

# **TOTNES BOWLING CLUB**

## **CONSTITUTION AND RULES**

*Adopted A.G.M. 18.11.06  
(Last amended 20.10.18)*

### **1. TITLE**

- 1.1 The Club shall be known as TOTNES BOWLING CLUB, hereafter referred to as “the Club.” The Headquarters shall be at Borough Park, Station Road, Totnes.

### **2. OBJECTS**

- 2.1 The main purpose of the Club shall be to promote and foster the flat green game of bowls at all levels in accordance with the rules of the game as laid down by the English Bowling Association and the English Women’s Bowling Association.
- 2.2 The Club may also provide social activities for its Members.
- 2.3 The Club is committed to promoting a safe environment in which children and vulnerable adults can enjoy taking part in games of bowls. It will seek to ensure this commitment by adhering to the Joint Child Protection Policy and procedures of the National Bodies.

### **3. MEMBERSHIP**

- 3.1 Membership of the Club shall be sub-divided as follows:
- (a) **Playing Members** – Members who have paid the agreed subscription, shall be entitled to play in all Matches, Competitions and Events (if so selected) and shall enjoy all the amenities of the Club.
  - (b) **Social Members** – Members who have paid the agreed subscription shall be entitled to enjoy all the amenities of the Club, but shall not be eligible to play in any Matches, Competitions or Events.
  - (c) **Junior Members** - Boys or Girls up to the age of 18 years who have paid the agreed subscription shall be entitled to enjoy all the amenities of ‘Playing Members’.
  - (d) **Student Members** – Members aged 18 years and over who are in full time education who have paid the agreed subscription shall be entitled to enjoy all the amenities of the Club.
  - (e) **Life Members** – Members who have been Playing Members for at least 10 years who have given exceptional service to the Club and have been proposed and elected as Life Members at an Annual General Meeting.
- 3.2 Membership of the Club shall be open to all without discrimination. All candidates for membership shall complete a membership application form and must be proposed and seconded by two Playing Members.
- 3.3 Completed application forms shall be submitted to the Honorary Secretary, hereafter referred to as “the Secretary”, who will arrange for their display on the notice board for fourteen clear days prior to consideration by the Management Committee for approval/rejection.
- 3.4 The Management Committee will make its decision based on a single majority vote. Applicants may not be admitted to membership or be admitted as candidates for membership to any of the privileges without an interval of at least two days between their becoming Members and their admission.
- 3.5 The Playing Member who proposes a successful application for membership will be responsible for ensuring that the new Member is introduced to Club practices and procedures on arrival.
- 3.6 Membership shall be for one year commencing on the 1<sup>st</sup> April. The Management Committee shall be under no obligation to advise unsuccessful candidates as to why their application has been rejected.
- 3.7 All Members must pay each new Season’s subscription before:
- (i) using Club facilities
  - (ii) being considered for selection for any Club Team or
  - (iii) playing in any County or M.D.L. competition. A receipt from the South Hams District Council showing payment of the Annual Green Fee (Season Ticket) must be shown on payment of the subscription.
- 3.8 Payment of the membership subscription is deemed an agreement to conform with the Club Rules and Bye-laws.
- 3.9 A register containing the names and addresses of all Members shall be kept at the Club’s premises.

#### **4. SUBSCRIPTION AND FEES**

- 4.1 The Management Committee shall recommend the Annual Subscription and Fees to be paid by Members for approval at the Annual General Meeting.
- 4.2 Any NEW Bowlers, i.e. persons who have not previously played lawn bowls as a Member of any bowling club affiliated to Bowls England, who are accepted as Members are entitled to a reduction in their club subscription for the first year or part year of membership. The subscription payable will be the same as the cost of social membership. This does not affect the requirement to pay the annual green fee to South Hams District Council prior to payment of the subscription or affiliation fees to Bowls Devon and Bowls England when such fees become due.  
*(Addendum A.G.M. 21.11.09)*
- 4.3 Provision shall be made for new Members joining after the start of a new playing season and before the end of the playing season whereby the relevant subscription shall be charged on a pro-rata basis for each month or part month still remaining in that season at the time of joining.
- 4.4 A "Prospective Member", subject to the provisions of Rules 3.2 and 3.3 can pay a nominal £5 joining fee in order to enter County Competitions, representing the Club in the following year.

