VIVARY GOLF CLUB

Club Constitution and Rules

1.NAME

1.1 The name of the Club will be Vivary Golf Club. Hereinafter referred to as “The Club”
1.2 “The Club” shall affiliate to England Golf.

2. CLUBHOUSE

The Clubhouse and headquarters of “The Club” shall be situated at Vivary Park, Taunton or at such other address as “The Club” may determine at a General Meeting.

3. THE COURSE

The Vivary Golf Course being owned by Somerset Council and managed by EveryOneActive Limited, members of “The Club” have no privileges on the course except those granted by EveryOneActive Limited.

4. OBJECTS

4.1 The main purposes of The Club are to provide facilities for and to promote participation in the amateur sport of golf in and around Taunton, Somerset.

4.2 The provision of opportunities for recreation, social activity and refreshments for the benefit of its members and members of the public using Vivary Park Golf Course.

5. MEMBERSHIP

5.1 Membership of the Club shall be open to anyone interested in the sport on application, regardless of sex, age, disability, ethnicity, nationality, sexual orientation, religion, or other beliefs, except as a necessary consequence of the requirements of the game golf. As an affiliated member of England Golf the Club has fully adopted the England Golf Equity, Diversity and Inclusiveness Policy (Details are included in full as an appendix to this document and are also available in full on the Club Website https://vivaryparkgolfclub.com/).

5.2 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. The Management Committee may refuse membership, or remove it, only for good cause such as conduct or character likely to bring the Club or sport into disrepute. An appeal against refusal of membership or removal may be made to an “Appeals Committee”. On written notice of such an appeal to the Secretary an appeals sub-committee will be formed within 14 days of such notice and consist of 3 officers and 3 fully paid-up ordinary members of the Club. The three ordinary members may be selected by the appellant.

A Club Officer will chair the meeting and have a deciding vote if necessary.

5.3 Membership Caps and Privileges - Honorary Membership

An Honorary Life - Playing Member is a member who is deemed by the Club Management Committee to have made exceptional, unique and sustained contributions that are of significant benefit and in the best interest of the Vivary Park Golf Club. They shall enjoy all the rights and privileges of a full Club member. They shall be exempt from all annual club subscription fees.

Having been nominated by the Management Committee they will be elected by a simple majority vote by Ordinary Members at an Annual General Meeting.

At no time will Honorary Life - Playing Members exceed ten in number.

A list of all Honorary Life Members-Playing and Social will be posted on the Clubhouse noticeboard.

Criteria for nomination for Honorary Life - Playing Membership –

The candidate must have demonstrated one of the following and must possess an unblemished Club disciplinary record and consistently model the highest standards of sportsmanship, integrity and etiquette:

- The candidate must have demonstrated outstanding, unpaid and continuous voluntary service to the club for a minimum of 10 years. This includes long-term service as a Club Officer, Member of the Club Management Committee, or Seniors or Ladies Committee.
- The candidate has achieved extraordinary regional, national or international distinction as a golfer while officially representing Vivary Golf Club, significantly elevating the public profile and reputation of the Club.
- The candidate has performed an exceptional act or series of acts that have directly materially secured the long-term future, infrastructure or financial wellbeing of the Club.

An Honorary Life – Social Member. In the event that an Honorary Life Member ceases playing golf permanently due to health, age or physical injury, they will automatically transition to an Honorary Life Social Member. They shall retain full clubhouse access, social invitations and voting privileges for life and remain exempt from all annual club subscription fees. Upon this transition, their position under the playing Honorary Life Membership cap shall be deemed vacant, to allow for new nominations.

An Ex-Officio Honorary Membership – The Management Committee may, at its sole discretion, grant temporary Ex Officio Honorary Membership to individuals performing specific key roles within the running of the Club. Such membership extends only for the

period the individual is in the specific key role. These memberships do not count towards Honorary Life Membership Playing Cap.

