

# CHESTER SAILING AND CANOEING CLUB CONSTITUTION AND RULES

## 1. The Club

- 1.1 The name of the Club is "Chester Sailing and Canoeing Club", referred to afterwards as the Club, and may also be known as CSCC. The burgee is a white "Cheshire Cat" on a light blue ground with the letters CSCC vertically in white.
- 1.2 The main purposes of the club are to promote and facilitate community participation in the amateur sport(s) of Sailing, Canoeing and other River based activities.
- 1.3 The Club shall be affiliated to both the Royal Yachting Association (hereafter RYA) and Paddle UK.
- 1.4 Membership of the Club shall be open to anyone interested in the Sailing Canoeing and other River based activities on application, regardless of sex, age, disability, ethnicity, nationality, sexual orientation, religion or other beliefs, except as a necessary consequence of the requirements of the promoted Sports and activities on a non-discriminatory basis.

The Club has different classes of membership and subscription on a non-discriminatory and fair basis.

The Club will keep subscriptions at levels that will not pose a significant obstacle to people participating.

The Club Committee may refuse membership, or remove it, only for good cause such as conduct or character likely to bring the Club or sport into disrepute, including behaviour against the best interests of the Club. Appeal against refusal or removal may be made to the members in a General Meeting or Annual General Meeting. The process is set out in the Club's Disciplinary Procedure.

- 1.5 All surplus income or profits are to be reinvested in the club. No surpluses or assets will be distributed to members or third parties.
- 1.6 Upon dissolution of the club any remaining assets shall be given or transferred to another registered CASC with similar aims and objectives, a registered charity or the sport's governing bodies for use by them in related community sports. Prime consideration should be given to local organisations.

## **2. Sports Equity**

2.1 The Club is committed to ensuring that equity is incorporated across all aspects of its development. In doing so, it acknowledges and adopts the following Sport England definition of sports equity:

*“Sports equity is about fairness in sport, equality of access, recognising inequalities and taking steps to address them. It is about changing the culture and structure of sport to ensure it becomes equally accessible to everyone in society.”*

2.2 The Club respects the rights, dignity and worth of every person and will treat everyone equally within the context of their sport, regardless of age, ability, gender, race, ethnicity, religious belief, sexuality or social/economic status. The Club is committed to everyone having the right to enjoy their sport in an environment free from threat of intimidation, harassment and abuse.

2.3 All club members have a responsibility to oppose discriminatory behaviour and promote equality of opportunity. The Club will deal with any incidence of discriminatory behaviour according to the Club’s Disciplinary Procedures.

2.4 All concerns, allegations or reports of poor practice or abuse relating to the welfare of children will be recorded and responded to swiftly and appropriately in accordance with the club’s safeguarding policy and procedures. The Club Section Welfare Officers are the lead contacts for all members in the event of any safeguarding concerns. Safeguarding matters will be referred to relevant governing body for triage, guidance, and where it is deemed appropriate, investigation.

## **3. Membership**

3.1 An applicant for membership shall apply to the Honorary Secretary using a form, setting out their names and address, telephone number and e-mail address and any other particulars the Club Committee may also reasonably require.

3.2 Upon receipt of an application for Membership, the Honorary Secretary shall ensure such application is recorded in a Register of Applicants and there shall be an interval of at least two days before the Honorary Secretary considers the application for Membership. The admission of all classes of Members is vested in the Honorary Secretary. The Honorary Secretary may refuse applications only for good cause such as conduct or character likely to bring the Club into disrepute which refusal must be agreed by the Club Committee. [See 1.4 above]

- 3.3 The Honorary Secretary shall inform each applicant in writing of the applicant's admission or non-admission. They shall furnish an admitted applicant with a copy of the Constitution and Rules of the club and make request for such payments as are necessary.
- 3.4 Membership shall consist of the following categories together with their rights as set out in the following table:

