## Dart Totnes Amateur Rowing Club

# Constitution

Adopted on 13th March 2011 John Harris (Chairman)

Amended on 23rd May 2024 Clare Thorp (Secretary)

Latest amendment: 1 October 2026

## 1. Name

The name of the Club is Dart Totnes Amateur Rowing Club.

## 2. Colours

The Club colours are black and gold. Racing colours are black with black blades.

## 3. Main Purposes

The main purposes of the Club are:

a. to encourage rowing in Totnes and surrounding areas amongst amateurs who are Members or Guests, including competitive racing governed by the rules of the West of England Amateur Rowing Association and British Rowing;

b. the provision of opportunities for recreation, social intercourse and refreshment for the benefit of its Members and their Guests;

c. the provision and maintenance of a Clubhouse, Boathouse, Gym, equipment and related facilities.

## 4. Definitions

The following words shall have the following meanings for the purposes of these rules:

Boathouse - such part of the Club premises as is from time to time used for the storage, repair and maintenance of boats, oars and rowing equipment generally; for changing by crew; for the storage of the clothes and possessions of crew; or otherwise exclusively in connection with rowing activities.

Clubhouse - that part of the premises under the control of the Club excluding the Boathouse and Gym.

Committee - the Committee as defined in Rule 14.

Community Member - a person conforming to one of the categories defined in the Schedule who has provided Information required by the Committee and paid the relevant Subscription.

Coordinator - a person appointed by the Committee to the position of Coordinator with responsibilities defined by the Committee.

Information - includes a completed membership application form and personal contact information required by the Committee from time to time for the proper administration of the Club and for the purposes of communication with Members.

General Meeting - a meeting of the Rowing Members.

Guest - a person invited by a Member in accordance with Rule 10.

Gym - the area(s) designated for training and containing relevant equipment.

Member - a person who is a Rowing or Community Member of the Club.

Officer - a Rowing Member aged 18 or over appointed by a General Meeting to the position of Chairman, Vice-Chairman, Captain, or Vice-Captain; or a Rowing or Community Member aged 18 or over appointed by a General Meeting to the position of Honorary Secretary or Honorary Treasurer.

President - the Mayor of Totnes

Privileges - for Rowing Members this shall mean access to and use of the Clubhouse, Boathouse, Gym, and the Club's equipment and related facilities; for Community Members this shall mean access to and use of the Clubhouse excluding the Gym and Boathouse and use of the Club's equipment and facilities excluding equipment or facilities used exclusively for the purposes of rowing.

Racking Fees - charges for the racking of private boats in the Club's premises proposed by the Committee and ratified by the Rowing Members in General Meeting.

Rowing Member - a person conforming to one of the categories defined in the Schedule who has provided Information required by the Committee and paid the relevant Subscription.

Rules - these Rules, as amended from time to time by the Rowing Members in General Meeting.

Schedule - a list of Membership categories, criteria and subscriptions approved at a General Meeting.

Subscription - the amount payable by or in respect of an individual Member category according to criteria proposed by the Committee and ratified by Rowing Members in General Meeting.

Trustees- a group of members appointed by the Committee who undertake to hold leases and assets on behalf of the Club.

Vice President – appointed by the committee on a two year term as appropriate and/or necessary for the future benefit of the club.

## 5. Equal Opportunities Policy

The Club is fully committed to the principles of equality of opportunity and is responsible for ensuring that no Member, volunteer, employee or job applicant receives less favourable treatment on the grounds of age, gender, disability, race, ethnic origin, nationality, colour, parental or marital status, pregnancy, religious belief, social status, sexual orientation or political belief.

## 6. Membership

a. Members are entitled to the Privileges of the Club.

b. Membership of the Club shall be open to anyone interested in the sport of rowing on application in accordance with the Equal Opportunities Policy. However, limitation of membership according to available facilities is allowable on a non-discriminatory basis.

c. The Club may have different classes of membership and subscription on a non-discriminatory and fair basis. The club will keep subscriptions at levels that will not pose a significant obstacle to people participating in Rowing.

