

Ponders End & District
Smallholders
Association Ltd.

RULE BOOK

Affiliated to L.A.R.G.S.

Reg. No 7647 R Middx.

All previous rules rescinded

**RULES OF THE
PONDERS END AND DISTRICT
SMALL HOLDERS ASSOCIATION LIMITED**

I. NAME, OBJECTS, ETC.

1. **Name** – the name of the association shall be THE PONDERS END AND DISTRICT SMALL HOLDERS ASSOCIATION, LIMITED.

2. **Registered office** – The registered office of the society shall be at Falcon Fields , Church Road, Ponders End in the London Borough of Enfield, Middlesex, EN3 4PQ.

3. **Removal of office** – In the event of any change in situation of the registered office, notice of such change shall be sent to the Registrar in manner and form as prescribed by the Treasury Regulation.

4. **Objects** – the objects of the society shall be:-

- (1) To carry on the business of creating or promoting the creation of small holdings or allotments
- (2) To carry out the business of wholesale and retail dealers in horticultural and agricultural requirements, dairy, farm and garden produce, eggs and poultry, and any other class of goods that the committee may direct; and any other trades, industries or business which may seem calculated to conduce to the more profitable working of small holdings or allotments.

5. **Powers** – The society shall have full powers to do all things necessary or expedient for accomplishment of its objects, including the power to deal in any way with land or things.

V. LOANS AND INVESTMENTS

12. **Loans** – Deposits shall not be taken either from members or non-members. The Committee may obtain loans on such security and such terms of repayment as they may think fit, provided that the amount shall not exceed twice the then issued capital of the Society, and that the rate of interest shall not exceed five per cent., or (if the Barclays' lending Bank base rate is more than four per cent) one per cent above the Barclays Bank Plc base lending rate. Subject to the same condition as to the rate of interest, a General Meeting may authorise the Committee to obtain loans to a further amount, provided that the total amount of the loan shall not exceed five times the issued share capital.

13. **Investments** – The committee may invest any funds of the Society in any security authorised by the Section 31 of Industrial & Provident Societies Act 1965.

VI. TRANSFERS

14. **Committee's consent to Transfers** – No transfer of shares shall be valid unless the Committee's consent has been obtained thereto, and the transfer is made in the form provided in Rule 16. A non-member to whom the shares are transferred with the Committee's consent shall thereby become a member of the Society, provided he holds a sufficient number of shares to qualify for membership in accordance with Rule 9.

15. **Share Register** – A share register shall be kept in which shall be recorded the name of the person to whom each share was originally allotted and the date of allotment: if the share is transferred, the name of the person to whom it is transferred and the date of transfer: and of the share if cancelled, date of cancelling.

16. **Form of Transfer** – Every Transfer of shares shall be in the following form, or as near thereto as is practicable: –

This instrument, made the day of 20..... between A, of and B, of witnesses, that in consideration of the sum of £..... paid by the said B to me, I the said A, hereby transfer to the said B, his executors, and assigns, the shares numbered now standing in my name in the books of the above-named society, to hold the said shares upon the same conditions on which I now hold the same: and that I, the said B, hereby accept the said shares, subject to the sale conditions. In witness whereof we have hereto set our hands.

..... Signature of Transferor
..... Signature of Transferee

17. **Fee on Transfers** – A fee of £1 shall be paid to the Society on every transfer of shares.

VII. REPAYMENT OF SHARES

18. **Repayment by Request** – The Committee may, on the application of a member, in case of distress or removal from the district or for other good reason, repay to him a sum not exceeding the amount paid up and cancel the share.

VIII. GENERAL MEETINGS

19. **Ordinary General Meetings** – The Annual General Meetings, at which the audited accounts shall be submitted and the officers for the ensuing year elected, and other Ordinary General Meetings shall be held at such times as the Committee or a General Meeting shall determine.

20. **Special General Meetings** – Special General Meetings may be held at such times as the Committee or a General Meeting may determine, and shall be held upon the requisition in writing of at least five members.

21. **Notice of General Meetings** – At least seven days notice shall be given of every General Meeting.