<b>Membership Table</b>						
<b>Membership Class</b>	<b>Terms of Membership</b>	<b>Voting Rights</b>	<b>Be elected to Club Committee</b>	<b>Hold Office</b>	<b>Attend General Meetings</b>	<b>Comments</b>
ADULT	Adult - over 23 on January 1 <sup>st</sup>	Yes	Yes	Yes	Yes	
FAMILY	Adult married couple or partners	Yes 1 each	Yes	Yes	Yes	Must all be living at the same address as "Group Admin".
	Juniors under 16 on January 1 <sup>st</sup>	No	No	No	Yes	
	Juniors over 16 and under 18 on January 1 <sup>st</sup>	Yes 1 each not alcohol related	Yes, as Junior Representative	No	Yes	
	Young Adult over 18 and under 23 and in full time education on January 1 <sup>st</sup>	Yes 1 each	Yes	Yes	Yes	
YOUNG ADULT	Young Adult over 18 and under 23 on January 1 <sup>st</sup>	Yes	Yes	Yes	Yes	
JUNIOR	Junior over 16 and under 18 on January 1 <sup>st</sup>	Yes not alcohol related	Yes, as Junior Representative	No	Yes	Must be sponsored by a responsible adult.
JUNIOR	Junior under 16 on January 1 <sup>st</sup>	No	No	No	Yes	Must be sponsored by a responsible adult.
ASSOCIATE	Adult or Young Adult	Yes	No	No	Yes	Not allowed to participate in sailing and canoeing activities
JOINT	Adult or Young Adult	No	No	No	No	Qualifying Clubs to be determined and negotiated by Club Committee.
OUT OF PORT	Adult or Young Adult living more than 30 miles from the club	Yes	No	No	Yes	Can pay half subscription on application to Club Committee
HONORARY LIFE	Adult	Yes	Yes	Yes	Yes	To be proposed by Club Committee and voted for in Annual General Meeting.

#### **4. Subscriptions**

- 4.1 Subscriptions fall due annually on 1 January and shall be the sum approved by the previous Annual General Meeting.
- 4.2 Members are required to pay their subscriptions by 1st March. If their subscriptions are not paid the Club Committee shall remove their names from the list of members. Members shall not be entitled to exercise any rights or privileges of membership, until their subscriptions for that year, and all arrears, are paid.
- 4.3 Members joining the club after 1 October, who have paid their full subscriptions for that year, shall not be required to pay any subscriptions for the following year.

#### **5. Titular and Honorary Membership**

- 5.1 The Club, on the recommendation of the Club Committee may, at an Annual General Meeting, elect a President and Vice Presidents, which are titular appointments. They may also elect Honorary Members. The total number of Honorary Members shall not exceed 5% of the total number of all members at the time.

#### **6. Constitution and Rules**

- 6.1 All members undertake to comply with these rules and constitution. A copy of the current version is available on the Club's Website and will be provided to members on joining the club.

#### **7. Club Disciplinary Procedure**

- 7.1 All Club Committee meetings dealing with the Club Disciplinary Procedure must be quorate.
- 7.2 Any complaint by a member shall be made in writing to the Honorary Secretary or any Committee Member. The Club Committee shall review the complaint and shall decide the course of action to be taken which shall be notified to both the complainant and any person(s) involved.
- 7.3 Refusal, neglect, or any conduct, which in the opinion of the Club Committee is injurious to the interests of the Club or Sports, shall render members liable to expulsion or suspension of their membership by the Club Committee. Before such action is taken an opportunity will be given by the Club Committee for an explanation, either written or in person, or a resignation to be given. A vote on a resolution for expulsion or suspension shall be by secret ballot and only carried if two thirds, or more, of the Club Committee present vote in favour. Provided always that the Club Committee is quorate
- 7.4 Should the Club Committee consider it necessary they may appoint a Sub Committee to investigate the matter. Should the issue be of a sensitive nature the investigation shall be carried out in confidence. The detail of the investigation shall be limited to the persons involved.

