



*Founded - 1948*

## **Constitution of the Southend Model Boat Club**

Affiliated to the MYA

Affiliated to the Thames Estuary Yacht Club

This Constitution was originally ratified at the Annual General Meeting of the Club on 3<sup>rd</sup> January 2014 and subsequently amended to version 2.0 at the AGM on 2<sup>nd</sup> January 2015, and to version 3.1 at the AGM on 14<sup>th</sup> December 2018.

## 1. Name

- 1.1. The name of the club shall be the: **Southend Model Boat Club'** hereinafter referred to as SMBC or 'the Club'.

## 2. Objectives

- 2.1. The objective of the Club is to provide a mutually supportive environment for the furtherance of all aspects of the hobby of building and operating model boats.

## 3. Management Committee

- 3.1. The Club shall be administered by a committee who will be elected for a period of up to one year but may be re-elected at the Club's AGM. To be eligible for membership of the Committee such persons must have been a member of the Club for a minimum of two years and be at least eighteen years of age.
- 3.2. The Committee shall be made up of the following persons who fulfil the following roles:
  - 3.2.1. The Chairperson
  - 3.2.2. The Treasurer
  - 3.2.3. The Secretary
- 3.3. These three roles constitute the 'Executive Committee' which has both legal and financial responsibility for the operation of the Club. Such roles shall not be 'combined' into a single post.
- 3.4. The Executive Committee shall be supported by club 'Officers' who will normally consist of the following:

- 3.4.1. Vice Chairman
- 3.4.2. Fast Electric Racing Representative.
- 3.4.3. Scale Representative.
- 3.4.4. Sailing Representative.
- 3.4.5. Other members who may have a specific supporting role, e.g. Publicity Officer and Webmaster.

Where necessary some of the above roles may be combined in a single post.

- 3.5. At the discretion of the Committee a Club President may be appointed as the 'titular head' of the Club. The role of President is a lifetime position and is offered to a person who has served the Club well for a number of years. The President is free to resign the post at any time and is not required to pay Club membership fees.

## **4. Powers**

- 4.1. The Committee may exercise the power to:
  - 4.1.1. Recruit Members to the Club who have an interest in pursuing the hobby.
  - 4.1.2. Collect subscriptions from members to cover the running costs of the Club and to operate the Club's bank account to manage such funds.
  - 4.1.3. To work in partnership with similar groups and associated organisations.
  - 4.1.4. To publicise and promote the activities of the Club through meetings, newsletters, events and shows.
  - 4.1.5. Take any form of action that is lawful and ethical, to further the objectives of the Club.

## 5. Membership

- 5.1. Membership shall be open to anyone who has an interest in assisting the Club to achieve its objectives and is willing to adhere to the Constitution of the Club. (The membership will be subject to the approval of the committee)
- 5.2. Persons under the age of eighteen, or other 'vulnerable persons' will only be accepted as members if they are accompanied at all times by a parent, guardian or specified responsible person and will not have voting rights.
- 5.3. Classes of membership shall be as follows:
  - 5.3.1. Full single membership.
  - 5.3.2. Joint membership: One or Two adults, resident at the same address. Such membership shall be limited to two adult voting members but may include juniors' resident at that address.
  - 5.3.3. Honorary Members: Honorary membership of the Club shall be at the invitation of the Committee to persons who have given invaluable service to the Club. Honorary members shall have all the privileges of full members. Such membership shall be considered as 'life membership' and such members are not required to pay a subscription.
- 5.4. Where it is considered that membership could be detrimental to the objectives, activities or the reputation of the Club the Committee reserve the right to decline a membership application.

- 5.5. Any member, whose conduct is prejudicial to the welfare of the Club will be given a written warning; should such prejudicial conduct continue the member may be asked to resign. Such a decision would require a resolution to be passed at a Committee or General Meeting.
- 5.6. If a decision is reached to suspend or rescind the membership of a member, the Secretary is to write to the member in question explaining why such a decision has been reached. Such members shall have the right to appeal to the Committee.
- 5.7. Any member of the Club may resign their membership at any time by providing the Secretary with written notification.