#### **5. MANAGEMENT COMMITTEE**

- 5.1 The Club shall be governed by a Management Committee comprising of:  
President  
Club Secretary  
Club Treasurer  
Club Match Secretary  
Ladies' Secretary  
Club Captain  
and four other Members (2 nominated by each of the Ladies and Men membership of the Club).  
In addition, the Club shall have the following non-voting officers:  
Competition Secretary, Press Secretary, Catering Manager, Bar Manager, House Manager, Greens Manager, Membership Secretary, Minutes Secretary.
- 5.2 All Members of the Management Committee, together with an Honorary Auditor, shall be elected at each Annual General Meeting of the Club by those Members present and eligible to vote.
- 5.3 The role of the Management Committee is to control the affairs of the Club on behalf of the Members, meeting at agreed intervals and not less than four times a year.
- 5.4 The Management Committee shall have the power to co-opt if necessary but co-opted Members shall not be entitled to vote on the Management Committee.
- 5.5 At meetings of the Management Committee, Five Members shall constitute a Quorum.
- 5.6 No Member shall be eligible for election as a Management Committee Member or Officer of the Club, unless he or she has been a Full Member of the Club for at least 12 consecutive months.
- 5.7 Meetings of the Management Committee shall be convened by the Hon. Secretary whenever it is deemed necessary, or at the request of any two Members of the Management Committee.
- 5.8 The President, as Principal Officer, shall preside at all General and Management Committee Meetings.
- 5.9 The Club is committed to equal opportunity and responsibility for all Members of the Club. All of the positions as Officers and Members of the Management Committee are equally open to women and men.

#### **6. FINANCE**

- 6.1 The Club Treasurer shall keep accounts of and be responsible for the collection of all monies due to the General Account or payments of all monies due by the General Account.
- 6.2 The Treasurer shall maintain a deposit account to accrue interest and a current account. These accounts shall be known as "Totnes Bowling Club General Accounts."
- 6.3 All cheques drawn on the General Account shall be signed by the Treasurer and either the President or the Club Secretary.
- 6.4 The Club shall name and authorise a Bank or Building Society to honour all cheques and other orders or instructions authorising payment signed on behalf of the Club by these signatories.
- 6.5 The Treasurer should be provided with detailed records and accounts on a regular basis by the Bar Manager or any Sub Committee set up for a special purpose, together with surplus monies to be

- paid into the General Account.
- 6.6 The Treasurer shall present to the Annual General Meeting audited accounts showing the financial position of the Club. Detailed bar accounts will form part of the audited accounts presented to the Club Members for approval.

## **7. GENERAL MEETINGS**

- 7.1 The Club's Financial Year shall be deemed to end on 30<sup>th</sup> September.
- 7.2 The Club Annual General Meeting shall be held in the last fourteen days of October each year.  
*(Amended A.G.M. 30.10.10)*
- 7.3 Members must advise the Secretary, in writing, of any business to be moved at the Annual General Meeting at least fourteen days before the meeting.
- 7.4 Twenty per cent of the membership entitled to vote shall constitute a quorum at General Meetings.
- 7.5 Each attending Full Member shall be entitled to one vote at General Meetings. There shall be no entitlement to a Proxy Vote and, although Social and Junior Members may attend, they shall not be entitled to a vote or to stand for office.
- 7.6 Decisions of a General Meeting shall be on the basis of a simple majority vote, by a show of hands unless a secret ballot is called for by the President/Chairperson. In the case of equal votes, the Chairperson shall be entitled to a second (casting) vote.
- 7.7 Extraordinary General Meetings may be convened by the Management Committee or within fourteen days of the receipt by the Secretary of a request in writing from not less than 10% of full Members of the Club. Notice of the meeting shall be given in writing to Members stating the business to be transacted. No other business shall be discussed.

## **8. ANNUAL GENERAL MEETING**

- 8.1 The business of the Annual General Meeting shall be to:
- (a) Confirm the minutes of the previous Annual General Meeting and any Extraordinary General Meetings held since the last A.G.M. A Copy of the Minutes to be confirmed shall previously have been posted on the notice board.
  - (b) Receive the President's Report on the Club's achievements and any special occasions during the year.
  - (c) Receive the Annual Report of the Management Committee from the Secretary.
  - (d) Receive the financial statement and Treasurer's Report.
  - (e) Receive reports of the playing Sections from the Fixtures Secretaries and Captains.
  - (f) Elect the Officers of the Club.
  - (g) Elect an Honorary Auditor and other necessary positions.
  - (h) Discuss items raised by the Management Committee or Members, having been received by the Secretary not less than fourteen days prior to the meeting.
  - (i) No other business shall be formally discussed.
  - (j) Nomination forms for all the Offices of the Club shall be posted on the Notice Board during the first week in September together with the date and time of the Annual General Meeting.
  - (k) Nominations shall close on the last day of September except if, by this date, insufficient nominations have been received to fill the vacant offices.

## **9. SUB-COMMITTEES**

- 9.1 **Club Competitions Sub-Committee.** To consist of two Club Members (One lady and one man) appointed by the respective playing sections, to be responsible for the running of all Club Competitions in accordance with the rules set out later and making progress reports to the Management Committee from time to time.