22. **Voting at General Meetings** – At General Meetings each member shall have one vote. Members who are not tenants shall not have the right to vote on questions affecting tenant members only.

23. **Quorum at General Meeting** – Unless otherwise determined by a previous General Meeting, a quorum at General Meetings shall consist of five members.

24. **Committee of Management** – The business of the Society shall be conducted by a Committee of Management, which shall be elected at the Annual General Meeting. The General Meeting shall determine the number of members of which the Committee shall consist. The qualifications of Committee men, their order of retirement and eligibility for re-election and how casual vacancies in the Committee shall be filled. There shall be a minimum of five, and a maximum of ten committee men who shall have been members of the Society for not less than two years and who shall retire and can offer themselves for re-election at each Annual General Meeting. To fill the vacancies the Committee shall nominate a sufficient number of members of the Club and a list of the names of those who retire as well as of those who are proposed to supply their places shall be posted in the Club House seven days before such meeting. Any two members may propose any other candidate or candidates by notice in writing to the Secretary seven days at least before the meeting and the Secretary shall forthwith post the same. Every member of the Club shall be entitled to vote for as many candidates as there are vacancies to be filled and no more. The candidates up to the number of vacancies who shall receive most votes shall be declared elected and in the case of two or more candidates receiving equal number of votes there shall be a second election for the vacant position with just the two candidates standing.

25. **Quorum at Committee Meetings** – Unless otherwise determined by a General Meeting, a quorum at Committee Meetings shall consist of three members.

26. **Committee of Management of Club House** – The business and management of the Club House shall be conducted by a Committee of Management subject to the provisions relating to election and otherwise as are contained in the previous sub-paragraph 24 hereof. A duly elected Committee of Management of the Club House shall have power to introduce and enforce any bye-laws relating to the Club House provided that such bye-laws are displayed in a prominent position in the Club House.

society shall notify the members accordingly as required by section G of the Friendly and Industrial and Provident Societies Act 1968.

The auditor shall in accordance with section 9 of the Friendly and Industrial and Provident Societies Act 1968, make a report to the society on the accounts examined by him and on the revenue account or accounts and the balance sheet of the society for the year of the account in respect of which he is appointed.

XIV. ANNUAL RETURNS AND BALANCE SHEET

37 a. Every year not later than the date provide for in the 1965 act the secretary shall send to the registrar the annual returns in the form prescribed by the Chief Registrar of the Friendly Societies relating to its affairs for the period required by the 1965 Act to be included in the return with:-

- i. A copy of the report of the auditor on the Societies accounts for the period included in the return, and
- ii. A copy of each balance sheet made during that period and the report of the auditor on that balance sheet.

The society shall supply free of charge to every member or person interested in the funds of the society on his application a copy of the last annual return of the society for the time being together with a copy of a report of the auditor on the accounts and balance sheet contained in the return.

The society shall keep a copy of the last balance sheet for the time being together with the report made thereon by the auditor always hung up in a conspicuous place at the registered office.

XV. PROCEEDINGS ON THE DEATH OF A MEMBER.

38 Upon a claim being made by the personal representative of a deceased member or the trustee in bankruptcy of a bankrupt member to any property of the Association belonging to the deceased or bankrupt member the Association shall transfer or pay such property to which the personal representative or trustee in bankruptcy has become entitled to as the personal representative or trustee in bankruptcy may direct.

XVI. NOMINATIONS.

39 (a) A member may in accordance with the Act nominate any person or persons to whom any of his property in the Association at the time of his death shall be transferred but such nomination shall only be valid to the extent of the amount for the time being provided in the Act.

(b) On receiving satisfactory proof of death of a member who has made a nomination the committee in accordance with the Act, either transfer or pay the full value of the property comprised in the nomination to the person entitled thereunder.

40 **Inspection of books** - Any ten members of the Society each of whom has been a member of the Society for not less than twelve months immediately preceding the

application, may apply to the Registrar in the form prescribed by the treasury regulations to appoint an actuary or accountant to inspect the books of the society and to report thereon pursuant to Section 47 of the Industrial and Provident Societies Act 1965.