(d) If it is considered by the Committee that the granting or renewal of membership would be detrimental to the aims and objectives of the Club, by virtue of conduct or character likely to bring the Club or the sport of rowing into disrepute or for some other similar cause, the Committee shall be entitled to refuse or withdraw such membership. The Committee shall, in reaching a determination under this Rule, have followed the Club Code(s) of Conduct and/or Disciplinary policies. The Committee may also make use of guidance published from time to time by British Rowing as the British Rowing Regulations. The Club constitution and/or club policy documents take precedence over British Rowing's guidance on all such matters.

e. Members must abide by the Rules of the Club and such regulations as may be made by the Committee in its discretion for the proper administration of the club.

f. Rowing Members must comply with the directions of the Captain in relation to all matters concerned with rowing and the use of the Club's rowing equipment and related facilities.

g. A person who has been expelled from or refused membership of the Club, and/or British Rowing shall not be eligible for membership. An appeal against refusal or removal of membership may be made to the committee for consideration and if approved would be in accordance with the Club Code(s) of Conduct and/or Disciplinary polices.

h. Until a candidate's Membership application has been accepted by the Committee the candidate shall not be entitled to any of the Privileges of the Club. At least 48 hours must have elapsed following the submission of a Membership application before the candidate's Membership and Privileges may commence.

i. Membership includes an acknowledgement that all effort is of equal value and that all members deserve to be treated with courtesy and respect. While free to represent their individual interests, members must seek to resolve any conflict amicably recognising the interests of others. Rude or abrasive comment or behaviour, be it intentional or otherwise, will not be tolerated. The Committee is obligated to address behaviour in contravention of this Rule 6 i. within the authority afforded to it by these Rules.

## 7. Termination of Membership

a. Any Member may resign giving one month's clear notice in writing to the Secretary. Pro rata reimbursement of Subscription or racking fees paid shall be made at the discretion of the Committee.

b. Any Member who fails to pay the Subscription due violates the Rules of the Club.

c. Any Member violating any of the Rules or regulations of the Club or being adjudged guilty of unsatisfactory conduct may, by resolution of the Committee, have their Membership suspended or terminated or have their Privileges curtailed. The Committee shall, in reaching a determination under this Rule, have followed the Club Code(s) of Conduct and/or Disciplinary policies. The Club may also make use of guidance provided by British Rowing Guidelines on Grievance and Disciplinary Procedures in Rowing as published from time to time by British Rowing. The Club constitution and/or club policy documents take precedence over British Rowing's guidance on all such matters.

## 8. Temporary Membership

An Officer of the Club may admit a person who wishes to enjoy the Privileges of a Rowing Member and is visiting or temporarily resident in the locality as a temporary Member for the period(s) of such visit(s) or residence(s) provided that in aggregate such period(s) shall not exceed 30 days in any calendar year and provided that at least 48 hours shall have elapsed from the submission of a temporary Membership application to the commencement of Membership and Privileges. A temporary Member shall not be entitled to attend a General Meeting of Members or to invite a Guest.

## 9. Life Membership

The Committee may nominate for election to Life Membership any person who has made an outstanding contribution to the Club over a prolonged period. Suggestions not of origin from within the Committee, shall be lodged with the Secretary at least 60 days preceding the Annual General Meeting.

## 10. Guests

a. At any one time a Member may invite a maximum of two Guests into such areas of the Club premises that the Member is entitled to access. No Guest shall be invited more than once in any calendar month.

b. No person whose Membership Application has been declined or has been expelled from the Club shall be introduced as a Guest.

c. A Member hiring the Club premises for a special occasion being an anniversary, wedding reception, christening party or similar function may invite Guests in such numbers as are permitted into the Clubhouse.

d. A Member is personally responsible and answerable to the Committee for the conduct of invited Guests and for ensuring that all Guests' names are entered into the Guest book.

e. The Committee may from time to time decide to admit to the Club premises as Guests members of other rowing clubs or sporting or activity clubs participating in sporting or other events and members of skittles clubs playing fixtures with the Totnes and District Skittles League.

