

FYLDE MOUNTAINEERING CLUB RULES

Revised following the Annual General Meeting held in February 2020.



1 Name

- 1.1 The Club is called The Fylde Mountaineering Club (FMC)

2 The Objectives of the Club are:

- 2.1 To promote and to facilitate participation in the sport of mountaineering in all its forms and provide opportunities for members of the club to meet and participate together in such activities.
- 2.2 To act on behalf of and in the best interests of club members.
- 2.3 To promote awareness of the need to maintain access, conservation and protection of the cliff and mountain environment.
- 2.4 The provision and maintenance of club premises at No 2 Newhouses, Little Langdale, Cumbria, LA22 9PB and Fylde Mountaineering Hut, Stair, Newlands Valley, Cumbria, CA12 5UF.

3 Membership

- 3.1 Introductory Membership of the club is limited to people aged 18 or over residing, at the time of application, on or near the Fylde area and who the committee believe will make a full and varied contribution to the club. The Committee have discretion to extend the residency constraint where they believe it to be in the best interests of the club. The committee shall satisfy themselves regarding the suitability of all prospective members.”
- 3.2 Applicants for membership shall be required to serve an introductory period of one year.
- 3.3 The Committee shall have the right to refuse membership to any person without giving reason for such refusal, or, in special circumstances, to grant membership to those persons, who would otherwise be excluded from membership.
- 3.4 Once accepted the applicant becomes an Introductory Member of the Club and agrees to be bound by the Club rules. In addition, individuals should recognise that climbing and mountaineering are activities with a risk of personal injury or death. Members should be aware of and accept these risks and how these may impinge on others and agree to be responsible for their own actions and involvement.
- 3.5 No Introductory Member can propose a motion at an Annual or Extraordinary General Meeting, vote on any proposition or resolution, hold any club office or serve on the committee.
- 3.6 An Introductory Member may only take a guest to the huts at the discretion of the Hut Booking Secretary, or the Meet Coordinator.
- 3.7 Applicants for full membership shall have served an introductory period of one year, after which, application for full membership shall be made on the appropriate form issued by the Membership Secretary. Applicants for full membership shall be required to give details on the form of all mountaineering activities during their period of introductory membership, and must have

participated in a range of club activities before becoming full members. Acceptance shall be proposed by a member of the Committee and seconded by a full club member both having first-hand knowledge of the applicant's mountaineering ability. As a guide, the ability required is that the applicant can walk safely in the hills/mountains and/or climb safely.

- 3.7.1 Any introductory member who has served the introductory period of one year and fails to make application for full membership within three months of the date of completion of introductory membership, without requesting an extension to their introductory membership by the Committee and being granted such may be removed from the list of members.
- 3.8 The Committee shall have concessionary power to confer Honorary Membership to person or persons whom they consider to merit the honour.
- 3.9 Any member may resign their membership by giving notice in writing to that effect to the Membership Secretary.
- 3.10 There will be a category of Associate Member as detailed in appendix 1.
- 3.11 The Club respects the rights, dignity and worth of every person and will treat all Members equally within the context of Club activities and mountaineering activities, regardless of age, ability, gender, race, ethnicity, religious belief, sexuality or social/economic status.
- 3.12 The Club is committed to all Members having the right to enjoy mountaineering in an environment free from threat of intimidation, harassment and abuse.
- 3.13 All Members have a responsibility to oppose discriminatory behaviour and promote equality of opportunity.
- 3.14 The Club will deal with any incidence of discriminatory behaviour seriously, according to club disciplinary procedures.

4 Procedure after election of a Member

- 4.1 Immediately a candidate is elected that person must:
 - 4.1.1 be given notice of their election;
 - 4.1.2 be furnished with a copy of these rules and the Hut Rules.

5 Entrance fee and subscription

- 5.1 The annual subscription is due by 1st October and shall be paid no later than 31st October. Anyone in arrears after that date will incur an additional charge. Members in arrears after 31st December will have their membership revoked without further notice and would have to re-apply for Introductory membership and pay the entrance fee.
- 5.2 Applications for introductory membership received after the 1st April in any year will be allowed a half yearly subscription, the entrance fee remaining the same.
- 5.3 Applications for introductory membership received after the 1st July in any year will pay a full subscription but this will cover them until October of the following year, the entrance fee remaining the same.
- 5.4 There will be a couple's joint subscription at the Committee's discretion.
- 5.5 The amount of the annual subscription shall be decided at the Annual General Meeting of the Club.
- 5.6 The committee shall have the power to offer new introductory members a reduced subscription. This reduction is for one year per applicant only.

