



Lymm Angling Club

Club Constitution

17 October 2013

Lymm Angling Club Constitution

1. Title

1.1 The Club shall be known as Lymm Angling Club.

2. Definitions

2.1. In this constitution, unless the contrary intention appears:

- a. "The Club" means Lymm Angling Club.
- b. "Member" means a person who is in possession of a current, valid membership card for the Club.
- c. "Adult Member" means a Member who is currently aged 18 years or more.
- d. "General Meeting" means a meeting that is open for any Member of the Club to attend.
- e. "Annual General Meeting" (AGM) means a General Meeting, held annually, at which elections take place and Club affairs are discussed and if necessary voted on.
- f. "Extraordinary General Meeting" (EGM) means a General Meeting convened to discuss urgent Club business that cannot wait until the AGM.
- g. "The Committee" means the group of people responsible for managing the Club.
- h. "Secretary" means the person responsible for the day to day running of the club ensuring communications with the club are dealt with effectively and efficiently, that meeting notifications are sent out and that minutes are recorded at Club meetings.
- i. "Treasurer" means the person entrusted with the receipt, care and disbursement of Club funds and the upkeep of related records for presentation to the Committee and to the Accountants.
- j. "Chairperson" is the person at the head of the Committee whose responsibilities include controlling Club meetings.
- k. "Reporting Officer" means a Member of the Committee who has been allocated a special role, such as Head Water Keeper and reports related activities to the Committee and the AGM.
- l. "The constitution" means the Lymm Angling Club constitution.
- m. "Committee Meeting" means a meeting attended by the Committee and closed to other members, except by invitation.
- n. "Headquarters" means the place determined by the Committee to convey its regular meetings.

3. Objective

3.1. The Club has been formed for the purpose of promoting the interest of anglers in general and its members in particular. To fulfill this objective the Club shall:

- a. Promote good fellowship amongst anglers.
- b. Endeavour to improve and increase the facilities available to its members by acquiring fishing rights to waters, suppressing illegal fishing methods and applying fishery management techniques.
- c. Encourage participation in angling by people of all ages and levels of ability and from all sectors of the community.
- d. Cooperate where possible with statutory bodies concerned with the water purity and with the natural environment.
- e. Operate as a non-profit making, voluntary, organisation.
- o. Utilise any surpluses in funds to further the above aims and to maintain or improve the Club's facilities.

4. Executives

4.1. The Executives of the Club shall be the Chairperson, Secretary and Treasurer who must all be members of the club.

4.2. An Executive of the Club may retire on giving at least one calendar month's prior notice (written or electronic) to the Committee.

4.3. The Executive is subordinate to and directly responsible to the Committee, and shall abide by all directions from the Committee.

4.4. Between meetings of the Committee, members of the Executive have the authority to direct members of the Committee in matters of urgency. Any such direction shall be reported to the Committee at the earliest opportunity. No direction shall be given that directly contravenes any part of this constitution, any Committee resolution in force, or any General Meeting resolution in force, and any direction given that does so contravene shall be deemed null and void.

4.5. In the event of any conflict between members of the Executive the Chairperson has the deciding vote

5. Committee

5.1. The affairs of The Club shall be controlled by a Committee comprising of the Executive of the Club and up to twelve other members elected from, and by, the members of the Club.

5.2. The Committee shall manage the club in accordance with the aims and objectives of the Club and within the Constitution and shall be responsible for interpreting the Club Constitution in relation to the operation of the club's affairs. The Committee shall ideally meet on at least twelve occasions in each year. The quorum necessary for a Committee meeting shall be four, at least one of which must be an Executive.