## 11. Grievance

A Member or Guest with a complaint about treatment by the Club should set out their grievance in person and subsequently in writing to an Officer who will report the complaint to the Committee. The Committee will seek to deal with complaints in a fair and timely manner, with reference to the Club Code(s) of Conduct and/or Disciplinary policies. The Club may also make use of guidance provided by British Rowing Guidelines on Grievance and Disciplinary Procedures in Rowing as published from time to time by British Rowing. The Club constitution and/or club policy documents take precedence over British Rowing's guidance on all such matters.

## 12. Welfare

a. The Club accepts the policy and procedures relating to Child Protection and the Protection of Vulnerable Adults as set out by British Rowing, and requires all members to accept them as a condition of membership.

b. The Committee shall appoint one or more senior members of high standing, who must be independent of the Junior coaching team(s), to act as Welfare Officer(s), whose duty it will be to understand the requirements of the policy and procedures relating to Child Protection and the Protection of Vulnerable Adults as set out by British Rowing, and other welfare policies, and advise on their prominent display, their observation and their implementation at all times, and to act as the Person-in-charge in Child Protection matters. The Welfare Officer(s) shall report to the committee, but shall only be co-opted on to it when appropriate.

## 13. Officer Roles

Chairman - to preside at all General Meetings of the Club and at all meetings of the Committee, and shall be responsible for guiding the activities of the Club in accordance with these Rules. The Chairman shall represent or arrange for the representation of the Club at British Rowing regional level and at meetings of other organisations.

Vice-Chairman - to assist the Chairman and to preside at General Meetings and Committee meetings in the absence of the Chairman.

Captain - to manage day to day the rowing activities of the Club and use of the Boathouse, Gym, equipment and related facilities.

Vice-Captains - to assist the Captain and to act in place of the Captain in the Captain's absence

Honorary Secretary - to be responsible for the organisation of meetings of the Committee and of the Club, and the recording of minutes relating to such meetings and all correspondence relating to the general business of the Club.

Honorary Treasurer - to be responsible for the collection and disbursement of all monies belonging to the Club and will keep proper accounting records of all such transactions. He or she will present to the members at the Annual General Meeting a balance sheet and income and expenditure account showing the Club's financial position and the results of its transactions for the year.

## 14. Committee

a. The management of the Club shall be entrusted to a Committee consisting of the Officers; six other Rowing Members of the Club elected at a General Meeting; the Safety Adviser; and up to three co-opted Rowing or Community Members. The quorum at a committee meeting shall be 6.

b. The Committee shall appoint a Rowing Member to act as a Safety Adviser whose duty it will be to understand the requirements of the British Rowing Code of Practice for Water Safety and advise on its prominent display, observation and implementation at all times.

c. The Committee shall appoint a Junior Coordinator and such other Coordinators as shall from time to time be deemed necessary by the Committee.

d. The Committee shall have power at any time to fill any casual vacancy among the Officers and Committee. Any Officer or member of the Committee so appointed shall hold office only until the next Annual General Meeting but shall then be eligible for re-election.

e. Financial or legal liability incurred in the rightful exercise of their office shall not be the personal liability of the Committee or Officers but shall be the responsibility of the Club as a whole.

f. The Committee is empowered to make, alter, and repeal regulations concerning the use of Club premises, equipment and facilities consistent with the spirit of these Rules and for the better management of the Club.

g. The Officers and Committee have primary responsibility for safe practice within the Club and for observing guidance of water safety issued by British Rowing and through RowSafe.

h. Any matter not provided for in these rules, or any question over the interpretation of them, shall be dealt with by the Committee whose decision shall be final and recorded in the Committee's minutes published to the Members.

