Birmingham and District Allotments Confederation Annual General Meeting

Saturday 23rd March 2024

Summary, Action Points and Decisions

Present: 13 BDAC Executive Members and 148 other BDAC members and 3 visitors (NAS and Jon Bloomfield) (listed). Apologies plus postal votes on motions: (listed)

AGM Minutes of 20th May 2023 agreed

Accounts presented verbally by the Treasurer Dave Rawlings who explained that BDAC has had months of problems with its bank and changing signatories following May 2023 AGM. Also the financial year for BDAC ends 31st March 2024, so BDAC is not due for audit till after that, and the AGM had been brought forward from May to March. He reported a balance of £24,261 in the General Fund and £10,812 in the deposit account at the end of the year and stated that he is not re-standing as BDAC Treasurer after 43 years in the role.

Report from the Secretary Hester Blewitt

She introduced her first report after taking up the role in May 2023, highlighting the following:

- She is hoping to recruit more people to help run what can be a great organization.
- Site size and occupancy levels in the 107 sites across the city vary greatly, size 6 to 400 plus plots, average occupancy 85.8% , and over 1000 plots unlet out of over 7000.
- BDAC is working on developing more up-to-date and reliable information about sites and associations so it is in a better position to support associations and plotholders in general
- BDAC is improving ways for new people to find a suitable allotment plot, using the BDAC website
- A BDAC Working Group on Management of Sites and Associations is now set up to provide advice, support and training for associations and their members, including development of association policies and procedures. 3 First Aid training workshops already with more workshops on other topics planned.
- Other work undertaken liaison with the Council (Architects Dept) about 14 sites waiting for Flo Pickering funded work, following up issue/complaints on sites and liaising with BCC to resolve these when necessary

Report from the Acting Chairperson David Read

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. His report focused on the way forward given the levels of dissatisfaction with current site management by BCC and the fact that there is no agreement about the Management Agreement which should have been renewed in 2019, and rent levels have risen by 12.4% this year. After outlining the financial/resources situation currently, he put forward the following proposals from the BDAC Executive::

- The BDAC to become incorporated as a Co-operative sponsored by the National Allotment Society
- The BDAC members to be allotment associations and plotholders to be represented through associations.
- The complaints process would be reviewed and amended so that BDAC does not end up trying to represent both parties in a conflict; in the new structure tenants would be able to get free legal advice from the NAS

In response to questions and comments, the following was 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.
- 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 option suited to running allotments.
- It would be advisable for all associations that are BDAC members to become incorporated but not required, for the same reasons as why the BDAC is becoming incorporated. There is no compulsion for associations to join the NAS, although a good idea for them to do so.
- The NAS which advises the BDAC, can help with any queries from association reps about incorporation.
- The NAS Legal Officer 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, and claimants need to prove a breach of 'duty of care'.
- Regarding the money held by the BDAC currently, (over £24,000) and rental income collected by BCC, this would be available for BDAC and associations to decide and spend if the BDAC took over management, but more responsibility goes with that power.
- If BDAC becomes incorporated, it would also be able to secure funds which would help the voluntary committees running sites but they would need to make sites more accessible to local communities

Resolutions

Ordinary Resolution to delay BDAC incorporation as a cooperative and cease negotiations with Birmingham City Council(BCC) regarding the future management of allotments, proposer: Andrew Large, Court Oak Road Association 'This meeting notes the efforts of the BDAC in its negotiations with BCCl 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 BCC predicated on co-operative status until there has been a full and proper consultation with all the constituent allotment associations.'
Motion: Overwhelmingly rejected-approx. 12 in favour

Ordinary Resolution to confirm member engagement and approval process supporting future amendment to the management agreement between BDAC and BCC, proposer: Andrew Large
'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.'
Motion overwhelmingly rejected. 4 in favour

Special Resolutions to amend BDAC constitution.
Three Motions from BDAC Executive Committee all carried overwhelmingly:

1. 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.
2. That Membership of BDAC, currently Rule 1, be amended to read:
   "1a Allotment Associations under Birmingham City Council"
3. 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."

Elections for BDAC Officers and Executive Committee

Officers elected: David Read, Chairperson; Hester Blewitt, Secretary; Yvonne Brookes Treasurer
Executive Committee Members carrying on because part-way through 3 year term: i.e. Clive Fenn (2022-25), Ross White (2023-26), Keith Yardley (2023-26), Leslie Whittaker (2023-26), Len Tubbs (2023-26).
New nominations - maximum possible 7 – all 6 agreed: Andrew Large (Court Oak Rd), Dave Reece (Gospel Lane), Cheryl Butler (Thornbridge; has just finished 3 year term), Kate Martin Smith (West Heath); Tony Webb (Thornbridge); Kerry McGahey (West Heath)

Auditors for 2024/2025: agreed to retain the auditors Barry Timms and Janet Spencer

Other items:

1. **Interim Report on Allotment Survey** from Jon Bloomfield from the Institute of Local Government Studies, University of Birmingham. He will be producing a summary document and organizing a conference. Suggested that we boost publicity such as GP referrals to allotments
2. **Allotment Survey Prize Draw -** results announced.
3. **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.
4. **Asian Hornets** – presentation from Julian Karuana from Francis Road Stechford about the dangers of Asian hornets now reported in the UK: they kill honeybees and if seen, should be reported
5. **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.