5.3. The Committee shall have the following powers and duties:

- a. Empower Club officers to take such decisions and make rulings for the protection of fisheries and Members. Such rulings shall be ratified by Committee at its earliest convenience.
- b. To make, amend or remove rules and regulations for the operation of the Club, including but not limited to the setting of close and open seasons and fair methods of fishing.
- c. To appoint officers of the Club as it may think fit to bailiff and maintain Club waters.
- d. To keep accurate records of the finances and assets of the Club, making these available for reasonable inspection by accountants and the AGM.
- e. To maintain an accurate record of Club assets for insurance purposes and for presentation of the Club accounts at the AGM.
- f. To apply all surpluses accruing from the Club activities for the benefit of the Club.
- g. To keep accurate minutes of Club meetings.
- h. To purchase, lease or otherwise acquire the right of fishing for the membership of the Club.
- i. To bring and defend proceedings in the courts in respect of any matters affecting the rights, obligations and liabilities of the Club. The Committee shall be indemnified in respect of the costs of any such proceedings out of the assets of the Club.
- j. To be fully committed to the principles of the equality of opportunity. No member of the club will receive less favourable treatment on the grounds of gender, age, colour, disability, ethnic origin, parental or marital status, religious belief, social class or sexual preference than any other. The

Committee will ensure that there is open access for all those who wish to participate in the activities of the club and are treated fairly.

- k. The Committee will recognise its legal obligations not to discriminate and will regard discrimination by any member or volunteer as grounds for disciplinary action under the relevant club rules.
- l. The club will adopt and observe policies and procedures in respect of but not limited to Child Protection, Equality and Bullying as deemed by our National Governing Body (NGB)

5.4. Ad-hoc meetings of the Committee can be called through the Secretary to discuss any urgent business arising and as much notice as practically possible shall be given to facilitate attendance.

5.5. The Committee shall be answerable only to a properly called General Meeting.

5.6. All action taken by a Committee member on behalf of the Club shall be reported to the Committee at the earliest opportunity.

5.7. Any Reporting Officer who is unable to attend a Committee meeting shall provide a written summary report to the Secretary for deliverance to the Committee.

5.8. Any Committee Member who misses three consecutive meetings shall forfeit their place on the Committee unless they have a satisfactory explanation accepted by the Committee for such absences.

5.9. The Committee is empowered to make, alter, rescind or suspend rules as it deems necessary for the good of the Club.

5.10. A decision of the Committee can be overruled only by an EGM that has been properly called in accordance with the Constitution.

5.11. No member of the Committee shall receive any wage, salary, fee, dividend, remuneration, or otherwise for any of their activities associated with the Club, except for the authorised repayment of expenses or approval being granted at either a Committee Meeting or General Meeting.

6. Membership

6.1. Membership of the Club shall be open to any person irrespective of sex, race, religion or creed, subject to any limitation on numbers that the Committee may deem necessary for the effective administration and management.

6.2. Applications for membership to the Club shall be made by submitting a completed application form together with payment of the relevant subscription and, where applicable, joining fee.

6.3. All members shall be deemed to have agreed to be bound by this constitution and the Club rules. The rules of the Club shall be provided to Members via a separate document.

6.4. Classes of membership available shall be determined by the Committee and may include any of the following:

6.4.1. *Senior Membership*: Applies to a person who has reached the age of 18 years prior to 1st January of the applicable membership year.

6.4.2. *Intermediate Membership*: Applies to a person who has reached the age of 16 or 17 years on 1st January of the applicable membership year.

6.4.3. *Junior Membership*: Applies to a person aged between 7 and 15 years on 1st January of the applicable membership year.

6.4.4. *Concessionary Membership*: Applies to a person in receipt of long term invalidity or incapacity benefit and able to provide proof with their application and also, when requested, present documentary evidence of their status.

6.4.5. *Pensioner Membership*: Applies to a person of state-pensionable age on 1st January of the applicable membership year. The person must be able to provide proof with their application of their status at both the time of their application and if subsequently requested by means of a pension book or equivalent.

6.4.6. *Life Membership*: A free-of-charge membership awarded to a person who, in the opinion of the Committee, has dedicated themselves to the furtherance of the ideals and aims of the Club. Life members are nominated by the Committee and approved by a General Meeting. They retain their membership for the duration of their life unless the award is revoked by the Committee.

6.4.7. *Honorary Membership* - Persons who are not members of the Club, but who in the opinion of the Committee have dedicated their lives to the furtherance of the cause of angling. Such persons to be elected after due consideration of the Committee and approval of the Annual General Meeting.

