# Birmingham and District Allotments Confederation
# Annual General Meeting
## Saturday 23rd March 2024 Bordesley Green Allotments B9 5RD
## MINUTES

**Executive Members Present:**

David Read (Chair), Hester Blewitt (Secretary), David Rawlings (Treasurer), Yvonne Brookes, Clive Fenn, Stuart Campbell Guest, David Hubball, Luke Richards, Peter Thomas, Len Tubbs, Ross White, Leslie Whittaker, Keith Yardley

**Other Members present**: List attached of 148 people from Associations plus 3 visitors – NAS Legal Officer Liz Bunting, NAS Regional Mentor Colin Bedford and Inlogov Associate Jon Bloomfield

1. **Apologies:** List attached. Accepted.

2. Ordinary Resolution for the **approval of AGM Minutes** of 20th May 2023

Proposed by Chris Hughes Seconded by Len Tubbs **Agreed**

3. **Reports:**
3.1. **Financial Report** from the Treasurer Dave Rawlings
Dave presented a verbal report, explaining that BDAC has had months of problems with its bank and changing signatories following last May's AGM. Also the financial year for BDAC ends 31st March, so not due for audit till after that, and the AGM had been brought forward from May to March.
Financial report as follows as at 1st March for previous month only:

| | |
|---|---|
| General Fund | £24,260.99 |
| Income | nil |
| Expenditure | £2,257.89 |
| End of month: | £22,003.10 |
| Deposit Account | |
| 1st April 2023 | £10,713.33 |
| Interest | £99.34 |
| Balance End of Year | £10,812.67 |

Financial statement approved subject to audit after end of year.

Dave Rawlings has done 43 years and will not be restanding for the Treasurer role. He feels it's necessary to move into electronic accounting. The meeting thanked Dave for all his work over the years.

3.2 **Report from the Secretary Hester Blewitt**
Introducing her first report, she said that she first rented a plot at Northleigh Road Ward End 10 years ago in 2014, thinking that would be the end of over 50 years of being on committees and working for voluntary committees, but has now landed up being Secretary of the BDAC since last May. She is hoping to recruit more people to help run what can be a great organization.

She referred to some facts and figures about allotments in Birmingham posted on the walls, such as the number of sites (107), 99 of which are managed by associations and 8 by BDAC, with around 7220 plots in total. 41 sites are full or almost full, others vary a lot and a couple are derelict. Occupancy is currently 85.8% overall, so over 1000 plots not let.

It's difficult to talk to and consult with associations and plotholders because contact information may not be up to date. We are working on developing more up-to-date and reliable information about sites and associations so BDAC is in a better position to provide advice, support and other services to associations and plotholders in general (data protection issues sometimes a barrier)

Sites vary in size from 6 plots to over 300, with the average being 75 plots and it's obviously a lot harder to find people to run a committee on a small site compared to a larger one. So in the past few months, a BDAC Working Group - Management of Sites and Associations to develop ways of providing advice, support and training for associations and their members, especially those that are struggling. Giving advice and information is a priority and one plan is to have various levels of support – from Peer support and Mentors to Advisors and Mediators, to intervene where there is conflict. We have started doing a Training Needs Survey (on the website) to find out what individuals and associations need using different approaches – face to face sessions, on-line, telephone etc. In October/November 2023 we organized First Aid training workshops attended by 33 people from 16 associations. More workshops or on-line sessions planned, for example financial training for Committee members and Treasurers.
Other work undertaken:

- Developing policies and procedures to help associations set up as incorporated organisations and become eligible for significant funding from Government, Council, charitable and company donors
- Helping to develop and promoting the Allotment Survey to as many as possible (report later on agenda);
- Badgering the Council (Architects Dept) about the 14 sites waiting for Flo Pickering funded work to be done (first agreed in June 2022)
- Liaison with the Allotments Officer to deal with difficult situations on sites – some low key, some more dramatic (example of plotholder harassing Association secretary with sexually explicit messages; our intervention helped to bring about eviction in a short space of time)
- Followed up issues on sites, brought to our attention via informal or complaints (Tenant to tenant or tenant about behaviour or actions of another tenant; Tenant about treatment or decisions by Committee or management generally; Committee about problems with tenants; Committee about members of Committee or general)
- Taking advantage of the techie skills and experience of BDAC's Webmaster Clive Fenn, we are developing a more streamlined and rapid way of matching new people wanting allotment plots with sites that have immediate vacancies or waiting lists which give them a realistic chance of getting a plot in the near future.