6 Expulsion of members

- 6.1 If at any time the Committee considers that the interests of the Club require it they may suspend or terminate an individual's membership of the club. Before taking a final decision the Committee must notify the member concerned of the nature of the complaint(s) against them in sufficient time to afford the member a proper opportunity of offering explanation and invite them to present their views by letter or in person to the Committee and specify a date when this must be done by. The Club Secretary must notify the person of the Committee's decision.

If this rule is invoked, such member has the right of appeal, which shall be sponsored by two members to a General Meeting of members.
- 6.2 The Club Secretary must inform the member in question not less than four weeks prior to the

meeting the time and place of such meeting.

- 6.3 At the meeting the member must be allowed to offer an explanation of their conduct verbally or in writing and if after that a majority of the members present vote for expulsion, the member will immediately cease to be a member of the Club.
- 6.4 The Committee may exclude from the Club, until the General Meeting is held, any member whose withdrawal has been requested.
- 6.5 A person who has been expelled from the Club shall not be entitled to participate in any subsequent activity of the Club nor to visit the Club's premises.

7 Effect of ceasing to be a member

- 7.1 On ceasing to be a member a person forfeits all right to and claim upon the Club and its property and funds. Any property belonging to the Club held by the person shall be returned to the Club Secretary.

8 Committee

- 8.1 The management of the Club is delegated to a Committee who shall be elected to that office by the members at the Annual General Meeting:
- 8.2 The Committee shall include the officers listed below
 - Chairman, Vice Chairman
 - Honorary Club Secretary, Hut Booking Secretary, Membership Secretary, Social Secretary
 - Honorary Treasurer
 - Honorary Hut Custodian(s) Little Langdale & Stair
 - Honorary News Letter Editor, 'What's On' Editor
- 8.3 The Committee shall also include four additional ordinary members.

9 Election of members of the Committee

- 9.1 Officers and ordinary members of the Committee are elected to hold the post for a period of twelve months, but are eligible for re-election.
- 9.2 Any full member may propose or second a proposal of any other full member(s) as candidates in advance of the Annual General Meeting or at the AGM. If the proposed candidate is absent, the proposer shall verify the candidate's willingness to accept the post if elected or the proposal cannot be accepted.
- 9.3 Every full member of the Club present at the annual general meeting is entitled, but not obliged to vote.
- 9.4 The Clubs Officers shall be elected office by office.
- 9.5 The four ordinary Committee members shall be elected together. If there are more than four candidates a written ballot will be taken with every full member having up to four votes. No member may cast more than one vote for the same candidate. The four candidates with the greatest number of votes are elected.
- 9.6 In the case of candidates receiving an equal number of votes, the Chairman of the meeting has a second or casting vote.
- 9.7 New Officers and members of the Committee shall take office immediately following the meeting.
- 9.8 The Committee may appoint a full member to fill any vacancy on the Committee until the next Annual General Meeting.

10 Meetings of the Committee

- 10.1 The Committee must meet as often as necessary to discharge its duties in arranging the affairs of the Club.
- 10.2 A quorum for the Committee meeting shall be no less than seven members, one of whom must be the Chairman or Vice Chairman.
- 10.3 Minutes of all the proceedings of the Committee must be taken and must be open to inspection by any member on application to the Club Secretary.

11 Sub-committees

- 11.1 The Committee may from time to time appoint from among its number such sub-committees as it deems necessary and may depute or refer to them such of its powers and duties as it may determine. All Committee members shall be ex-officio members of any such sub-committee.
- 11.2 The Committee shall be entitled to co-opt other full members to serve on any sub-committee.
- 11.3 All sub-committees must periodically report their proceedings to the Committee and must conduct their business in accordance with its directions and within their terms of reference.

12 Regulations

- 12.1 The Committee may from time to time make, repeal and amend any regulations (not inconsistent with these rules) as it thinks expedient for the management and well-being of the Club.
- 12.2 All regulations made by the Committee under this rule are binding on the members until repealed by the Committee or set aside by a resolution of a General Meeting of the Club.