6.4.8. *Complimentary Membership*: Each Committee member, Trustee and Honorary Member shall be entitled to a complimentary membership for the period of their tenure. At the discretion of the Committee, complimentary memberships can also be issued to anyone who assists in the Club's objectives in a manner deemed exemplary.

6.4.9. *Restricted Membership*: A special membership that grants the Member access to a selected water or group of waters only, as chosen by the Committee.

6.5. In addition to the classes of membership listed above, the following permits may also be made available at the discretion of the Committee:

- a. Guest permits
- b. Day tickets

6.6. The Committee reserves the right to decline, without giving reason, any application to join or re-join the Club if it considers it to be in the best interests of the Club to do so.

6.7. The Club shall not knowingly accept as a member, any person who has been expelled from an angling organisation for misconduct or has left that organisation not clear of subscription or contrary to the rules of that organisation.

6.8. Any Member wishing to address the Committee must request an appointment via the Secretary, giving a minimum of fourteen days' notice.

6.9. A record of each member, including name, address, date of birth and contact number, shall be maintained by the club for administrative purposes but shall not be divulged to third parties without the explicit approval of that member in accordance with the clubs Privacy Policy, however any member receiving a lifetime ban from the club will have their details added to a database that is shared with other North West angling clubs.

7. 4. Fishing Rights

7.1. Each Member shall have the right to fish any water owned or rented by the Club, subject to the Constitution and Rules of the Club and any conditions imposed by the Committee or by a General Meeting.

7.2. The Club reserve the right to close any Club water for any other purpose the Committee deems necessary.

7.3. A non-Member shall have the right to fish such waters that are designated by the Club as day ticket fisheries on payment of the fees in operation at that time and subject to any conditions applicable. The purchase of a day ticket signifies that the angler is aware of the rules in force at that time and is prepared to abide by them.

8. Subscriptions/Fees

8.1. Subscriptions are due on the 1st January each year and must be paid by the 31st March. The fees payable shall be made known to members at a General Meeting for agreement but may be waived or varied by the Committee at its discretion.

8.2. The Committee shall determine the classes of membership, if any, that warrant a joining fee in respect of their first year of membership and any such fee shall be presented at a General Meeting for approval.

8.3. The joining fee can be waived or reduced by the Committee for whatever reason and at any time but any Member to which the fee applies is liable to pay the fee again if they attempt to re-join after 31st March.

9. Liability

9.1. Notwithstanding anything contained in this constitution the Club's liability in contract, tort (including negligence or breach of statutory duty) or otherwise arising by reason of or in connection with the use of Club waters or any activity organised by the Club (except in relation to death or personal injury caused by the negligence of the Club or its agents while acting in the course of their duties on behalf of the Club) shall be excluded to the fullest extent permitted by law.

10. Conduct

10.1. All members and other persons fishing Club waters or taking part in any activity organised by the Club must conduct themselves in a fair and sporting manner and must show consideration and respect for fish and other wildlife, crops, vegetation and animals, property, fellow anglers, other water users, local residents and land owners or any other persons.

10.2. Members shall not bring the club or other Members into disrepute via the internet through social media or other forums, irrespective of whether they are under the Club's control.

10.3. Club rules must be scrupulously observed but in any situation not specifically covered all persons will be expected to act responsibly.

10.4. The advice or ruling of a Club bailiff or Club official must be observed immediately, even if disagreed with. Any objection to such ruling should be made to the Secretary in writing within seven days for consideration by the Committee.

10.5. Members who are aware of infringements which they are unable to prevent are responsible for ensuring that these are reported to a Club official.

10.6. The Committee is empowered to take what action it deems appropriate against any offenders.

11. Suspension and Expulsion

11.1. If the conduct of a Member is considered to be contrary to the interests of the Club or to be injurious to the Club's activities, reputation or Members or to be contrary to this constitution, that Member may be suspended from the Club. Such suspension shall take effect immediately and may be for a fixed period, or may remain in force until enquired into by the Committee.

11.2. The suspension of a Member shall be reported to the Committee for discussion at the next Committee meeting.

11.3. A Member suspended from the Club shall not take part in any activity associated with the Club until the Committee or a General Meeting annuls the suspension or the suspension period expires.