## 15. General Meetings

a. A General Meeting includes an Annual General Meeting and an Extraordinary General Meeting

b. The business at a General Meeting shall be limited to that provided by these Rules and those further matters set out in the notice convening the meeting. The quorum at any General Meeting shall be 15.

c. The Chairman of the Club or in his absence the Vice-Chairman shall preside at all General Meetings but if neither shall be present within 15 minutes after the time appointed for the meeting or both have signified their inability to be present, the Rowing Members present shall choose one of their number to chair that meeting. At an Annual General Meeting, following the resignation of the Chairman and until a new Chairman shall have been elected, the President shall act as Chair of the meeting.

d. An Annual General Meeting of the Club shall be held in the month of March in each year and in default not more than fifteen months after the previous Annual General Meeting. Fifteen months shall not elapse without a General Meeting. The President and Vice President shall be invited to attend this meeting. At the Annual General Meeting the following business shall be concluded:

   I. The presentation and (if accepted) the passing of the accounts for the previous financial year end on the 31st day of December prior to the meeting which accounts shall first have been examined by an independent examiner;

   II. The election or appointment of the Officers and Committee, with the exception of the Captains and Coordinators whose election or appointment is subject to Rule 16;

   III. Such other business as shall have been communicated to the Honorary Secretary and included in the notice of the meeting

e. Members shall be notified of the date of an Annual General Meeting not less than 45 days in advance. Motions for discussion at Annual General Meetings not of origin from within the Committee, shall be lodged with the Secretary at least 30 days preceding the Annual General Meeting and be signed by 10 Rowing Members. The Honorary Secretary shall, at least 21 days before the Annual General Meeting, cause notice to be given to members stating the time and place of the meeting, and the business to be conducted.

f. An Extraordinary General Meeting may be convened at any time and shall be convened within 30 days of the requisition of one-fifth of the members of the Club for the time being or 30 members whichever is the lesser number. Such requisition must state the purpose for which such meeting is required. The Honorary Secretary shall, at least 21 days before an Extraordinary General Meeting, cause notice to be given to members stating the time and place of the meeting, and the business to be conducted.

i. Accidental Omission to give notice of a meeting to, or the non-receipt of notice of, a meeting by any member shall not invalidate the proceedings of a meeting.

j. Rowing Members may cast their votes in respect of the nominations for committee members by email or in writing to the Honorary Secretary provided that such votes shall have been received at least 24 hours before the published time for the meeting or may vote in person at the meeting. Voting at the meeting shall be by show of hands or at the discretion of the Chairman of the meeting by written ballot of Members present.

k. Only those aged 15 or over on the date of the General Meeting may vote at that meeting.

l. If after half an hour from the time appointed for the General Meeting, a quorum is not present, the meeting shall be dissolved.

m. Nominations for the officers (i.e Chairman, Vice Chairman, Secretary and Treasurer) shall close 7 days prior to the date of the AGM. Members shall be advised of those standing for election 4 days prior to the date of the AGM. In the event of no nominations being received nomination to be voted on may be made at the AGM.

Notices concerning General Meetings shall be deemed to have been given to Rowing Members when sent by email to the email address provided in their Information and by publication on the Club notice board in the Clubhouse and Boathouse.

## 16. Election of Captain and Vice-Captains

a. A General Meeting shall be convened in the month of September in each year the purpose of which shall include the election of the Captain and two Vice-Captains

b. At least 30 days notice shall be given to Rowing Members of the date of the meeting.

c. Nominations for Captain and Vice-Captains shall close 10 days before the date of the meeting.

d. The Honorary Secretary shall give notice to Rowing Members 7 days before the meeting of the names of nominees including any statement that any nominee wishes to communicate to Rowing Members concerning their candidacy.

e. Rowing Members may cast their votes in respect of the nominations for Captain and Vice-Captains by email or in writing to the Honorary Secretary provided that such votes shall have been received at least 24 hours before the published time for the meeting or may vote in person at the meeting. Voting at the meeting shall be by written ballot. All votes shall specify the position, the nominee and be signed by the Member.

f. Other business may be conducted at this General Meeting in which case all Rules governing the conduct of business at a General Meeting shall apply to such business.