All such members shall enjoy full playing and voting privileges with the exception of votes on matters pertaining to their contract with the Club. They will be exempt from all annual Club subscription fees.

At no time will Ex-Officio Honorary members exceed ten in number.

Typically, but not exclusively, an Ex-Officio Honorary Membership could be granted to individuals in the following categories.

1. Club Officers and Management Committee.
2. Bar and Catering Franchisees, for the period of their tenure at the Club.
3. Everyone Active, for the period of their tenure at Vivary Golf Course.

5.4 Immediately upon election to membership notice will be given of subscription and entrance fees due. These fees will be determined by The Club from time to time and fall due not more than 30 days after such notification. Failure to comply, without just cause will void membership.

5.5 Any member may resign their membership by giving notice in writing to the Secretary and take effect immediately unless otherwise expressed in the letter of notice.

5.6 There will be 2 categories for young golfers aged up to 21 years. They will be referred to as Junior's until the age of 18 years then they will be known as Colts.

6. ELECTION OF OFFICERS

6.1 There will be three Officers of "The Club". A Chairman, Secretary and Treasurer.

6.2 A President may be elected by the Management Committee but will not be an Officer of The Club. The Chairman, Secretary and Treasurer will be elected annually from among the ordinary members, by the ordinary members at an Annual General Meeting.

6.3 The appointment of either a single Club Captain or alternatively League Team Captains is a Management Committee decision made on an annual basis.

7. MANAGEMENT.

7.1 The affairs of "The Club" in all matters not included in this document shall be managed at a management meeting by the Management Committee of "The Club".

7.2 The Management Committee shall consist of: -

- the 3 officers of "The Club" the Chairman, the Secretary, the Treasurer.
- Identified permanent Committee positions required to meet England Golf affiliation criteria and to execute effectively the regular management activities of the Club (e.g. Competition Secretary, Welfare Officer, Junior Coordinator, Media Coordinator)
- 2 other ordinary Members of 'The Club'

All of the above shall be elected annually by the membership at the Annual General Meeting from ordinary members of "The Club"

7.3 In addition to the elected members above the Management Committee will also include 'ex officio' the Ladies Captain and the Seniors Captain (as elected by their respective sections during their term of office) and the Club Captain (or League Team Captains) as appointed under section 6.3 above.

7.4 The Bar and Catering franchisees may appoint a representative to the Management Committee.

7.5 The Management Committee shall have the power to appoint ordinary members to fill any casual vacancy on the Management Committee until the next Annual General Meeting. Any member so appointed shall retire at the next Annual General Meeting but remain eligible for re election at such meeting.

7.6 All Members of the Management Committee will have full voting rights.

8. MANAGEMENT COMMITTEE: DUTIES AND AUTHORITY

8.1 The Management Committee shall meet regularly to arrange affairs of "The Club". Five members of the Management Committee will form a quorum. Minutes of the proceedings of meetings will be taken. The Minutes shall be displayed in the Clubhouse for inspection by ordinary members.

8.2 The Management Committee may from time to time make repeal and amend all such regulations (not inconsistent with the rules) as they shall deem expedient for the management and wellbeing of the Club. All regulations made under this rule by the Management Committee shall be binding upon the members of "The Club" until repealed by the Management Committee or set aside by a resolution of a General Meeting of The Club.

8.3 The Secretary will conduct all correspondence of "The Club" and shall have custody of all documents of "The Club". All complaints, suggestions, or other communications for the attention of the Management Committee shall be made in writing and addressed to the Secretary and he/she will submit same to the next meeting.

8.4 The Management Committee shall be the sole authority for the interpretation of these rules and the regulations made from time to time by the Management Committee and the decisions of the Management Committee upon any question of interpretation or upon any matter affecting “The Club” but not provided for by these rules or by the regulations shall be final and binding on all members.