11.4. The suspended Member shall be notified in writing, advising of the suspension and the actions or conduct resulting in suspension. Such notice shall also include an invitation to attend a Committee meeting enquiring into the matter, and shall advise the Member of the date, time, and place of the meeting. The notice shall also advise the Member that they may attend and speak at that meeting, or submit to the Committee at or prior to that meeting written representations relating to the matter, or both.

11.5. The suspended Member shall be allowed to concisely state their case and to defend and justify the actions or conduct specified in the invitation. Any written representations relating to the matter received from the Member at or prior to the meeting shall be read out to the meeting, given due consideration, and attached to the minutes of the meeting.

11.6. After discussion on the matter, the Committee may annul the suspension, increase the length of the suspension or call on the Member to resign. If the Member does not resign, the Committee may expel the Member by a resolution passed by a majority vote.

11.7. A Member who is expelled from the Club shall receive written notification of such expulsion within fourteen days of the decision. The notification shall include advice that the Member has the right to appeal to a panel of officials that may consist of but not limited to the President and Trustees who were not connected to the previous hearing. The request for the appeal shall be made in writing to the Secretary within seven days of the decision to expel and the new hearing shall take place within twenty-eight days with at least fourteen days' notice for all parties. The decision made at this hearing shall be final.

11.8. An expelled Member shall forfeit all rights and privileges of membership but shall remain liable for any dues or debts to the Club which became payable or were incurred before the date of expulsion. Any Member who is expelled shall forfeit their joining fee and subscriptions.

12. Complaints Procedure

12.1. A Member who wishes to launch an official complaint against any other Member shall do so in writing to the Secretary. If the complaint is against the Secretary it shall be directed to the Chairperson unless the Chairperson is the one making the complaint or the Member believes this may prejudice the case whereupon it shall be directed to any Committee member.

12.2. On receipt of the complaint a Committee meeting shall be called within 28 days at which details of the complaint shall be heard and discussed. Such meeting may be attended by the complainant and/or the Member they are complaining against and separate meetings for each party to declare the case can be called if the Committee deems this appropriate.

12.3. Both the Member and/or the person they are complaining against may be suspended until the hearing if the Committee believes it is in their or the Clubs best interests to do so.

12.4. The Committee shall decide whether the complaint is justified and what action, if any, should be taken. This may result in suspension and/or expulsion, in which case the procedure laid out in the Constitution for these directives shall be followed.

13. Agenda

13.1. The agenda for each Committee meeting shall be drawn up by the Secretary and shall be followed in the order that it appears, unless leave is granted by the meeting.

14. Voting at Meetings

14.1. Voting at Committee and General Meetings shall be by a simple majority vote on a show of hands from those Adult Members attending the meeting. In the event of equal votes the Chairman, who shall not participate in the original vote and may opt for a secret ballot instead, shall be entitled to a casting vote.

15. Sub-Committees

15.1. The Committee shall appoint a Sub-Committee as it feels are necessary to deal with, or advise on specific matters.

15.2. The Sub-Committee can include anyone, Member or otherwise, that the Committee chooses.

15.3. Sub Committees may be given such powers as the Committee feels are necessary and these shall be defined at the time of appointment.

15.4. If necessary a convenor shall be appointed who shall act as Chairperson and shall be responsible for relaying information back to the Committee.

15.5. Any Member of the Committee shall be entitled to attend any Sub-Committee meeting.

16. Election of the Committee

16.1. The Chairperson shall be elected by the Committee at the first Committee Meeting after each AGM.

16.2. The Secretary and Treasurer shall both be elected annually at the AGM

16.3. Each Executive shall retire at the conclusion of the AGM but shall be eligible for re-election at that meeting.

16.4. Where there is more than one application for a vacant Executive post, new Executives shall be elected on the basis of the highest number of votes cast in their favour at the relevant meeting.

16.5. Non-Executive Committee members shall be elected at an AGM and shall retain their posts for three years whereupon they shall then be eligible for re-election.

16.6. Nomination of candidates for election to the Committee shall be made in writing to the Secretary before 8pm. not less than fourteen days prior to the AGM and must be signed by two adult members in advance.