7.5 The member(s) may appeal against the Club Committee decision to the Membership of the Club at the next Annual General Meeting or General Meeting by sending a written notice of that appeal to the Honorary Secretary. Therefore the Club Committee's decision shall at that point be considered as SUSPENSION only. Arrangements shall be made to enable member(s) to present a case for consideration to the next Annual General Meeting or General Meeting whether in person or by written representation. The members at the Meeting shall then vote by secret ballot (simple majority) to uphold or not the Club Committee's decision for expulsion or suspension.

7.6 The appellant member(s) may require the Club Committee to instruct the Honorary Secretary to summon by notice a General Meeting to hear the appeal.

## **8. Guests**

8.1 Any person may be a Guest for one day, when introduced by an Adult or Young Adult Member and having signed the Visitor/Guest Book. The introducing Member shall inform the Guest that they are responsible for their own Health and Safety whilst on Club premises.

8.2 Adult and Young Adult Members may introduce up to two guests for one day and must not leave their guests unattended. Guests may be introduced not more than four times a year without the approval of the Club Committee.

## **9. Officers**

9.1 The Officers of the Club are a Commodore, Vice Commodore, Rear Commodore, Honorary Secretary, Honorary Treasurer, Club Captain, Sailing and Canoeing Secretaries and Sailing and Canoe Leaders, who shall be elected at the Annual General Meeting. The retiring Officers are eligible for re-election. Proposals for Officers (other than retiring Officers) must be given to the Honorary Secretary and posted on the Clubhouse notice board and notified to members, at least 7 days before the Annual General Meeting.

## **10. The Club Committee**

10.1 The Club Committee consists of the Officers and not more than 6 active members of the Club. They are elected at the Annual General Meeting to hold office for 3 years.

10.2 The effective quorum of the Club Committee shall be 7 persons.

10.3 Proposals for Club Committee Members must be given to the Honorary Secretary and posted on the Clubhouse notice board and notified to members, at least 7 days before the Annual General Meeting.

10.4 If a vacancy for an Officer or a Committee Member occurs, the Club Committee may co-opt a member until the next Annual General Meeting.

## **11. Sub Committee**

11.1 The Club Committee may appoint such sub-Committees as it may deem necessary and may delegate such of its powers as it may think fit upon such terms and conditions as shall be deemed expedient and/or required by the law. Such sub-Committees shall consist of such Members of the Committee or of the Club as the Committees may think fit. Officers of the Club shall be ex officio Members of all such sub-Committees. The Chair and at least one member must be on the Club Committee and vacation of office on the Club Committee shall involve vacation of office on any Sub Committee.

## **12. Management of the Club**

12.1 The Club Committee shall manage the affairs of the Club according to the Constitution and Rules and shall cause the funds of the Club to be applied solely to the purposes of the Club or for a benevolent or charitable purpose nominated by General Meeting or Annual General Meeting. In particular the Club Committee shall ensure that the property and funds of the Club will not be used for the direct or indirect private benefit of Members other than as reasonably allowed by the Rules and that all surplus income or profits are re-invested in the Club.

12.2 The Club Committee shall appoint Welfare Officers for the Sailing and Canoe Sections from amongst the club membership. The Welfare Officers shall report to and attend the Club Committee as necessary regarding welfare issues.

12.3 The Club Committee shall delegate responsibility for the purchase and sale of intoxicating liquor to the Premises Supervisor.

12.4 The Club Committee shall make payments as it considers necessary in order to run the club and shall make proposals to the Annual General Meeting regarding fees and levies for the following year.