3.3 **Report from the Chairperson**
He said that at last May's election, no-one was elected as Chairperson to take over from Clive Birch, so he agreed to become interim Chairperson at the first Executive and has remained in that position for 9 months. He feels that this meeting is the most important BDAC meeting ever. From the Allotment Survey, opinions on BCC's job of managing allotments revealed that of the 51 responses from Site Secretaries, there was widespread dissatisfaction with BCC: 49% said moderately effective, 27% slightly effective and 8% not effective at all.
In 2014, BCC changed the system with a new Management Agreement, and it has got progressively worse since then, and now with the bankruptcy, change is inevitable.

- BDAC has spent over 18 months seeking meaningful amendments to that agreement, without response or success.
- Rents were increased by 12.4% in September with a further increase of 5% promised for 2024
- We are advised that options under consideration by BCC are to substantially increase rents or 'privatise' Allotment Management
- BDAC is looking to offer a third alternative to BCC – giving the people who currently run the allotments the resources and authority to do so, after it has become incorporated.

BCC claims they operate Allotments on a 'Cost Neutral' Basis, that is all income generated from rents is spent on maintenance.

**How true is that claim?**

- Rent raised is approximately £450,000
- Money spent by BCC 'in house' is approximately £235,000

**What do we get for £235,000:-**

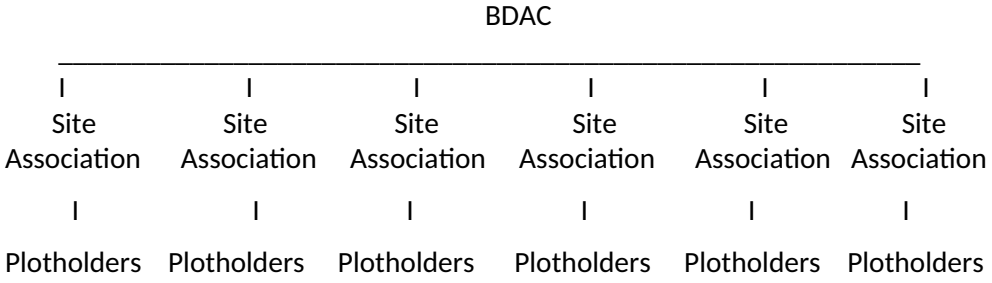
- A part time Grade 4 Administrator (Allotments Officer) + supervision - £62,000
- Grounds maintenance from Parks Department - £150,000
- 'Consultants' to carry out Statutory Inspections - £20,000

The Allotments Officer is hampered by lack of resources and limited IT, and in busy periods such as rent collection, overtime is not sanctioned. In addition, BCC is reluctant to enforce rules due to possible legal action

**Existing Structure** BDAC

Site Associations x 110 Tenants x 7000

**Proposed BDAC Co-operative Structure**




In this structure Associations will be Members of BDAC while Plotholders will be Associate Members and be better represented through their Associations.

The current set-up doesn't work properly because appeals by Plotholders to BCC end up being referred back to BDAC. Beyond that, Plotholders' only further option is to take legal advice (which has to be paid for). With the new structure, they would be able to get free legal advice from the NAS

**Complaints Procedure**

**Site Complaints Procedure**

| Stage | Existing | Proposed |
|---|---|---|
| 1 | Complaint at on-site level is addressed by Association Committee in first instance | Complaint at on-site level is addressed by Association Committee in first instance |
| 2 | If decision is unsatisfactory to either side they can refer case to BDAC where it is investigated by an Advisor | If decision is unsatisfactory to either side they can refer case to BDAC where it is investigated by an Advisor |
| 3 | If decision still unsatisfactory to either side they can appeal to BDAC Executive | If decision still unsatisfactory to either side they can appeal to BDAC Executive |
| 4 | If decision is still unsatisfactory to either side they can appeal to BCC | If decision is still unsatisfactory to either side they can appeal to BCC |
| 5 | If decision still unsatisfactory to either side they can pay for independent legal advice | If decision still unsatisfactory to either side they can obtain free legal advice from NAS |