## 6. Subscriptions

- 6.1. Annual subscriptions shall be determined by the outgoing committee prior to the AGM and shall be due from the first of January each year.
- 6.2. New members joining the Club part way through the year shall pay a subscription proportional to the amount of the membership year remaining.
- 6.3. Any member who has not renewed their subscription by the **31st of January** will be deemed to have resigned from the Club. Exceptionally, subscriptions will be accepted at any Club meeting held up to the first week in February.

## 7. Meetings

- 7.1. The committee shall meet at least three times a year. Meetings shall enable the committee to discuss actions, monitor progress, and consider future actions.
- 7.1.1. All committee members shall be given at least seven days notice of when and where a meeting is due to take place, unless it is deemed as an emergency.
- 7.1.2. Two-thirds of the full committee must be present in order for a meeting to take place. It shall be the responsibility of the Chairperson or a designated deputy to chair all meetings.
- 7.1.3. A record is to be made of all such meetings, normally in the form of written minutes. A copy of the minutes will be placed on the notice board in the Club Hut and will be sent out to members by Email.
- 7.1.4. All members of the committee shall have equal voting rights but should it become necessary, the Chairperson shall have a casting vote.
- 7.2. An AGM shall take place in **December** each year. All members of the Club shall be given at least twenty one days notice in writing of the time and place of the meeting.
- 7.2.1. The agenda for the AGM will normally include, but shall not be limited to, the following:
- To receive a summary of the minutes of the previous general meeting and any actions arising.
  - To receive reports summarising the events and achievements of the past year from the Club Officers.

- To receive the statement of the Clubs audited accounts made up to the 31st October preceding the AGM.
- To discuss and vote on any specific proposals that have been made prior to the meeting, such proposals will normally have been made known to the members at the time of notification of the meeting.
- To elect the Managing Committee.
- To appoint an auditor.
- To deal with any other business.

7.2.2. Proposals for each of the roles in the Managing Committee are to be made in writing to the Secretary at least ten days before the AGM. All such proposals are to be signed by the proposer and one other member to 'second' the proposal. Exceptionally, where no proposals for a specific role have been received prior to the meeting, proposals may be accepted from the floor at the time of the meeting.

7.2.3. All full members of the Club shall be entitled to vote at the AGM. With the exception of changes to this constitution (*see section 11*) voting shall normally be made by a show of hands on a simple majority basis. In the case of a tied vote, the Chairperson or an appointed deputy shall make the final decision. If by general consensus of the members present it is agreed that a 'ballot' is preferable to a show of hands then the vote shall be made by this means. Where advance notice has been given of a motion to be voted on provision shall be made for the option of proxy votes.

7.3. Should the need arise, an Extra-Ordinary General Meeting may be called by the Committee or at the written request of nine members to the Secretary stating the reasons for such a meeting. The Secretary shall take all necessary steps to arrange such a meeting within two months of receiving the request.

- 7.4. A quorum at any general meeting shall consist of a minimum of one third of the total number of full members, which shall include at least two-thirds of the committee members.
- 7.5. Periodic informal Club meetings shall be arranged by the Committee. Such meetings are for the purpose of disseminating information and gathering the views of members, together with providing a social forum for general discussion. The date, time and venue of these meetings being defined in an annual programme of events compiled by the Committee.

## **8. Finance**

- 8.1. All money acquired by the Club, including contributions, donations, and bequests, shall be paid into an account in the name of the Club. Under no circumstances are any funds to be invested in the name of any individual. To facilitate cash transactions a reasonable cash float may be held by the Club Treasurer.
- 8.2. All funds must be applied to the objectives of the Club and for no other purpose.