9. TRUSTEES

9.1 There will be at least two but not more than four Trustees of” The Club” who shall be appointed from time to time as necessary by the Management Committee from ordinary or honorary members who are willing to be appointed. A Trustee shall hold office during his or her lifetime or until he or she shall resign by giving written notice to “The Club” Secretary or until a resolution removing him or her from office shall be passed at a meeting of the Management Committee by a majority of two thirds of the members present who are entitled to vote.

9.2 On the death, resignation, or removal from office of a Trustee, the Management Committee will take steps to procure the appointment of a new trustee and shall as soon as possible thereafter take all lawful and practical steps to procure the investment of all property of The Club into the names of the trustees as constituted after the said appointment. The Chairman for the time being of the Management Committee shall be authorized to execute any deed or appointment of a new Trustee on behalf of the Management Committee.

9.3 All property of “The Club” including land and investments shall be held by The Trustees for the time being in their own name as far as is necessary and practicable for the use and benefit of “The Club”.

9.4 The Trustees shall in all respects act in regard to any property of “The Club” held by them in accordance with the direction of the Management Committee and shall have the power to sell, lease, mortgage or pledge any property of “The Club” for the purpose of raising or borrowing money for the benefit of “The Club “in compliance with the Management Committee’s directions, but no purchaser, lessor or mortgagee shall be concerned to enquire whether any direction has been given.

10. CLUB FINANCES

10.1 The annual subscription of all membership categories shall be such a sum as “The Club” will determine from time to time at a General Meeting. At the discretion of the Management Committee an ordinary or associate member may be allowed to pay a reduced subscription on a pro-rata basis for any period less than a year.

10.2 There will be a Bar and Catering Levy and shall be such a sum as “The Club” will determine at time to time at a General Meeting.

10.3 Members annual subscriptions and any levy shall be payable on election and thereafter without demand in every year on 1st March. A member will be deemed to have resigned if full payment is not made by 31st March and membership will be terminated.

10.4 The Treasurer will keep such proper books as will enable him or her to present at every Annual General Meeting of The Club or, with reasonable notice, at any other time by the Management Committee an accurate report and statement concerning the finances of The Club.

10.5 The financial year of "The Club" will end on 30th day of September each year on which day the accounts of "The Club" will be balanced.

10.6 The accounts shall, as soon as practical after the end of the financial year be verified by a professional accountant who shall be appointed by the Management Committee.

10.7 All surplus income or profits are to be re-invested in The Club. No surplus assets will be distributed to members or third parties.

11. BAR AND CATERING

The Bar and Catering franchisee is to supply all bar and catering services as outlined under separate contract, the terms of which may be reviewed from time to time and modified by joint agreement and will ensure that "The Club" remains compliant with all relevant and current rules and regulations relating to the supply of Bar and Catering Services, as laid out in statute.

12. GENERAL MEETINGS.

12.1 An Annual General Meeting shall be held before the 31st October in every year and there will not be more than fifteen months between one Annual General Meeting and the next. A notice of the date, time and venue shall be posted in the Clubhouse for a period of at least fourteen days before such day.

12.2 An Extraordinary General Meeting of "The Club" may be summoned at any time by the Management Committee.

12.3 An Extraordinary General Meeting may be called immediately upon any 15 ordinary members delivering to the Secretary a written request on that behalf. On receipt of that request a General Meeting shall be summoned by causing a notice thereof and the business to be transacted thereat to be posted in the manner described for an Annual General Meeting. The period of 28 days' notice may be abridged at the discretion of the Management Committee if the urgency of the business to be discussed warrants.

12.4 No amendment (other than a motion of adjournment) shall be moved to any resolution proposed at any Annual General Meeting or Extraordinary General Meeting unless written notice thereof have been sent to the Secretary not less than fourteen days previous to the meeting. Whenever any such notice shall be given the same shall forthwith be posted in the Clubhouse.

12.5 At any general meeting of The Club every member of The Club shall be entitled to be present, and every ordinary or honorary member shall be entitled to one vote upon every question raised. In the case of equality of voting the chairman of the meeting shall have a second or casting vote. The Secretary shall take minutes of the proceedings at all General Meetings of The Club.

