plots still needing attention after letters were sent or verbal warnings given were: 11, 20b, 79, 83b, 89a, 95, and 107b

(iv) Lettings (Barbara)

Barbara reported no current vacancies/no movement.

(v) Health and Safety (Steven)

It was noted that the East lane was still flooded. With the plot holder's agreement, rotten wood would be removed from 20b and added to the final bonfire on the community plot.

Action: Emily to ask that people no longer bring wood and other materials to the Community Plot.

7 AGM 2024

(i) Proposals for changes to constitution

Emily's proposal (circulated with agenda) to speed up committee decision-making for plot holders by enabling approval by email was considered. Adopting the model rules for a Cooperative Society would enable this without varying the constitution via the AGM. It was **AGREED** that if a plot holder had followed the correct procedure in their application, and three members of the committee had visited the site and agreed that the proposal met agreed specifications, they could recommend that the Committee agree by email and the plot holder be notified immediately.

(ii) Draft nomination form (circulated with agenda)

A draft nomination form for those wishing to be (re)elected to the committee was circulated. Minor amendments were agreed including the date, options for submitting the form via the Trading Hut, and making the inclusion of a nominee statement optional.

Action: Emily amend form and circulate with Chair's update.

8 Any other business

Emily reported a further email from a plot holder about flooding in the East lane, asking if stones/aggregate could be added to mitigate the problem. The issue was held in abeyance for a future meeting (out of time).

9 Date of next meeting

5.30pm on Tuesday 6 February 2024

(ES 19.05)