16.7. The Committee are granted three hours after the 8pm deadline to provide its own nominations.

16.8. Nominations can only be made by adult members and must be seconded by adult members, all of whom must have been members for not less than two continuous years prior to the applicable meeting.

16.9. The Committee may co-opt additional Committee members to fill vacated posts or to provide additional resource. Co-opted Committee members shall not be entitled to vote at Committee Meetings until they have been formerly appointed at a properly called General Meeting.

16.10. In the event that a vacancy falls due prior to the AGM any Member may apply for a vacant post by giving at least 14 days' notice in writing to the Secretary.

17. Deputies

17.1. The Committee can elect a vice-Chairperson and or deputy Secretary to deputise for the holders of the respective positions in their absence. Such persons shall have the same privileges and voting authority as the positions and for the period they are deputising for.

18. Honorary Members

18.1. The president and vice-presidents of the club are honorary positions and as such are eligible to attend, but not vote at, Committee Meetings and General Meetings.

19. Trustees

Number of Trustees and terms of reference

19.1. There shall be at least three Trustees of the Club who shall be appointed as necessary by the Committee from among Full, or Honorary Members who are willing to be so appointed, positions will be ratified at a properly called general meeting.

19.2. A Trustee shall hold office during his lifetime or until he shall resign, by notice in writing given to the Secretary, or until a resolution removing him from office shall be passed at a meeting of the Committee by a majority comprising two-thirds of the Committee members present that are entitled to vote.

19.3. In order to be able to fulfil their role and discharge their responsibilities, Trustees may not be Committee members. Committee must ensure that Trustees are regularly kept informed on the financial management of the Club.

19.4. All the property of the Club, including land and investments, shall be held by the Trustees for the time being, in the name of Lymm Angling Club so far as it is necessary and practicable, on trust for the use and benefit of the Club. On the death, resignation, or removal from office of a Trustee, the Committee shall nominate a new Trustee in his place, and shall as soon as possible thereafter take all lawful and practicable steps to procure the vesting of all Club property into the names of the Trustees as constituted after such nomination.

For the purpose of giving effect to any such nomination, the Chairperson for the time being is hereby nominated as the person to appoint new Trustees of the Club within the meaning of Section 36 of the Trustee Act 1925 and he shall by Deed duly appoint the person or persons so nominated by the Committee.

Power of Trustees

19.5. The Trustees shall in all respects act, in regard to any property of the Club held by them, in accordance with the directions of the Committee and shall have power to sell, lease, mortgage or pledge any Club property so held for the purpose of raising or borrowing money for the benefit of the Club in compliance with the Committee's directions if agreed by a general meeting.

Indemnity of Trustees from the Club

19.6. The Trustees shall be effectually indemnified by the Committee out of the assets of the Club from and against any liability, costs, expenses and payments whatsoever which may be properly incurred or made by them in the exercise of their duties or relation to any property of the Club vested in them, or in relation to any legal proceedings, or which otherwise relate directly or indirectly to the performance of the functions of a Trustee of the Club.

Limitation of Liability of Trustees of the Club

19.7. The liability of the Trustees for the performance of any contractual or other obligation undertaken by them on behalf of the Club shall be limited to the assets of the Club.

20. Expenses

20.1. Members incurring authorised expenses on behalf of the Club shall be entitled to recompense for these and shall apply through the Treasurer in determining whether an expense claim is justified and authorised by both the Treasurer and the Secretary.

21. Annual General Meeting (AGM)

21.1. The Club shall hold an AGM each year at a time, date and location determined by the Committee and advertised to the members in their membership cards for that year and on notice boards of still-waters owned by the Club and in the media, electronic or otherwise as deemed appropriate.

21.2. Members must advise the Secretary in writing of any motions to be proposed at the AGM no less than fourteen days prior to the meeting and such motions must be signed by two adult members of at least two years standing in the Club.

21.3. Admittance to the AGM is by current membership card only.

21.4. The business of the Annual General Meeting shall be to:

- a. Confirm the minutes of the previous AGM and any EGMs held since the last AGM.
- b. Receive the accounts for the year from the Treasurer.
- c. Receive the annual report of the Committee.
- d. Elect accountants to preside over the club accounts for the forthcoming year and to present a report of the Club's financial health to the AGM.
- e. Elect the Executives of the Club and any members of the Committee, where applicable.
- f. Review the Club's membership fees and agree them for the forthcoming year.
- g. Conduct other business received in writing by the Secretary from members at least fourteen days prior to the meeting and included on the agenda.