## 17. Rowing

a. No crew is to contend for any public prize under the name of the Club without the sanction of the Captain.

b. All training and competition crews are to be selected by the Captain who may take advice from and delegate that discretion to the Vice-Captains; the Coordinators; and coaches.

c. No boat will be used other than in accordance with regulations made by the Committee or where express approval has been given by the Captain; a Vice-Captain; a Coordinator or coach. When crews are afloat the Stroke is to be captain of the boat.

## 18. Club premises, equipment and facilities

a. The Club shall be open at such times as the Committee shall from time to time decide.

b. Members shall only enter any part of the Boathouse on occasions and for purposes appropriate to the function of such part of the Boathouse and the Committee may from time to time make regulations concerning the observance of this Rule.

c. Any Member who shall wilfully, recklessly or as a result of gross negligence damage any Club premises, equipment or other property shall be personally liable for the costs of repair or replacement. The Committee shall be solely responsible for determining whether a Member has incurred such a liability and how such liability shall be discharged.

## 19. Application of Profit

All surplus income or profits are to be reinvested in the club. No surpluses or assets will be distributed to members or third parties. Donations may be given to registered charities or other CASCs chosen by resolution of a General meeting.

## 20. Transactions and Account

a. The transactions of the Club will be conducted through a bank account. Transactions of less than £1000 will require the signature of any 1 of 3 members of the Committee who have been designated for the purpose. Transactions equal to or greater than £1000 will require the signature of any 2 of the 3 members of the Committee designated for the purpose.

b. The accounts of the Club shall be prepared to the 31st December in every year or other such date as shall be determined by the Rowing Members in General Meeting and shall be subject to independent examination and available for inspection by Rowing Members for at least fourteen days prior to the Annual General Meeting.

## 21. Liquor

a. Intoxicating liquor may be supplied to members and their guests in accordance and under the authority of the club premises certificate issued under the Licensing Act 2003.The club is established in good faith. Alcohol is not supplied, or intended to be supplied, to members on the premises otherwise than by or on behalf of the club.

b. No person under the age of 18 years shall be sold or supplied with intoxicating liquor, nor shall any person under that age be permitted to consume intoxicating liquor on the premises

c. No person shall at any time be entitled to receive at the expense of the Club (or any member thereof) any commission percentage or similar payment on or with reference to purchases 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 which accrues to the Club as a whole and apart also from any benefit which a person derives indirectly by reason of the supply giving rise to or contributing to a general gain from the carrying on of the Club.

d. The purchase for the Club and the supply by the Club of intoxicating liquor shall be in the absolute discretion of a Sub-Committee of not less than 3 members of the Committee appointed by the Committee for that purpose. In the event of any member for any reason ceasing to be a member of the Committee, he shall automatically cease to be a member of the Sub-Committee and another member of the Committee shall be appointed in his place. Such Sub-Committee shall in no way be restricted in freedom of purchase but shall be answerable to the Committee.

e. The permitted hours for the supply of intoxicating liquor shall be fixed in accordance with the club premises certificate (and may be varied from time to time) by the Committee in accordance with the statutory provisions for the time being.

## 22. Trustees

As an unincorporated club DTARC in taking on leases (for example the main Clubhouse land or the Compound ) the title of these is vested or held on behalf of the club by individuals who are referred to as trustees. The law concerning trusts and the powers and actions of trustees is governed by the Trustee Act 1925 as amended by the Trustee Act 2000.These trustees hold the asset on what is called a bare trust on behalf of the membership of the club. Any investments (other than cash which is usually controlled by the Treasurer) may be held in the same way.

As bare trustee’s the club trustees have very limited powers and responsibilities all management and observance of obligations of ownership are the responsibility of the committee. The trustee’s only act under the direction of the committee which itself is acting on behalf of the club members who are the beneficiaries. The only time trustees might intervene as a body may be if the committee failed to meet these obligations so as to put the premises or the title to ownership at risk.

The primary role of a Trustee is :

1. To be willing to act as such with the other trustee’s in holding any asset belonging to the club.
2. To be aware of the nature of the asset of which he is a trustee.

3. To act in accordance with any minuted decisions of the management committee or of the membership in general meeting.
4. To act responsibly and diligently for the benefit of the club members.

