

# STEWARTBY WATER SPORTS CLUB LIMITED

## CONSTITUTION

### 1. NAME AND OBJECTS

- 1.1. The name of the Club is Stewartby Water Sports Club Limited by guarantee (Registered Company Number 1035387), herein after called the Club.
- 1.2. The main purposes of the club are to provide facilities for and to promote participation in the amateur sports of Angling, Power Boat Racing, Sailing and Water Skiing in Stewartby, Bedfordshire.

### 2. MEMBERSHIP

- 2.1. The club has the following different Sections of full membership:
  - 2.1.1.Sailing
  - 2.1.2.Water-skiing
  - 2.1.3.Power-boating
  - 2.1.4.Angling
- 2.2. The club has the following types of membership:
  - 2.2.1.Honorary Members
  - 2.2.2.Individual or Family Ordinary Members
  - 2.2.3.Student Members (in full time or part time education)
  - 2.2.4.Junior Members (under 19 years of age)
  - 2.2.5.Group Members (attending as part of a group run by volunteers on a not for profit basis organised by at least one Ordinary Member) Except for Honorary Members, Members will be a member of a particular Section of the Club.
- 2.3. The Management Committee may limit the numbers of members on a non-discriminatory basis regardless of members' sporting ability after consultation with all the Sections of the Club and considering the available Club facilities.
- 2.4. The Management Committee may refuse or revoke membership on non-discriminatory grounds, where the membership, or continued membership of the member concerned would be likely to be contrary to the best interests of the water sports of the Club or the good conduct and interests of the Club. Appeal against refusal or revocation of membership may be made to the members in a general meeting.
- 2.5. Every new ordinary member will pay a joining fee as determined by the Management Committee. The Club may charge a further joining fee if membership lapses for a period but a member re-joins the Club.
- 2.6. Every ordinary, student, or junior member will pay:
  - 2.6.1. An annual management subscription fee determined by the Management Committee; and.
  - 2.6.2. An annual section subscription fee determined by the relevant Section Committee.
- 2.7. Group members will pay a fee determined by the Management Committee.
- 2.8. The Club is a non-profit making and any surplus income or gains are to be reinvested in the Club. The Management Committee and Section Committees will set subscription fees at a level in order to generate sufficient income for the Club to provide facilities for and promote participation in Sailing, Water-skiing, Power-boating and Angling at the Club's site whilst keeping fees as affordable as possible to encourage participation and

such that subscription fees and participation costs do not pose a significant obstacle to participation.

- 2.9. Each Section is responsible for encouraging active participation by its Members in the Club's water sports, including indirect participation such as coaching, supporting others participating, providing crew, rescue, officer of the day and scrutineering services, and assisting with voluntary improvement and maintenance of the Club's facilities.

### **3. OFFICERS**

- 3.1. The Club may have a President and Vice President(s), elected annually at the Annual General Meeting and they will become Honorary Members for their term of office
- 3.2. The Management Committee and each Section Committee will elect a Chairman, Vice Chairman, Secretary and Treasurer (the Officers) annually at their respective annual general meetings.

### **4. MANAGEMENT**

- 4.1. The Management of the Club will be entirely in the hands of the Management Committee who will have power to appoint sub-committees.

### **5. MANAGEMENT COMMITTEE**

- 5.1. The Management Committee will consist of the Officers of the Club elected at the A.G.M. and a maximum of two persons elected from each Section at the relevant Section AGMs and to be ratified at the AGM of the Club. Such ratification not to be unreasonably withheld.
- 5.2. A member of the Management Committee will be deemed to have vacated office if:
  - 5.2.1. The member becomes bankrupt or makes any arrangement or composition with his creditors generally; or
  - 5.2.2. a registered medical practitioner who is treating that person gives a written opinion to the Management Committee stating that that person has become physically or mentally incapable of acting as a member of the Management Committee and may remain so for more than three months; or
  - 5.2.3. by reason of that person's mental health, a court makes an order which wholly or partly prevents that person from personally exercising any powers or rights which that person would otherwise have; or
  - 5.2.4. member resigns his office by notice to the Club; or
  - 5.2.5. the member will without sufficient reason for more than three consecutive meetings of the Management Committee have been absent without permission of the Management Committee and the Management Committee resolves that his office be vacated.