21.5. The Committee may direct that any item to be discussed be removed from the agenda if it considers the item to be scandalous, defamatory, or contrary to the terms of this constitution.

22. Extra Ordinary General Meeting (EGM)

22.1. An EGM may be convened for the sole purpose of enabling the Club to conduct urgent business which cannot wait until the next scheduled AGM.

22.2. Members shall be notified of an EGM at least twenty-one days in advance via notice boards located on still-waters owned by the Club and in the media, electronic or otherwise as deemed appropriate

22.3. An EGM may be convened by the Secretary at the request of the Committee or by the unanimous vote of the Trustees or on receipt of a letter signed by not less than 6 adult members of the Club all of whom must have been members for not less than two continuous years prior to the applicable meeting and the sum of two hundred pounds towards the cost of organising such a meeting, The money shall be refunded if, in the opinion of the majority of Members present, the meeting has been called for a valid purpose.

22.4. The petition for an EGM shall state the purpose for which it is called and detail any proposals to be voted on.

22.5. The EGM shall adopt the same protocols as those followed for an AGM and a minimum of sixteen members, at least two of which shall be executives, shall form a quorum.

23. Ratification of Business

23.1. All business passed at a meeting shall be ratified at the following Committee Meeting.

23.2. In normal circumstances the reading and accepting of the minutes shall be taken to signify ratification of the business of the previous meeting, unless an objection is raised under 'Matters Arising'.

24. Financial Year

24.1. The Financial Year of the Club shall be determined by the Treasurer and any changes to the previous year made known at the AGM.

25. Banker Accounts

25.1. The bankers of the Club shall be determined by the Committee, guided by the Treasurer, and voted on at the Committee Meeting following the AGM.

25.2. The Club shall maintain one or more bank accounts and at least two Executives shall be authorised and required to sign Club cheques and instructions to the Banker.

25.3. It shall be the duty of the Treasurer to supervise operation of the bank accounts and provide an accurate financial report to Committee at the monthly meetings.

26. Accounts

26.1. The Club shall enrol the services of accountants to oversee all elements of the Club's finances and, with the co-operation of the Treasurer, produce an unaudited report and statement of accounts at the AGM. There report shall be signed by the accountants and any two members of the Executive. It shall include:

- a. The income and expenditure of the Club during the most recently ended financial year.
- b. The assets and liabilities of the Club at the end of that financial year.
- c. The principal activities of the Club during the most recently ended financial year and any significant change in the nature of those activities that occurred during that financial year.
- d. The net profit or loss of the Club for the most recently ended financial year.

27. Alterations to the Constitution

27.1. Any proposals for alterations to the Club Constitution shall only be considered at an AGM or EGM, convened within the required written notice of proposal.

27.2. Any alterations must be proposed by an Adult Member and must be seconded by another Adult Member. Such alterations shall be passed if supported by not less than two thirds of those Adult Members present at the meeting.

28. Dissolution

28.1. If at any General Meeting of the Club a resolution be passed calling for the dissolution of the Club, the Secretary shall immediately convene an EGM to be held not less than one month thereafter to discuss and vote on the resolution. If at that EGM, the resolution is carried by at least two thirds of the adult members present, the Committee and the Trustees shall there upon, or at such date as shall have been specified in the resolution, proceed to realise the assets of the Club and discharge all debts and liabilities of the Club.

28.2. After discharging all debts and liabilities of the Club, the remaining assets shall not be paid or distributed amongst the Members of the Club, but shall be given or transferred to some other non-profit making organization having similar objectives to those of the Club.

28.3. In the event of a deficiency in the assets of the Club, a meeting of the creditors shall be called and an agreement entered into for the liquidation of the Clubs assets on a pro-rata basis.

28.4. The Executives and Trustees shall be appointed to act as a liquidation Committee, with full power to act in the dissolution proceedings.