12.5 It is the Honorary Secretary's responsibility to:

- a) Keep a register of Club Members' names and addresses
- b) Conduct the correspondence of the Club
- c) Keep custody of all Club documents
- d) Keep full minutes of all meetings of the Club, and the Club Committee which shall be confirmed by the Club or Club Committee at the next following meeting of the Club, or the Club Committee

- e) Administer such insurance policy or policies as may be needed to fully to protect the interests of the Club, its Officers and its Members;
- f) Maintain contact with the Club's Legal Advisor to ensure that the Club's affairs are managed in accordance with current law.
- g) Maintain any such certificates or registrations, and complete any such non-financial returns, as may be required by law

12.6 It is the Honorary Treasurer's responsibility to:

- a) Cause such books of account to be kept as are necessary to give a true and fair view of the state of finances of the Club having obtained financial statements from the sub-sections of the club
- b) Cause all returns as may be required by law in relation to such accounts to be rendered at the due time
- c) Prepare an Annual Balance Sheet in each year and cause such Balance Sheet (and accounts as necessary) to be audited at least once annually and shall thereafter cause the same to be exhibited in the Club premises at least fourteen days before the date of the Annual General Meeting.
- d) Present the Annual Balance Sheet to the Club at its Annual General Meeting

12.7 Sailing and Canoe sections of the Club shall be managed by the respective Leaders and Secretaries. They shall enlist the assistance from members within the sections to aid the running of the Sailing and Canoe Sections. The Secretaries of the two sections shall report the business of the two sections to the Club Committee meetings and the Annual General Meeting.

12.8 If Members or ex-Members fall into arrears on their dinghy berth, or canoe rack or storage fees the Club reserves the right to sell the canoe/boat/trailer/equipment to cover the outstanding amounts with the remainder being sent to the owner. This shall follow procedures which comply with the Torts (Interference With Goods Act 1977) .

### 13. **Auditor and Premises Supervisor**

13.1 An Auditor shall be appointed in Annual General Meeting, to audit the accounts of the Club for the forthcoming year, a copy of which shall be available to all Members at the next Annual General Meeting. In the event of that Auditor being unable to act, the Club Committee shall appoint a substitute.

13.3 A Premises Supervisor shall be appointed to the Club Committee at the Annual General Meeting to have day-to-day responsibility for running the premises in relation to the Licensing Act 2003. In the event the Premises Supervisor being unable to act the Club Committee will appoint a substitute.

## **14. Annual General Meeting**

- 14.1 The Commodore, Vice Commodore or other Officer should the Commodore not be able, shall chair the Annual General Meeting.
- 14.2 The Annual General Meeting shall be held in October or November, on a date to be fixed by the Commodore or an alternative date set by a General Meeting. The only business that may be discussed is the passing of the accounts, election of the officers, the appointment of the Auditor and any business, or proposals, involving rules or constitution, or any business concerning club administration or activities brought forward by any member as notified to the Honorary Secretary 30 days before such meeting.

## **15. General Meeting**

- 15.1 The Commodore, Vice Commodore or other Officer should the Commodore not be able, shall chair the General Meeting.
- 15.1 The Club Committee or 30 members jointly, may cause the Honorary Secretary to summon, by notice, a General Meeting. The discussion at that meeting shall be confined to the business, or proposals, involving rules or constitution, or any business concerning club administration or activities brought forward by any member stated in the notice sent to members at least 14 days previous. The Honorary Secretary shall post, or deliver, to each member notice of the meeting and the business to be brought forward.

## **16. Voting at Annual General Meeting and General Meeting**

- 16.1 The Chair shall have the casting vote. There shall be a quorum of at least 20 voting members.
- 16.2 Voting qualification is set out in the Membership Table. ( see 3.2)
- 16.3 When voting for Officers and Club Committee Members, members shall vote (for or against) for every nominee separately. All Officers and Committee Member positions shall be voted for at the Annual General Meeting. Only those receiving a simple majority of the “for” votes cast shall be able to take up their position. The nominee with the most for “for votes cast” shall be successful where there is more than one nominee for a position. The Club Committee shall take such action as it considers necessary regarding any unfilled position(s) at its next meeting.
- 16.4 Voting concerning rule and or constitution amendments shall only be passed upon receipt of two-thirds majority of votes cast. Provided that no such change shall jeopardise the Club’s status as a Community Amateur Sports Club within the meaning of the Finance Acts, or in any event alter its purposes or winding-up provisions.
- 16.5 Except those already listed, all other matters shall be passed by a simple majority of votes cast. Voting shall be by show of hands or, if required by the majority of voting members present or the Chairman, by secret ballot.