## **10. CLUB COMPETITIONS**

- 10.1 All Club Competitions must be played in accordance with the Competition Rules outlined below.
- 10.2 Competitions to be played under the current rules of the English Bowling Association or the English Women's Bowling Association.
- 10.3 Closing dates once fixed must be strictly adhered to.
- 10.4 The challenger(s) shall be the top name in the competition list. The challenger must give two reasonable dates to their opponents, one of which should be a weekend, at least two weeks before

the final date for that round.

10.5 Under no circumstances should a play-by date be deferred.

10.6 The Competition Sub-Committee may delete the name of any Competitor failing to comply with these rules.

## 11. PLAYING SECTIONS

11.1 Playing Members shall form two playing sections – Ladies' and Men's.

11.2 Each will be responsible for organising and administering its own fixtures and competitions.

11.3 At the start of each season each section will appoint a Captain of the "A" Team, a Captain of the "B" Team, and Playing Members to make up the Selection Committees.

*(Amended A.G.M. 15.11.08)*

11.4 Prior to the Annual General Meeting (at an End of Season meeting) each section will elect a Fixture Secretary to serve with the Captains on the Management Committee in addition to a Competition Secretary to serve on the Competitions Sub-Committee referred to at Rule 9.1.

11.5 The respective Captains will be responsible for convening all meetings of the sections.

## 12. TEAM SELECTION

*(Amended A.G.M. 15.11.08)*

### 12.1 Men's Mid-Devon League Matches

(a) The 'A' and 'B' squads for the M.D.L. shall be selected at the start of each playing season by the 'A' Team Captain, the 'B' Team Captain and a Selector from each of the squads from the preceding playing season.

(b) Individual M.D.L. "A" and "B" Team Matches will be selected by the respective "A" and "B" Team Captains and one or more selectors appointed from within their squads.

12.2 **Men's Club Matches of competitive status** – e.g. County Trophy, National Double Rink, Foxlands, Top Club, etc. The Selectors for these games shall be the "A" Team Captain and selector(s) and "B" Team Captain.

### 12.3 Selection of Ladies' Team Matches

(a) The Ladies' Selection Committee shall consist of five Members comprising the "A" Team Captain, the "B" Team Captain and three Playing Members elected at the start of each playing season. They will select the "A" and "B" Squads for the Print Plus Leagues and all competitive games including Inter-Club, Top Club, 4-3-2-1 and National Top Club.

(b) Individual Print Plus League Matches will be selected by the respective "A" and "B" Team Captains with appropriate team selectors.

(c) Ladies' Friendly games will be selected by the Ladies' "A" or "B" Team Captain.

12.4 **All Club Friendly/Tourists Fixtures** (including Mixed Matches) shall be selected by the Club Captain and/or Vice Captain, or, if necessary, a person nominated to act in either of those capacities.

## 13. DISPUTES, MISCONDUCT AND APPEALS

*(Amended A.G.M. 29.10.11)*

13.1 A Member having a complaint against another Member involving alleged misconduct or dispute affecting any of the Club's procedures must put their grievances in writing to the Club Secretary for consideration by the Management Committee. The procedure recommended in Bowls England Regulations (No. 9) relating to "Disciplinary Measures" shall then be followed.

13.2 A Member dissatisfied with the outcome of any subsequent proceedings resulting from a complaint has the right of appeal to Bowls Devon when Rule 13 of the County Constitution will apply.

13.3 All disputes that may arise on the Green shall be referred to the Club Captain or, in his/her absence, the Vice Captain. If no decision can be given, the matter shall be referred to the Management Committee.

## 14. TRUSTEES

14.1 There shall not be more than four Trustees of the Club who will be appointed from time to time as necessary by the Club in General Meeting from among Full and Life Members who are willing to be so appointed. The Trustees will be indemnified against risk and expense, properly incurred, out of the Club property. A Trustee shall hold office during their life, or until they resign by notice in writing given to the Management Committee, or until a resolution removing them from office shall be passed at a General Meeting of the Club by a majority comprising two-thirds of the Members present and entitled to vote.

- 14.2 All property of the Club, including land and investments, will be held by the Trustees for the time being for the use and benefit of the Club. On the death, resignation or removal from office of a Trustee, the Management Committee will take steps to procure the appointment by the Club in General Meeting of a new Trustee in their place; and will as soon as possible thereafter take all lawful and practical steps to procure the vesting of all Club property into the names of the Trustees as substituted after the said appointment.

- 14.3 The Trustees will in all respects act, in regard to any property of the Club held by them, in accordance with the direction of the Management Committee.

*(Addendum made A.G.M. 26.10.13)*

## **15. CHILD PROTECTION AND VULNERABLE ADULTS**

- 15.1 The Club fully accepts its legal and moral obligations to exercise its duty of care and to protect all children and vulnerable adults participating in its activities, and to safeguard their welfare. A responsible person shall be appointed annually as Child Welfare Officer to whom all Members can address any concerns and the Club's policy shall be reviewed annually.