**Why Change, why incorporation?**

- Increased legal protection for membership.
- Increased opportunity to enter into contracts with BCC and other partners.
- Increased opportunity to win external funding grants.
- Increased freedom to develop allotments to user preferences.
- Increased control over spending of rent revenues.
- Increased opportunity for individual site development.
- Increased transparency on decision making.
- Increased access to management body.

**Why a co-operative**

- Creates a separate legal entity, less onerous on Committee Members
- Run by the Membership, for the Membership
- Equal representation for all Associations, irrespective of size
- Expands facility for Self Management
- Increases level of external oversight/regulation

**Questions and Comments**

- David Draycott (Moor Green) asked for a point of clarification to be minuted: that we are today only being asked to amend the BDAC Constitution and that actual establishment will include consultation with associations every step of the way. The Chairperson confirmed this.
- Lesley Wellings (Manor House Lane) asked for clarification of incorporation v. co-operation: the Chairperson said that adopting a Co-operative is one form of incorporation which means creating a separate legal entity (from the individuals leading an organisation) and this is the best suited to running allotments.
- Chirs Harding (Marsh Hill) asked if individual associations would also need to become Co-operatives to be members of BDAC. The Chairperson replied that that's optional but would be advisable for the same reasons as why BDAC is becoming incorporated as a Co-op.
- Liz Bunting, the NAS Legal Officer (who has been advising BDAC throughout) was in attendance at the meeting, along with Colin Bedford the NAS Midlands Regional Mentor, and said they were happy to help with any queries from association reps and could provide information at the meeting or later.
- Vena Campbell (Quinton) asked whether associations would have to join NAS, concern about the cost of this. The Chairperson said that the BDAC would hope to *persua*de more associations to join, the more the better, but there was no compulsion.
- Chris Smith (Lower Tinkers Farm) asked if associations were unincorporated, were committee members personally liable (when claims made against them). Liz Bunting confirmed that in an unincorporated organization, ALL members would be liable. If they are incorporated, insurance provided through the BDAC can provide for claims – but only if things have been done correctly. All claims are based on negligence, but it is up to the claimant to prove there had been a breach of 'duty of care'.
- Luke Davison (Court Lane) asked about the current BDAC bank balance of over £24,000: would this go towards the proposal? The Chairperson said that by taking over management responsibility and retaining more of the rent would provide resources for Associations. Currently, BCC is using rental income such as £150,000 for the Parks Dept which is only doing about 1/3 of what they are supposed to do for that money (grass cutting & spraying). If associations offer to do that work at the moment, they only get 50% of what the Parks Dept is paid. The alternative is for BDAC and Associations to have

control over a greater share of the rental income, but it's important to recognize that power also means responsibility

- Hester Blewitt (BDAC Secretary and Ward End), referred to the Birmingham Open Spaces Forum (BOSF) which is incorporated as a Charity, generates income by fundraising and securing grants. If BDAC becomes incorporated, it would also be able to secure funds which would help the voluntary committees running sites. Part of this is also about encouraging more access to allotment sites for the community – which is usually one of the conditions of funding bodies – and organisations claiming grants have to be financially accountable and listen to what people need.

4. **Ordinary Resolution to delay BDAC incorporation** as a cooperative and cease negotiations with Birmingham City Council regarding the future management of allotments.
The Motion was proposed by Andrew Large, Court Oak Road Association Secretary.

'This meeting notes the efforts of the BDAC in its negotiations with Birmingham City Council and its move towards forming a co-operative. This meeting also notes that most associations have been left in the dark as to the meaning of this move, its implications and its consequences, and how there has been little consultation nor information sharing with the constituent allotment associations. This meeting therefore calls for the BDAC to delay incorporation, and to cease negotiations on the future management of allotments with Birmingham City Council predicated on co-operative status until there has been a full and proper consultation with all the constituent allotment associations.'