## **17. Trustees**

- 17.1 The Club shall appoint three trustees. Where trustees are to be appointed, they shall be selected by the Club Committee from amongst eligible members, with their appointment ratified at an Annual General Meeting or General Meeting with a majority of two thirds of votes cast. The trustees shall hold office for life unless they resign in writing or until a resolution removing them from office shall be passed by a two-thirds majority of eligible voters at an Annual General Meeting or General Meeting. In the event of a trustee's death, retirement or removal, the club shall replace them as soon as reasonably possible at an Annual General Meeting or General Meeting.
- 17.2 The sole purpose of the trustees is to hold assets for and on behalf of the members and for the benefit of the Club. The trustees may sell, lease, or pledge any Club assets for the purpose of raising or borrowing money for the benefit of the Club in accordance with the Club Committee's directions. In the event of dissolution, the Trustees are to distribute any remaining assets of the club between local organisations encouraging sailing and or canoeing in compliance with the Community Amateur Sport Club Scheme (CASC)
- 17.3 Should a Trustee hold an officer or committee position they shall not be allowed to vote on any issue before the committee with regard to club property, rights and investments of the Club.
- 17.4 Where the trustees have acted reasonably and properly, they shall be indemnified by the Club from any liability, cost, expenses and payments that may be incurred by them in the exercise of their duties to the Club or any legal proceedings which relate directly or indirectly to the Club.

## **18. Member Security**

- 18.1 No member, other than an Officer, may reveal information that is held by the Club, about another member, to anyone other than another member, without the express permission of the individual; Exception being to persons involved with the Protection and Welfare of the Club and its members. Keys, or combination codes , may not be given to non-members, other than with the permission of an Officer.

## **19. Limitation of Club Liability**

- 19.1 All references to the Club in this Rule shall mean each and every individual Member of the Club. Members are bound by the following Rule which shall also be exhibited in a prominent place within the Club premises.
- 19.2 Members of the Club may use the Club premises and any other facilities of the Club entirely at their own risk and impliedly accept:
- (a) The Club will not accept any liability for any damage to or loss of property belonging to Members.

b) The Club will not accept any liability for personal injury arising out of the use of the Club premises, any other facilities of the Club either sustained by Members or caused by the said Members whether or not such damage or injury could have been attributed to or was occasioned by the neglect, default or negligence of any of them, the Officers, Committee, Trustees or Servants of the Club.

19.3 Members are responsible for any injury, damage or loss to the extent caused by their own actions or omissions.

## **20. Club Premises Licence – Licensing Act 2003**

- a) The club bar opening times shall be between 10am and 12pm with 30minutes drinking up time but with seasonal changes as indicated on the club Premises Licence.
- b) Drinking shall only be permitted within the specified areas defined on the Club Premises Licence.
- c) The showing of films may only take place between the hours specified on the Club Premises Licence.
- d) The playing of live or recorded music may only take place between the hours specified on the Club Premises Licence.
- e) Dancing to live or recorded music may only take place between the hours specified on the Club Premises Licence.
- f) Any member deemed to have been making a public nuisance will have their membership immediately revoked at the discretion of the Club Committee.
- g) Children will not be allowed in the bar area unsupervised whilst the bar is open. Alcohol shall not be served to persons under the age of 18 years old.
- h) Changes to this section can only be made provided it does not alter the conditions of the Club Premises License "operating Schedule" unless appropriate variation is applied for to the licensing authority.