- 8.3. A bank account shall be maintained in the name of the Club. Any cheques over £10.00 etc relating to the Club's bank account shall be signed by two of the following committee members: Chairperson; Treasurer; Secretary. Should the Club use electronic banking facilities, provision shall be made for appropriate authorisation of payments in accordance with the bank's procedures for Clubs and small businesses. Any such electronic payments would only be made by an authorised signatory (*as for cheques*) and would require written authorisation from one other authorised signatory. Payments under £10.00 to be audited in the annual accounts or at any time when requested by another signatory.
- 8.4. Any income/expenditure shall be the responsibility of the Chairperson, Treasurer and Secretary who will be accountable to ensure funds are utilised effectively.
- 8.5. Documented accounts shall be maintained and shall be examined annually by a suitably qualified independent person. An audited annual financial report shall be presented at the AGM. The Club's accounting year shall run from 1<sup>st</sup> November to 31st October.

## **9. General Liability and Insurance**

- 9.1. The Club's Committee are to ensure that public liability insurance is maintained to indemnify the Club and its members against the risk of claims arising from the general public, and member to member, while pursuing the hobby of model boating. Such insurance is to provide cover for the members anywhere in the United Kingdom and must carry a sufficient limit of public liability indemnity to cover the requirements for public shows and events etcetera.

- 9.2. The above insurance will not however cover loss or damage to member's models or associated equipment and members are encouraged to ensure that they have personal cover for such losses.
- 9.3. Any incident likely to give rise to a claim against a member or the Club must be reported in detail without delay to the Secretary and on no account may liability for any occurrence be admitted by the member.
- 9.4. The Club, Officers and Members cannot be held liable for loss, injury, or claim arising out of any activity beyond the Club's control.

## **10. Publicity**

- 10.1. Where possible a member of the Committee is to be appointed whose role is to maintain a Club website for the benefit of the Club members and to generally publicise the Club's activities.

## **11. Alteration to the Constitution**

- 11.1. Proposals for amendments to the Constitution may be raised by any member of the Club. Any such proposed amendments must be conveyed to the Secretary in writing, signed by two full members. After due consideration of the proposed amendment by the Committee, and the members who raised the proposed amendment, the proposal will be raised at the next AGM.
- 11.2. At the AGM any proposed changes will be discussed, and a vote taken. For such changes to be ratified a minimum of a two thirds majority must be achieved.

## 12. Dissolution

- 12.1. If for any reason either the Committee, or members, considers the Club to be no longer viable, a proposition for the dissolution is to be generated and discussed, in accordance with the procedure detailed in section 11 above.
- 12.2. If no other solution can be found a vote is to be taken. For such a proposition to be approved a two thirds majority must be achieved. Should it be agreed to dissolve the Club the following actions are to be taken:
  - 12.2.1. Any assets are to be sold or otherwise disposed of, where possible to local charities or similar groups at the discretion of the Committee.
  - 12.2.2. Any outstanding debts are to be settled.
  - 12.2.3. Any remaining funds after debts have been paid shall be donated to an appropriate registered charity, for example the Royal National Lifeboat Institution.
  - 12.2.4. Any remaining bank accounts are to be closed.
  - 12.2.5. Any remaining website is to be taken down.

## 13. General Operating Guidelines

- 13.1. The appendices to this document provide general guidance on the day-to-day operation of the Club. Wherever practicable such guidelines are to be adhered to by all members. In any case of doubt a decision is to be sought from the Executive Committee. Such guidelines are not subject to the same degree of control as the main body of this Constitution and may be amended from time to time to by the Committee to meet the prevailing circumstances.
- 13.2. Other documentation dealing with such matters as 'Racing Rules' appertaining to specific activities, for example: Fast Electric Racing etc. are referred to as 'Technical Notes'. The content of such documents is the responsibility of the Representative or Officer responsible for that particular activity and will be formulated in association with the members with an interest in that activity. Such documents will be controlled by the Club Secretary and will be available on the Club website under the heading of 'Technical Notes'. Hard copies of such documents will be made available to members on request.

## **Appendix A: General Operating Guidelines**

### **1. Health & Safety**

- 1.1. The Club rescue dinghy shall only be used by adult members of the Club.
- 1.2. Members using the dinghy or waders must wear a life jacket.
- 1.3. There must be two or more adults present when the dinghy or waders are used.
- 1.4. Appropriate fire extinguishers will be provided and located in the Club Hut and must be adequately maintained.
- 1.5. A First Aid Box will be provided and maintained in the Club Hut. Members should advise the committee of any items used. Any accident must be recorded in the Accident Register kept in the Club Hut.
- 1.6. No batteries may be left on charge unattended in the Club Hut.
- 1.7. Lithium polymer batteries are not to be charged in the Club Hut.