## **16. DISCRIMINATION, EQUAL OPPORTUNITIES AND HUMAN RIGHTS LEGISLATION**

*(Added A.G.M. 29.10.11)*

- 16.1 The Club re-iterates its commitment to manage its affairs in such a way as to ensure equal opportunities to all individuals in accordance with current legislation.

## **17. RECORDS**

- 17.1 A copy of the Club Rules shall be displayed in the Club Room on the Notice Board and a copy made available to any Member on request, for a charge.
- 17.2 The Club Secretary shall record the Constitution and Rules of the Club and any changes thereto.
- 17.3 The previous records of the Totnes Bowling Club shall be kept.

## **18. LICENSED BAR**

- 18.1 The Bar will be situated in the Main Lounge of the Clubhouse premises.
- 18.2 A Bar Manager and Assistant Bar Manager shall be responsible for the management of the bar and shall report directly to the Management Committee on all related matters. They shall supply intoxicating liquor on behalf of the Club to Members, guests and visitors and shall cause an account of all purchase receipts to be kept. The Management Committee will be responsible for the observance of the licensing laws.
- 18.3 The Bar Sub-Committee may appoint other Club Members to assist in the sale of alcohol, behind the bar.
- 18.4 The Bar Manager may appoint other Club Members to assist in the sale of alcohol behind the bar and provide a duty rota of appointees as required depending on their availability.
- 18.5 No persons shall at any time be entitled to receive at the expense of the Club any commission, percentage, or similar payment on or with reference to the purchase of intoxicating liquor by the Club. Nor shall any person directly or indirectly derive any pecuniary benefit from the supply of intoxicating liquor by or on behalf of the Club to Members or guests apart from any benefit accruing to the Club as a whole, and apart from any benefit a person derives by reason of the supply giving rise to or contributing to the general gain from the carrying on of the Club.
- 18.6 The Bar shall be open at such times as the Management Committee shall determine, and in accordance with the Club Premises Certificate. The Hours of Opening shall be posted in the Clubhouse.
- 18.7 No intoxicating liquor shall be sold or supplied other than to Club Members or to a person admitted in accordance with the Rules at Section 14.
- 18.8 Intoxicating liquor shall not be sold or supplied to persons under the age of 18 years nor shall such a person be permitted to consume intoxicating liquor.

*(Amended A.G.M. 24.10.15)*

## **19. GUESTS**

- 19.1 Every adult Member of the Club shall be allowed to introduce guests. The names of the guests are

- to be entered in the visitor's book together with the name of the Member introducing the guest. Each Member should not introduce more than three guests in any one day.
- 19.2 The name of any guest shall not appear in the visitors' book on more than 6 days in any calendar month and the introducing Member shall be responsible for ensuring that this rule is complied with.
- 19.3 Members shall be responsible for the conduct of their guests while at the Club and shall not leave the Club before their respective guest(s) unless for some exceptional reason.
- 19.4 After complying with the above rules guests may purchase liquor from the Bar.
- 19.5 Notwithstanding the rules pertaining to guests above, Members, supporters and officials of visiting teams may be admitted to the Club premises for social, sporting and recreational purposes for the period of the visit and intoxicating liquor may be sold or supplied to such persons during this period.

## **20. DISTRIBUTION OF PROFITS**

- 20.1 Any profits made by the Club shall go back to the Club for the benefit of its Members. Under no circumstances shall profits made be distributed amongst its Members.

## **21. INDEMNITY OF MEMBERS**

- 21.1 Each Member of the Club shall (to the extent that such person is not entitled to recover under any policy of insurance) be entitled to be indemnified out of any and all funds available to the Club, which may lawfully be so applied, against all costs, expenses and liabilities whatsoever incurred by such person in the proper execution and discharge of duties undertaken on behalf of the Club or arising there from, or incurred in good faith in the purported discharge of such duties.

*(Addendum made A.G.M. 17.11.07)*

## **22. DISSOLUTION OF CLUB**

- 22.1 If, at any General Meeting, a resolution for the dissolution of the Club is passed by a majority of the Members present and, at an Extra-ordinary General Meeting held not less than six weeks later, of which not less than four weeks written notice has been given to each Member, and at which not less than one-half of the Members are present, that resolution is confirmed by a resolution of two-thirds of the Members voting on it, the Management Committee must immediately, or at such future date as is specified in the resolution, proceed to realise the property of the Club and, after discharge of all liabilities, must pay such realised property to a charity to be nominated by the Management Committee at that time and, on the completion of the said payment, the Club will be dissolved.

## **24. ALTERATION TO CONSTITUTION AND RULES**

- 24.1 The Management Committee may, from time to time, alter or repeal such rules as they may consider to be necessary for the well-being of the Club. Those rules shall be put to the next Annual General Meeting for confirmation.