He queried whether incorporation was appropriate and the right thing to do at the moment. Were there the skills? Consultation has been practically non-existent and only passing reference had been made to it at a meeting he attended. On the Management Agreement 10 years ago, nothing was taken on board, he had to ask for a special meeting. Minutes of meetings should be circulated, information has been denied and he wasn't prepared to be told what is going to happen or rubber-stamp BDAC Exec wishes. He feels associations are taken for granted and Exec plans for long term are vague. The BDAC has sent out manipulative and untrue emails to browbeat the membership, and made untrue claims about rent increases. It was untrue that we only get 10% of the rents, with Admin support, we get 40%. Rent increase of 100% is rubbish, the yearly increase is set at 5%, 27% over 5 years using RPI. There have been no plans or discussions about privatization, says the Allotments Dept. It's providing a statutory service. Don't let the Exec mislead you. If it's not broke, it doesn't need fixing. If BDAC Limited took over allotment management, it would make no sense. No comeback over consultation plans, the Council won't take it back if it fails. Most Coops lease and pay ground rents on lease – statutory requirements. If the budget went up to £1.5 million, this would need commercial accounting and auditing needing a budget, and assurances for financial probity. Is it a good idea to have volunteers in charge? BDAC inexperienced. We need proper and meaningful consultation in concrete terms. Beware of going down a dangerous road.

**Comments in response to motion:**

John Upton (Gospel Lane): in Manchester plot rents are now £300.
Chairperson said that £110 rental for a standard plot in Birmingham includes lease charges where applicable
Clive Fenn (Birches Green) on consultation: BDAC meeting minutes are on the BDAC website, including notes of consultation meetings held.
Chairperson: it was the biggest insult to suggest that BDAC members don't know about running sites
Keith Yardley (Station Road): People like him do have skills and experience, eg he has a professional qualification; others have accountancy and legal qualifications. Voluntary just means unpaid, not unskilled. Important for associations to incorporate so that if there is an accident, plotholders will not be suing him personally.
Kerry McGahey (West Heath). Why have plot rentals risen from £20 to £110 a year – when reduced from 3 allotment officers? If no consultation involving BCC, how is it known that BCC wouldn't take allotment management back in-house?

Chairperson: 40% of money is sent back to sites currently, but BCC only contractually obliged to send 10%. The Devolved Budget (the other 30%) is the outcome of what's left over after Council has allocated what is needs to spend on staffing, Parks Dept etc. No-one could say that allotment section is working efficiently.
Kerry McGahey: referred to water dispute on their site - £3000 bill on land which was formerly allotments and BCC say they don't pay water bills. Chairperson: Devolved budgets don't cover majority of water costs that have to be paid from Devolved Budgets. 2 other examples of what's not being managed and resourced by BCC: if allotment buildings owned by Council deteriorate and become dangerous, all that associations can do is cordon them off until they collapse; association auditing is non-existent.
Caroline Hutton (Howard Road East): Important that we have a debate, we are getting ahead of ourselves. Today's motion is just to incorporate: this is Stage 1. She has been involved with the voluntary sector for a long time and volunteers need protection. We need to recruit people to run things and put our own house in order, as well as have the debate about the process of taking over.
Hannah Greenwood (Springfield Road). Understands about concerns raised by Andrew Large and that there may be difficulties. Safeguards need to be in place, but she is broadly in agreement with the way forward. Concern about remuneration of Executive, and how money is spent. Chairperson: if BDAC Ltd was to take on management, it would need paid staff.
Debate about motion wound up and the Motion was put to the meeting: Overwhelmingly rejected (approx.12 in favour)

5. **Ordinary Resolution to confirm member engagement and approval process** supporting future amendment to the management agreement between BDAC and Birmingham City Council.