### **6. SECTIONS**

- 6.1. Every Section will hold an A.G.M. not less than 42 days prior to the A.G.M. of the Club and will elect a Chairman, Vice Chairman, Secretary, Treasurer, and other Members deemed necessary. Each Section will elect up to, two members to sit on the Management Committee, who may or not be members of the Section Committee.
- 6.2. Each Section Committee may make its own rules regarding participation in the water sport of that Section for the purposes of ensuring the safety of participants and to encourage participation by all Members. The Management Committee will have

discretion to make directions as to section rules in the best interests of the Club as a whole.

## **7. ACCOUNTS**

- 7.1. Each Section and the Management Committee will operate a separate bank account held at a bank approved by the Management Committee from time to time.
- 7.2. Section Accounts must incorporate a full inventory of fixtures, fittings, boats and equipment, will be audited and presented to the relevant Section A.G.M. and also to the Management Committee.
- 7.3. Management Committee Accounts must incorporate a full inventory of fixtures, fittings, boats and equipment, will be audited and presented to the Management Committee AGM.
- 7.4. The Club will prepare consolidated annual accounts incorporating the accounts of each Section and the Management Committee accounts.
- 7.5. The funds held in each Section account and the Management Committee account are all funds of the Club as a whole and the Management Committee may direct Sections to contribute to meet any liability of other Sections where the liability is necessary and that Section is unable to meet it without contribution.
- 7.6. A Section may request the Management Committee to assist in funding equipment, facilities or staff for purposes special to that Section and the Management Committee has an unfettered discretion whether or not to assist with funding.

## **8. PROCEEDINGS OF THE MANAGEMENT COMMITTEE**

- 8.1. The Management Committee will meet as required but on at least four occasions in each year and the quorum for business will be seven. The first full Management Committee meeting, will take place within 14 days of each AGM. In addition to all powers inherent in its duty to manage the affairs of the Club, the Management Committee will have power to:-
  - 8.1.1. Draw up rules of procedure governing conduct of business at its own meetings.
  - 8.1.2. Make, alter and repeal bye-laws regulating:-
  - 8.1.3. The use of the Clubhouse land and premises by Members.
  - 8.1.4. The admission of guests to the Clubhouse, land and premises.
  - 8.1.5. The co-ordination of all Section and Club activities.
  - 8.1.6. The dress and conduct of all persons on the premises of the Club.
  - 8.1.7. The precautions, procedures and equipment required of Members individually or of the Club as a whole for the safe use of the water.
- 8.2. Fix the amount of subscriptions and any other dues that it considers should be payable to the Club by any persons being a Member or otherwise using the facilities of the Club.
- 8.3. Employ and dismiss servants of the Club.
- 8.4. Take any other steps necessary for the day to day running of the Club.

## **9. PROPERTY and INCOME**

- 9.1. The property of the Club, apart from alcoholic liquor, will be vested in Stewartby Water Sports Club Limited a Company limited by guarantee and not having a share capital incorporated under the Companies Act 1948 to 1967, and it will be a condition of membership of the Management Committee that each Member will have caused his name to be added to the registered Members of the said Stewartby Water Sports Club Limited undertaking thereby a liability by way of guarantee amounting to £50.00.

- 9.2. Interest in land may be acquired by purchase, lease or licence for the purpose of holding rallies or meetings as permitted by legislation or by Local Planning Authorities or for any other club activities.
- 9.3. The income and property of the Club will be applied solely towards the promotion of its objects as set forth in the Memorandum of Association and no portion thereof will be paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit, to members of the company and no Director of the Company will be paid by salary or fees, or receive any remuneration or other benefit in money or money's worth from the company for discharging his duties as such.
- 9.4. Upon dissolution of the club any remaining assets will be given or transferred for use in a related community sport following consultation with the RYA, British Water Ski and the Angling Trust, or in the case that a related community sport purpose cannot be identified, then to another registered Community Amateur Sport Club or a registered charity, in any event as approved by the Members in general meeting.