### **2. Club Hut**

- 2.1. This facility is owned by Southend Borough Council and the Club pays an annual rent for the use of the facility.
- 2.2. Members are required to keep the Club Hut tidy at all times and avoid storing any items in a manner that could prove hazardous.

## **Appendix A: General Operating Guidelines**

- 2.3. At the discretion of the Committee members may store boats and associated equipment in the hut; such items must be clearly identified with the owner's name. However, any items of personal equipment are stored entirely at the owner's risk.
- 2.4. The storage of flammable liquids in the hut is strictly forbidden.
- 2.5. Club owned equipment, for example: gazebos, tables etc. are only to be used for authorised Club events.
- 2.6. Keys to the Club Hut are provided to all members of the Committee. Exceptionally keys may be provided to non-committee members who have a demonstrable need and have been active members of the Club for a minimum of two years; in such cases the member will be asked to make a donation to the Club to cover the cost of the keys. All keys remain the property of the Club and must be returned if the member leaves the Club, or if a Committee Member retires from the Committee. Under no circumstances are keys to be copied or loaned out to other people. The Secretary will maintain a register of key holders.
- 2.7. It is essential that the last key holder to leave the Club Hut ensures that any electrical equipment is switched off and unplugged, the lights are turned off and the door is securely locked.

## **Appendix A: General Operating Guidelines**

### **3. Southchurch Park Boating Lake**

- 3.1. Members are reminded that the boating lake is a 'public facility' and as such is available for use by members of the public at all times. SMBC has the privilege of being permitted to operate Club events at the lake, but members must be conscious of the fact that we do not have exclusive use of the facility. As such they must operate within the highlighted area on the map. Members must at all time show due regard and consideration to other users of the facility and must avoid any risk of conflict that could jeopardise our privileged position.
- 3.2. The Club has an informal agreement with the local authority that we may bring vehicles through the Kensington Road entrance to the park for the purpose of loading and unloading. When bringing a vehicle onto the site extreme care is to be taken and a particular watch is to be kept for elderly people, children and dogs. Under no circumstances are vehicles to be left on the site longer than is absolutely necessary for the purpose of loading and unloading.
- 3.3. Any untoward incidents or occurrences are to be reported to a member of the Executive Committee immediately. In the event of an emergency/fire the assembly point for members shall be the public shelter at the west end of the lake.
- 3.4. Any contact with the local authority in connection with the use of the facility is to be made via the Executive Committee.

## Appendix A: General Operating Guidelines

### 4. Model Operating Requirements

- 4.1. Members of the Club (*and public*) have a wide range of interests and model boats of widely differing capabilities. Consequently there can be a conflict of interest in the use of certain types of model boats that are not compatible; for example a large high powered model will create wash and turbulence on the water that could seriously jeopardise a small scale steam powered model. For this reason every effort must be made to accommodate all users of the water. The formal Club Programme of events is intended to avoid such compatibility issues and members are expected to comply with the 'spirit' of the Programme at all times. However, the Club Programme does not apply to the public and our Club members must have due regard to other craft that are being operated concurrently with their own.
- 4.2. Whilst there is no specific by-law prohibiting the use of internal combustion powered models on Southchurch Park Lake, SMBC does not encourage the use of such models. This is primarily for the reasons of 'compatibility' noted above and the possibility of noise issues leading to complaints from residents. Any 'IC' models operated by Club members must be effectively silenced and have a noise level of less than 80dbA at a distance of 1.5 metres.
- 4.3. The operators of steam powered models must comply with the prevailing boiler testing requirements and where appropriate must be able to provide evidence of testing by an approved person or organisation.
- 4.4. Any 'airscrew' driven models (included ducted fans) must have effective guarding of the moving parts.