Motion from Andrew Large, Court Oak Road Association Secretary, who proposed it:
'This meeting calls on the BDAC (or future co-operative thereof) to share information in writing with all constituent associations with regard to their negotiations on the future management of Birmingham Allotments with Birmingham City Council. Any proposed significant or substantive change to the current arrangements (Management Agreement) proposed by the BDAC must undergo a full consultation process with the constituent associations in writing and require a two-thirds majority of the associations before any significant or substantive change can be put forward in negotiations.'
A.Large speaking for the Motion: It's a moderate request. The BDAC is the servant of allotment associations. Associations' concerns were previously ignored the last time round. The Exec needs to be more accountable. Consultation should be in writing and done in a more inclusive way.

**Comments on motion**:

David Draycott (Moor Green): Speaking against the motion. All the drive is to move things forward. Current Exec/leadership is a breath of fresh air over the last few months. He was involved in the Working Group on revisions to the Management Agreement (end of 2021- early 2023), and he has faith that sites will be consulted. We must be realistic about the capacity of plotholders to take an interest. 2/3 majority for change? Means 70 functioning committees. It's hard to recruit even site committee members: they have lost faith in the Council's willingness to do anything. So Exec needs to be trusted: don't hamstring them, get on the Exec. Don't risk them losing motivation by providing another set-back.
Greg Huner (Clunbury Road) Suggested modify 2/3 majority of associations to 2/3 of respondents (50% responsibility level??)
Chairperson: The current Management Agreement runs out in a few days time on 31st March, this is not the time to consult every association, we need to plan forwards. All further progress will always go on with Association approval. If this motion is agreed it will stop us moving forward.
Motion put to meeting: overwhelmingly rejected. 4 in favour
*(Note: all 67 postal votes also against these motions)*

6. **Special Resolutions to amend BDAC constitution**.
6a. **Motion from BDAC Executive Committee**

'That the existing BDAC Constitution be changed to facilitate Incorporation as Birmingham and Districts Allotments Cooperative Limited via the Cooperative Association model sponsored by National Allotment and Leisure Garden Society and regulated by the Financial Conduct Authority.'
Motion carried by a large majority.
6b. **Motion from BDAC Executive Committee**
'That Membership of BDAC, currently Rule 1, be amended to read:
1a Allotment Associations under Birmingham City Council
Motion carried with 7 against
6c **Motion from BDAC Executive Committee**
That Membership of the Executive, currently Rule 2, be amended to read:
"2. The business of BDAC shall be conducted by the executive committee which will consist of:
2a Three Executive Officers - Chairperson, Secretary and Treasurer, and not less than seven and not more than twelve Executive Members. Executive Officers are to be elected annually at the AGM, with any incumbent permitted to re-stand.
2b All Executive Members shall be elected at the AGM of BDAC Limited. Executive Members are elected for a three-year term, with any incumbent permitted to re-stand.'
Motion carried overwhelmingly.
*Note: All 67 postal votes in favour of Motions 6a and 6c; 64 postal votes in favour of Motion 6b*

**REFRESHMENT BREAK**

7. **Ordinary Resolution to elect Executive Officers.**

7a. Chairperson,

Dave Rawlings took over as Chair of the meeting to take nominations and elect the Chairperson for the coming year. David Read proposed by Keith Yardley (Station Rd) and seconded by Carole O'Boyle (Francis Rd). No other nominations. David Read duly elected

7b. Treasurer. Yvonne Brookes (Pereira Rd/Chadbrook) nominated for this position. Proposed by David Read, seconded by Kate Martin Smith (West Heath). No other nominations. Yvonne Brookes duly elected

7c. Secretary. Hester Blewitt nominated for this position. Proposed by Dave Rawlings (Aldridge Rd) . Seconded by Hannah Greenwood (Springfield Road). No other nominations. Hester Blewitt duly elected.

7d. Executive Committee Members

The Secretary reported that some Executive Committee members will be continuing as they are part way through their 3 year term of office i.e. Clive Fenn (2022-25), Ross White (2023-26), Keith Yardley (2023-26), Leslie Whittaker (2023-26), Len Tubbs (2023-26). Cheryl Butler and Dave Hubball have just finished their 3 year term. Dave Hubball is not standing again, Cheryl Butler is. So a maximum of 7 people can be elected today.