## **10. AN ANNUAL GENERAL MEETING OF THE CLUB**

- 10.1. The Annual General Meeting of the Club will be held in the month of April each year (save where that is prevented by matters beyond the control of the Management Committee and in which case should be held as soon as possible thereafter) but the Management Committee will have power to summon a General Meeting of the Club at any time on reasonable notice (such notice will take into account the need to hold the meeting, but will not be less than twenty eight days notice).
- 10.2. The business at such meeting will be the election of Officers and the ratification of members who have been nominated by the Sections to serve on the Management Committee. The approval of the Management Committee Accounts and other items notified on the Agenda. Proposals for election of any Officers will be signed by a Proposer and Secunder and endorsed with the signed consent of the person proposed to stand for election and to undertake the liability as a Member of the Company known as Stewartby Water Sports Club Limited if they should be elected.
- 10.3. The time table of the A.G.M. will be: -
  - 10.3.1. Notification of an AGM (by post or email) will not be less than 56 days
  - 10.3.2. All nominations and Proposals and items for the Agenda will be delivered to the Secretary not later than 28 days before the AGM.
  - 10.3.3. The Secretary will send (by post or email) a copy of the Agenda for the meeting together with the Nominations and an official Proxy Form to every Ordinary Member at least 14 days prior to the AGM.
  - 10.3.4. All Proxy votes must be delivered to the Secretary not later than 7 days prior to the AGM.
- 10.4. At any A.G.M. the Chairman will have the unfettered discretion to take any other business that may be proposed to the meeting and a right to adjourn or close the meeting at his discretion.

## **11. EXTRAORDINARY GENERAL MEETINGS**

- 11.1. The Management Committee will at the request in writing of thirty ordinary members or two fifths of the ordinary members of the Club (which ever will be the lesser number) such notice stating the business for which it is required to convene an Extraordinary

General Meeting. The Management Committee will on receipt of such request notify and call such meeting within 28 days from the date of receipt of the request.

**12. THE PERSONS ENTITLED TO ATTEND AND TO VOTE AT A GENERAL MEETING OF THE CLUB**

- 12.1. Will be Ordinary Members and Officers as previously defined in this Constitution and the Members of the Management Committee will be entitled to attend and vote at a General Meeting.
- 12.2. For the avoidance of doubt, family members will be entitled to just one vote at a General Meeting.
- 12.3. Every Member will have one vote. Members absent from the meeting may vote by proxy using the Club's official Proxy Form. The proxy form will be returned to the Secretary as per 10.3. The Proxy Form must include the option of a "yes" or "no" vote to each proposal
- 12.4. The quorum at the General Meeting will be thirty Members present in person or by proxy.

**13. AT ALL GENERAL MEETINGS THE CHAIR**

- 13.1. The Senior Officer of the Club present, or if no Officer be present by an Ordinary Member chosen by the Meeting. Every question (unless otherwise expressly provided by these rules) will be decided by a majority of votes.

**14. AT ANY MEETING**

- 14.1. (Unless a poll is demanded by ten Members) a declaration by the Chairman that a resolution has been carried by a particular majority will be conclusive, and the numbers voted for and against will be recorded in the minutes of the meeting.
- 14.2. IF A POLL BE DEMANDED
- 14.3. Where ten members request a Poll it shall be taken in such a manner and at such time and place and either immediately or after an adjournment not exceeding seven days as the Chairman of the Meeting directs; and the result of the poll as declared by the Chairman shall be deemed to be the resolution of the Meeting at which the poll was demanded, and the numbers voted for and against shall be recorded in the minutes of the meeting.

**15. 15. THE PURCHASE OF INTOXICATING LIQUOR**

- 15.1. The purchase of intoxicating liquor for the supply by the Club will be in the absolute discretion of the Management Committee. All stocks of alcoholic liquor will be acquired and supplied on behalf of the Members.

**16. THE PERMITTED HOURS FOR THE SUPPLY OF INTOXICATING LIQUOR**

- 16.1. be as permitted by the Club's Club Premises Certificate
- 16.2. The opening hours within the stated time frames shall be at the discretion of the Management Committee.