12.6 A quorum for a General Meeting shall be fifteen members in relation to any motion.

13. DISCIPLINARY REGULATIONS

As an affiliated member of England Golf the Club has adopted the England Golf Disciplinary Regulations and Procedures. (Details are included in full as an appendix to this document and are available in full on the Club Website).

These Regulations apply to all Members, Honorary Members, Players Participants, staff members, volunteers and contractors of or visitors to the Club and will apply to the following matters:

1. Alleged breaches of the Club Rules, Regulations, Codes and Practices, and its statement of values or standards of behaviour.
2. Alleged breaches of the Rules of Golf, handicap infringements, disqualifications and any breach of the rules of a Club Tournament.
3. Any matter in which an individual engages in any conduct which is inappropriate, unlawful, unsporting or behaves in a manner which is unacceptable or opposed to the general interests of the Club or which brings the Club into disrepute.
4. Any matter in which an individual engages in any conduct which is inappropriate, unlawful, unsporting or behaves in a manner which is which brings the sport of golf into disrepute.
5. Incidents of a Safeguarding nature will be referred to the England Golf Governance team before any disciplinary action is taken under these Regulations.

14. GENERAL CLUB RULES AND REGULATIONS

14.1 All members and guests will be expected to maintain a smart standard of dress in the Clubhouse at all times. No golf shoes will be permitted in the members section of

the Clubhouse at any time. Spiked or other footwear worn on the golf course is permitted only in the changing rooms and their access corridors.

14.2 The Management Committee may suspend the membership of any member whose conduct, whether on the premises or elsewhere, is or has been in the opinion of the Management Committee contrary to the interests of “The Club” or injurious to its reputation.

14.3 Immediately on suspension under Rule 13.2 of the membership of any member, the Secretary shall inform him or her in writing thereof and of his rights under Rule 5.2

14.4 If no notice of an appeal shall be received by the Secretary within 30 days of the posting of such a letter to the member, then the membership of that member shall be deemed to have been terminated by resignation.

14.5 Each member shall keep the Secretary informed of the member’s private address, phone number and email address and a notice posted to such address shall be deemed to have been properly served.

14.6 All notices of General Meetings shall be posted in a prominent position on the Club premises.

14.7 These rules may be revoked, added to or altered by a majority comprising two thirds or more of the members present and entitled to vote at any General Meeting.

14.8 Neither “The Club” nor any officer thereof shall be liable to any member or guest of a member for any loss or damage to any property occurring from whatever cause in or about the Club premises nor for any injury sustained by any member or guest of a member while on or entering or leaving the Club premises. A notice to this effect shall be displayed in a prominent position on the Club premises at all times.

14.9 The R & A rules and the etiquette of golf shall be deemed to be incorporated in these rules.

14.10 Local bye-laws or rules made for the use of Vivary Golf Course shall override all other rules relating to the game of golf played by members at Vivary Golf Club.

15. DISSOLUTION

If the number of ordinary members of “The Club” shall at any time fall below Twenty Five or at any time “The Club” shall pass in General Meeting by a majority comprising two thirds or more of the members present and entitled to vote a resolution (in this rule called the first resolution) of its intention to dissolve “The Club” the Management Committee , or failing them The Trustees, shall take immediate steps to convert into money all the property of “The Club” with power, however, to postpone or delay the conversion of any particular property if “The Club” in General Meeting shall so authorize. Out of the proceeds of such conversion The Trustees shall discharge all debts and liabilities of “The Club”, including expenses of such conversion. Any balance remaining in their hands shall be given or transferred to another CASC, a registered charity or the sport’s governing body for use by them in related community sports and will not be distributed among members of “The Club” A copy of the notice convening any general meeting under this rule shall be sent by the Secretary by post to every member at his or her address last notified to the Secretary not less than fourteen days before the date appointed for the meeting but any accidental omission to send a copy or the non-receipt of same shall not invalidate any proceedings or resolutions.