41. **Inspection of Affairs** - It shall be the duty of one tenth of the whole number of members, or if the number of members shall at any time exceed 1000, it shall be the right of 100 members, by application in writing to the Chief Registrar, signed by them in the forms respectively prescribed by the Treasury Regulations:-

- (a) To apply for the appointment of an inspector or inspectors to examine into the affairs of the Society and to report thereon.
- (b) To apply for the calling of a special meeting of the Society

XVIII. ARBITRATION

42. **Arbitration** - In case any dispute arise between the Society of any of its officers and any member or persons claiming on account of a member or under the rules, or, in the case of any complaint against a member, application may be made to the committee for redress, and should the committee not bring the parties to agreement, the matter in dispute shall be submitted to the arbitration of three persons, one appointed by each of the parties concerned, and the third by the Governors of the Federation of Agricultural Co-operatives. The award of Arbitrators shall be final, and the costs of such arbitration shall be borne by the disputing parties in such proportions as the arbitrators may determine. In this case the word "members" includes any person aggrieved who has for not more than six months ceased to be a member.

XIX. DISSOLUTION OF THE SOCIETY.

43. **Dissolution of the Society** - The society may at any time be dissolved by the consent of three-fourths of the members, present or by proxy, testified by the Treasury Regulations, or by winding up in a manner provided by the Industrial And Provident Societies Act.

XX. COPIES OF THE RULES.

44 **Copies of Rules** - It shall be the duty of the committee of Management to provide the secretary with a sufficient number of copies of the rules, to enable him to deliver to any person on demand a copy of such rules on payment of a sum not exceeding ten pence and the secretary to deliver such copies accordingly.

XXI. AMENDMENT OF RULES

45. **Mode of amending Rules** - The rules may be amended by resolution of a three-fourths majority of the members or by proxy at a Special General Meeting. No amendment of rules is valid until registered.

27. **Special Meetings of the Committee** - A Special Meeting of the Committee shall be held on the requisition in writing of at least three Committeemen.

28. **Committeemen becoming Surety** - Should any member of the Committee, with the consent of the Committee, become surety for any debt or liability incurred on behalf of the Society, he shall not be removed from office without his consent until such liability has ceased.

X. OFFICERS

29. **Chairman** - The Chairman shall be elected by the Annual General Meeting and shall hold office for one year, but shall be eligible for re-election.

30. **Auditors** - An Auditor, who is a qualified Auditor under Section 7 of the Friendly and Industrial and Provident Societies Act, 1968, shall be appointed each year by the Annual General Meeting.

31. **Other Officers** - The Committee shall appoint and may remove a Secretary and such other officers as they may deem necessary and shall determine their respective duties and remuneration.

32. **Security of Officers** - Every officer having charge of any of the moneys of the Society shall, before entering on his duties, give such security as the Committee shall deem sufficient.

XI. THE SEAL

33. **Use of the Seal** - The Seal of the Society shall be a steel engraved one, and shall not be affixed to any document without the express authorisation of the Committee, and the affixing of the seal shall be attested by the signatures of two committeemen and the secretary.

34. **Custody of the Seal** - The Seal shall be kept in the custody of the Secretary, or such other officer as the Committee shall direct.

XII. USE OF NAME

35. **Use of Name** - The registered name of the Society shall be kept painted or affixed on the outside of every office or place in which the business of the Society is carried on, in a conspicuous position, in letters easily legible, and shall be engraved in legible characters on its seal, and shall be mentioned in legible characters in all notices, advertisements, and other official publications of the Society, and in all bills of exchange, promissory notes, endorsements, cheques, and orders for money or goods, purporting to be signed by or on behalf of the Society, and in all bills of parcels invoices, receipts, and letters of credit of the Society.