**17. COMMISSION ON INTOXICATING LIQUOR**

- 17.1. No Member will at any time be entitled to receive at the expense of the Club or any Members thereof any commission, percentage or similar payment on or with reference to purchases of intoxicating liquor by the Club; nor will any person directly or indirectly derive benefit from the supply of intoxicating liquor by or on behalf of the Club to Members or guests apart also from any benefit accruing to the Club as a whole and apart

from any benefit which a person derives indirectly by reason of the supply giving rise to or contributing to a general gain to the Club.

**18. SUBJECT TO ANY RESTRICTIONS**

18.1. Imposed from time to time by the Management Committee alcoholic liquor may be sold for consumption on the premises to persons participating or accompanying persons participating in a regatta, sailing match or competition on that day.

**19. NO PERSON UNDER THE AGE OF EIGHTEEN YEARS**

19.1. Will be permitted to supply, purchase or consume intoxicating liquor at the Club premises.

**20. COMPLIANCE WITH RULES AND REGULATIONS**

20.1. Every Member on joining the Club undertakes to comply with all the Rules and Bye-Laws of the Club and any refusal or neglect to do so or any other conduct unworthy of a Member will render such Member liable to expulsion.

**21. EXPULSION**

21.1. Where five Members of the Club send notice in writing to the Club Secretary signed by all five Members or more stating the circumstances in which a Member should be expelled then the Secretary will give to such Member identified seven days notice of a meeting of the Management Committee and invite the Member to be present at such meeting so that may have the opportunity of explaining or withdrawing from the Club. A Management Committee in accordance with the notice given to the Member will be called and be empowered to decide whether to expel the Member or not. In order to expel the Member it is necessary for a two thirds majority of the Members of the Management Committee to vote for the expulsion of that Member on non-discriminatory grounds, where continued membership would be likely to be contrary to the best interests of the Club's sports or the good conduct and interests of the Club. Any Member so expelled will have the right of appeal to an Extraordinary General Meeting to be summoned within twenty-eight days of his expulsion when a majority of two thirds of those present will be required to confirm the expulsion. If the expulsion is not confirmed at the Extraordinary General Meeting then the Member will be reinstated.

**22. CONSEQUENCES OF EXPULSION**

22.1. Any Member expelled in accordance with the rules or otherwise ceasing to be a Member of the Club will forfeit all such rights to or claim upon the Club or its property or funds or the subscription they have paid or any claim that they would otherwise have by reason of membership.

**23. THE SUBSCRIPTIONS DUE FROM MEMBERS**

23.1. Of any class of the Club will be paid by the 1st day of March in each year and any Member failing to pay any subscription due to the Club by the said day will thereby be deemed to have tendered his resignation from the Club and will thereupon cease to be a Member of the Club or to enjoy any of the privileges attaching to the membership. The financial year of the Club will run from the 1st April until the 31st March.

#### **24. ANY MEMBER SHALL BE ENTITLED TO INTRODUCE GUESTS**

24.1. To the Club providing that no person whose application for membership has been rejected or who has been expelled from the Club shall be introduced as a guest. No guest shall be permitted to partake in the sporting activities of the Club on more than three occasions in any twelve month period. The Member introducing the guest shall enter the name and address of the guest together with his own name in a book which shall be kept at the Clubhouse. No guest shall be permitted to purchase intoxicating liquor in the Club.

#### **25. HONORARY MEMBERS**

25.1. Honorary membership of the Club may be conferred upon any member by a majority vote of those present at an Annual General Meeting (AGM) in recognition of someone who has performed an outstanding service, or who has made an outstanding contribution to the Club.

25.2. Honorary Members will not be required to pay subscriptions and will have such privileges as the Management Committee will from time to time provide subject only to the Management Committee obtaining the approval of the Club at each A.G.M. of the names of those persons who at that time by invitation enjoying privileges of Honorary Membership and to the A.G.M. approving the terms on which such Honorary Members enjoy their privileges. The total number of Honorary Members will at no time exceed thirty.

25.3. Honorary Members will have no rights to vote in General Meetings but otherwise will be entitled to the full privileges of membership.