Trustee's are protected and indemnified by the Club via its indemnity insurance from any personal liability from any breach of trust resulting in loss to the Club, except in the case of criminal fraud made by the trustee.

Club Trustee's are appointed by the Committee and only whilst they are members of the Club .Upon leaving the Club for any reason they will resign their post and the Committee will appoint a suitable replacement. At any one time there will be a minimum of three Trustee's one of which shall be a Committee member.

On appointment Trustee's will be required to sign a Declaration stating they are suitable and fit persons to undertake the role .

In respect of any meetings of Trustee's whether internal or external three shall constitute a quorum .The meeting chair shall be the Trustee Committee member and any decisions reached will be by majority.

**Details of the Trustee's role and responsibilities together with those responsibilities of the Club towards the Trustee's will be available from the Honorary Secretary at the point of application to become a Trustee.**

## 23. Dissolution

a. The members may vote to wind-up the Club if not less than three quarters of those present and voting support that proposal at a properly convened General Meeting. The Committee will then be responsible for the orderly winding-up of the Club's affairs. After settling all liabilities of the Club, the Committee shall give or transfer the net assets remaining to one or more of the following in the following order of priority:
    I. to another registered CASC and/or;
    II. to a registered charity and/or;
    III. to the Club's national governing rowing body for use by them in related community sports.
b. The Club premises shall continue to be used predominantly as a base for water sports.

## 24. Modification of Rules

No alteration or addition to these Rules (with the exception of the Schedule) shall be made except by resolution carried by a majority of at least two thirds of the Rowing Members present at a General Meeting the notice of which shall have contained particulars of the proposed alteration or addition. The Honorary Secretary shall as soon as possible and in any case within 21 days of the making of any such alteration or addition to these Rules give written notice of such alteration or addition to the chief officer of the Police and to the licensing authority under the authority of the Licensing Act 2003.

## SCHEDULE

This schedule of subscription categories for the 2026 rowing year was adopted by the 2026 AGM.

| Membership category | Subscription category | Entitlement | Voting rights (subject to rule 15) | Subscription By single payment |
|---|---|---|---|---|
| Rowing | Adult | A | Yes | £396.00 |
| | Junior | A | Yes | £336.00 |
| | Student | A | Yes | £300.00 |
| | Student summer | A | Yes | £75.00 |
| | Coach / cox | A | Yes | £40.00 |
| | Indoor adult | B | Yes | £205.00 |
| | Indoor junior | B | Yes | £140.00 |
| | LTR junior | B | Yes | £70.00 |
| | LTR adult | B | Yes | £100.00 |
| | Family | A | Yes | £972.00 |
| | Life | A | Yes | N/A |
| | Day guest | | | £10.00 |
| | Supporter | C | No | £20.00 |

New member administration fee £33

## Notes to schedule:

1. Junior / student subscription is applicable to a person under the age of 18 or in full time education.
2. Coach / cox subscription is applicable to a person who is serving the Members as a Coach or cox and who does not row.
3. Family subscription is applicable to families comprising up to four persons, no more than two of whom shall be adults.
4. Associate subscription is applicable to members of the Totnes and District Skittles League.
5. Supporter subscription is applicable to any person wishing to be associated with the Club who does not wish to row.
7. Life subscription is applicable to Members elected to Life membership at an Annual General Meeting.
8. Temporary membership is subject to the provisions of rule 8. Subscription for Temporary members shall be determined by the Committee on an individual basis.

9. Entitlement levels are as follows:

A: Privileges of a Rowing Member.

B: Privileges of a Rowing Member excluding the use of Club equipment used for rowing on water, or representing DTARC at water based rowing events.

C: Privileges of a Community Member.

10. Subscriptions become due on 1st April. Members making a single payment should do so before the end of April or on entering the first race of the membership year, whichever comes sooner. Those members wishing to pay by standing order should arrange for monthly payments at the level indicated to arrive in Club’s account on or before the 10th day of each month.

11. A Member may apply to the Committee to pay a reduced subscription on grounds of personal circumstances.