XIII. AUDIT

36.

a) There shall be appointed in each year of account a qualified auditor to audit the Society's accounts and balance sheet for that year. In this rule "qualified auditor" means a person who is a qualified auditor under Section 7 of the Friendly and Industrial and Provident Societies Act, 1968.

b) None of the following persons shall be appointed as auditor of the society:

- an officer or servant of the society;
- a person who is a partner of or in the employment of or who employs an officer or servant of the society; or
- a body corporate.

c) Save as provided in paragraph (d) of this rule every appointment of an auditor shall be made by resolution of a general meeting of the society.

d) The directors may appoint an auditor to fill any casual vacancy occurring between general meetings of the society.

e) An Auditor appointed to audit the accounts and balance sheet of the society for the preceding year of account (whether by a general meeting or by the directors) shall be re-appointed as auditor of the society for the current year of account (whether or not any resolution expressly reappointing him has been passed) unless

- a resolution has been passed at a General Meeting of the society appointing somebody instead of him or providing expressly that he shall not be reappointed or
- he has given to the society notice in writing of his unwillingness to be reappointed or
- he is not a qualified auditor or is a person mentioned in paragraph (b) or this rule or
- he has ceased to act as auditor of the society by reason of incapacity.

Provided that a retiring auditor shall not be automatically reappointed if notice of an intended resolution to appoint another person in his place has been given in accordance with paragraph (f) of this rule and the resolution cannot be proceeded with because that other person is not a qualified auditor or is a person mentioned in paragraph (b) of this rule.

f) A resolution at a General Meeting of the Society

- Appointing another person as auditor in place of a retiring auditor or
- Providing expressly that a retiring auditor shall not be reappointed shall not be effective unless notice of the intention to move it has been given to the society not less than 28 days before the meeting at which it is to be moved. On receipt by the society of notice of such an intended resolution at the same time and in the same manner as it gives notice in accordance with these rules of the meeting at which the resolution is to be moved or, if that is not practicable, by advertisement not less than 14 days before the said meeting in a newspaper circulating in the area which the society conducts its business. Where the retiring auditor makes any representation in writing to the society with respect to the intended resolution or notifies the society that he intends to make such representations, he

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Registered Office : Falcon Fields, Church Road, Enfield EN3 4NX
Phone: 0181-805-0215

ALLOTMENT BYE-LAWS

1. The letting of allotments shall be carried out by the ground steward at prices as agreed at the preceding A.G.M.
2. No plots are transferable
3. Any buildings (greenhouses, sheds) must be removed from the plots on notice to quit due to a dirty plot notice or surrender of the plot.
4. The ground steward will decide, with the consent of the committee to send warning notices where applicable. There will be 14 days grace from that date to work the plot, failing this after a further 14 days notice will be given to vacate the plot.
5. The indiscriminate lighting of bonfires and disposal of domestic rubbish is contrary to local bye-laws and is a legally punishable offence.
6. All plots and footpaths must be kept in a clean and cultivated order. The condition of the footpath on the north side of the plot is the plot holders responsibility.
7. No persons or vehicles are allowed beyond the plot gates during the hours of darkness.
8. Any complaints should be in writing to the committee via the ground steward.

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CLUB HOUSE BYE-LAWS

- 1/ The Club house facilities are at the disposal of all paid up members both tenant and non-tenant. However the Management Committee reserve the right to bar or suspend any member they find guilty of conduct prejudicial to the best interests of the association.
- 2/ The hours are as laid down by the Town and Country Planning Dept. of the London Borough of Enfield.

Mon - Sat	Lunch time	12.00 noon - 2.30pm.
Sun	Lunch time	12.00 noon - 2.00pm.
Mon - Thurs	Evening	7.30 pm - 10.30pm
Fri & Sat	Evening	7.30 pm - 11.00pm
Sun	Evening	7.30 pm - 10.30pm
- 3/ It is the responsibility of all members to ensure the good behaviour of their visitors and children they bring to the clubhouse.
- 4/ All visitors must be signed in and the fee of 25p per person paid before any service in the clubhouse area (including patio and garden). This entitlement is for 24 hours only.
- 5/ Persons under the age of 18 years are not allowed to purchase or consume alcohol, or play gaming machines, and are not allowed within the bar area.
- 6/ All games must finish and all machines will be switched off at the end of the 20 minutes drinking up time.
- 7/ The writing and passing of betting slips is illegal.
- 8/ There should be no trading transactions within the clubhouse.
- 9/ It is requested that members, leave the clubhouse car park and allotment grounds in a quiet manner, so that the privacy of the neighbours is not disturbed.
- 10/ All complaints should be made in writing to the secretary.