#### **26. THESE RULES MAY BE ALTERED OR REPEALED**

Or new rules may be made by a resolution of the A.G.M. or at an Extra-Ordinary General Meeting duly summoned for the purpose.

## BYE-LAWS

1. Only identifiable members will be served at the Bar. Members must be prepared to produce membership cards. Bar staff have authority to refuse service.
2. All guests must be signed in the Bar Visitors Book by a member.
3. Parents are responsible for the actions and dress of their children.
4. No clubhouse property including bottles, glasses, crockery, is to be removed from clubhouse or terrace
5. Animals are not allowed in the clubhouse, with the exception of guide dogs. Dogs must be kept on leads while on club premises and are expected not to foul the Club premises or any part of them.
6. Members wearing wet or dirty clothing are expected not to use the upholstered chairs or the dry lounge bar area.
7. Clothing and other member's property is not to be left in the clubhouse or changing rooms at any time.
8. Boats and trailers are not to be parked in the clubhouse car park.
9. Roller skates etc., are not to be used in the clubhouse.
10. Ball games are not to be played on the clubhouse terrace.
11. Table tennis and darts equipment is not for use at weekends when children are likely to be in the clubhouse. Equipment is to be returned and put away by the players after use.
12. Camping Bye-laws

(This bye law is **not** intended to restrict the use of overnight shelters by fishing members of the Angling Section).

a. General Requirements

- i. Camping is permitted only by prior arrangement with an Officer or Member of the Management Committee and in association with water sports activities.
- ii. A named member shall be responsible for the meeting or event (the Responsible Person).



- iii. The names of the campers are to be recorded in the Office Diary.
    - iv. All campers shall abide by the Countryside Code.
    - v. This bye law is not intended to restrict the use of overnight shelters by fishing members of the Angling Section
  - b. The venue
    - i. Tents only are permitted on the grass to the north side of club road. Vehicles, trailers and caravans are not to be taken on this area.
    - ii. All caravans and motor-caravans are to use land south of club road.
    - iii. No camping is permitted on the clubhouse lawn between the clubhouse building line and the lake, nor west of the ranch fencing near the ski-launch area except for a single line of tents adjacent to the fence.
  - c. Nuisance
    - i. Reasonable steps must be taken to minimise nuisance to local people and deal with any complaints received.
  - d. Road Access
    - i. Care must be taken when entering or leaving the site, especially when towing.
    - ii. The club road, dinghy-park access road and access to the ski/power launch area must be kept clear.
  - e. Spacing and Density
    - i. The distance between each unit must be at least 3m in order to minimize the risks to other units in the event of fire.
    - ii. Tents (except pup tents) shall be segregated from Touring Caravans and Motor Homes by at least 6m.
  - f. Fire Precautions
    - i. Fire Extinguishing equipment shall be provided on site.
    - ii. Open Fires are not permitted
    - iii. BBQ apparatus within camping areas shall be lit only with the permission of the Responsible Person
  - g. Chemical Toilets and Waste Water
    - i. Chemical toilets and waste water must be disposed of at the designated points.
    - ii. Extreme care must be taken not to pollute the lake or water courses.
    - iii. The clubhouse facilities are restricted to toilets and showers etc. There is no washing-up facility.
  - h. Refuse Disposal
    - i. All rubbish must be disposed of carefully and at the designated disposal area adjacent to the clubhouse.
    - ii. When striking camp, all litter must be collected and disposed of.
13. Clubhouse facilities required for meetings and special activities are to be booked with Secretary in advance together with a deposit

14. Vehicles are not to be taken onto grassed areas of club premises or the Sailing Dinghy Park.
15. It is the members responsibility to ensure that guests abide by the rules and Bye Laws of the Club.
16. No motorised vehicles of any description, with the exception of the Club tractor, to be driven on Club premises, except by holders of a valid driving licence for the type of vehicle being driven.
17. Any work carried out within Club grounds or buildings by any Section of Stewartby Water Sports Club must first seek approval from the Management Committee by notifying them in writing with a copy to all Section Secretaries.

Alterations have again been marked in ITALICS as far as possible.