**Nominations**

Andrew Large (Court Oak Rd) Proposed by Kerry McGahey (West Heath) Seconded by Dave Hubball (Thornbridge)
Dave Reece (Gospel Lane) Proposed by John Upton (Gospel Lane) Seconded by Carole O'Boyle (Francis Rd)
Cheryl Butler (Thornbridge) Proposed by Dave Hubball (Thornbridge) Seconded by David Read
Kate Martin Smith (West Heath) Proposed by Kerry McGahey (West Heath) Seconded by Hester Blewitt (Ward End)
Tony Webb (Thornbridge) Proposed by Mick Peers (Thornbridge) Seconded by John Spencer (Thornbridge)

Kerry McGahey (West Heath)  Proposed by Kate Martin Smith (West Heath)  Seconded by Andrew Large (Court Oak Rd)
All 6 duly elected.

8. **Ordinary Resolution to approve the appointment of Auditors** for 2024/2025.

Proposed and agreed to retain the auditors Barry Timms and Janet Spencer

***Refreshment Break***

9. **Interim Report on Allotment Survey**

Jon Bloomfield from the Institute of Local Government Studies, University of Birmingham, presented an Interim report.  There were 876 completed returns (paper based and online) representing 14% of plotholders – this is a good response.  We now have a grass roots database covering the people, what food they grow and what benefits allotments bring.  50% of respondents were female, indicating a change from the traditional image of mostly male plotholders.  Responses came from two thirds of Birmingham sites, but 25 sites sent none at all.  Onions were the second most popular crop after potatoes.  Two thirds grow 10 or more vegetables.  Weight is important in crop yield: over 70,000 kg of food produced – 100kg per plot average in the survey returns.  Plenty of variety of people, from 'Serious cultivators" (1/6 of sample) who grow well above average weight, "Keen Gardeners" (1/6 of sample)  and "Leisure Gardeners (1/3 of sample). In terms of benefits, the most popular response (32%) was for relaxation and peace of mind; a supply of fresh vegetables (31%) and regular exercise (17%).  Physical and mental health benefits were rated highly.

It was clear that allotments are a neglected jewel and should be prized by the City.  Suggestions made that we need to boost publicity and promote things like GP referrals.  A summary will be completed and the plan is to organize a conference.

**Allotment Survey Prize Draw**

As promised when the Allotment Survey was being promoted, BDAC organized a Prize Draw for all who completed the survey form.  5 people completing the general survey) won £50 vouchers towards plot rental or for spending in Site Shops (Sarah Green (KIngstanding), Janice Jeffers (Oldford Farm), Richard Watson (Wheelers Lane), Patrick McAuliffe (Warstock Lane) and Eleni Loizou (Meadow Road).
Winners of £20, £10 or £5 vouchers donated by associations (Moor Green, Ward End, Thornbridge, Chadrook/Pereira and Longmeadow Crescent) were:  Sarah Thomas (Selly Oak Rd), Ashiq Hussain (Northleigh Rd,Ward End), Kayte Williams (Harborne Lane), Jonathan Turner (Walmley Ash), John Gray (Donegal Rd) and Eileen Roberts (The Hill).
Another 5 people also won £50 rent/stores vouchers – these were Secretaries who completed the site survey on behalf of their associations:  Aldridge Road, Broad Lane, Court lane, Manor House lane and Melstock/Norton View.

**10.  Any Other Business:**

**Presentations of flowers and vouchers** and thanks to Dave Rawlings, retiring Treasurer, and Peter Thomas, retiring Exec member and Annual Show Treasurer, both after many years service.

**Asian Hornets**

Julian Karuana from Francis Road Stechford, made a short presentation about the dangers of Asian hornets now reported in the UK: they kill honeybees and if seen, should be reported so the problem can be addressed: they have an orange band and have bright yellow legs.  More information in the BDAC Bulletin.

**11. Thanks to our hosts at Bordesley Green and to Vickie and Robert Simune, plotholders at Longmeadow Crescent Allotments, for providing delicious refreshments during the break.  Closure of meeting**