13 Annual General Meeting

- 13.1 The Annual General Meeting shall be held in or about the month of February, the date and time to be fixed by the Committee. The Annual General Meeting shall:
 - 13.1.1 receive the Officers reports, income and expenditure reports etc;
 - 13.1.2 elect Officers, and ordinary Committee members in accordance with rules 8 and 9;
 - 13.1.3 elect an Honorary Auditor and a Web Master who shall serve for one year, but be eligible for re-election;
 - 13.1.4 decide on any resolution which may be submitted to the meeting (See Rule 14);
 - 13.1.5 fix the annual subscription of the Club and any additional subscription payable;
 - 13.1.6 consider any other business as determined by the Committee and that which has been included in the agenda sent to members.

14 Notice of business at annual general meeting

- 14.1 Any member who desires to propose any resolution at the Annual General Meeting must submit it in writing together with the name of the proposer and seconder to the Club Secretary not later than six weeks prior to the date fixed for the meeting.

15 Extraordinary general meeting

- 15.1 The Committee may call an Extraordinary General Meeting at any time for any special purpose, and must do so within thirty days of receipt by the Club Secretary of a request in writing, stating the purposes for which the meeting is required from any ten members and the proposal(s) for submission to the meeting. Trustees of the Club's premises may request an Extraordinary General Meeting for proposals relating to the Club's premises.

16 Convening general meetings

- 16.1 At least fourteen days before the Annual General Meeting, or Extraordinary General Meeting, notice of such meeting and the business to be transacted at it must be notified to all members by the Club Secretary.
- 16.2 No business other than that of which notice has been given may be brought forward at a General Meeting.
- 16.3 The Officers reports, income and expenditure reports must be sent to each member at least fourteen days before the Annual General Meeting.

17 Proceedings at general meetings

- 17.1 At all General Meetings of the Club the Chairman, or in his absence the Vice Chairman must take the chair.
- 17.2 Every full member present is entitled to one vote upon every motion. To be carried the motion needs a majority of votes cast, in the case of an equal number of votes the Chairman has a second or casting vote.

- 17.3 Resolutions – The Chairman shall read out the resolution and invite the Proposer to address the

meeting on the matter, after which the chairman shall invite the Seconder to address the meeting. After that the members may debate the resolution and if an amendment is proposed and seconded the amendment shall be voted on first. If the amendment receives a majority vote in its favour then it shall be accepted as the resolution. Should the amendment be defeated then the original resolution stands. The chairman may not accept a second amendment until the first has been voted on. Once all amendments have been voted on and the Chairman considers that members have been able to put their points of view, the resolution shall be put to the vote.

18 Quorum and Amendment to Rules

18.1 These rules may be amended only by the decision of a sixty percent majority of the full members present at the Annual General Meeting or at an Extraordinary General Meeting called for the purpose. A quorum for either meeting shall be a minimum of 25 full members.

19 Finance, Accounting year and Accounts

19.1 The treasurer shall receive all monies due to the club and deal with them accordingly as shall be decided by the Committee from time to time. Cheques drawn on the Club funds shall bear two signatures, those being authorised to sign being the Treasurer and two other Officers or Committee members.

19.2 The accounting year of the Club ends on 31st of December in each year, and the accounts of the Club must be balanced to that day.

19.3 The Honorary Auditor must audit the accounts as soon as practicable after the end of the financial year.

20 Meets

20.1 The Committee shall arrange an annual programme of meets in consultation with the members.

20.2 The Committee shall where it thinks fit fix the charge to be made for attendance upon such meets on a per capita basis.

20.3 Any member who, having made a reservation for any meet where a charge is involved, fails to attend such a meet shall forfeit any deposit paid (and remain liable for the balance of the charge payable unless the place(s) reserved by that member can be re-sold to another).

21 Hut Use.

21.1 All members must adhere to the Hut Rules and General Information (See Appendix 1). These rules shall be drawn up by the Committee and be made available to all members and be posted in the Club Huts. The Committee shall review and amend Hut Rules as necessary.

21.2 Members and their guests must book in advance with the Booking Secretary except for meets on the Club Syllabus when they must book with the Meet Co-ordinator.

21.3 Hut fees for members and their guests shall be decided at the Annual General Meeting of the Club. Hut fees for outside bookings shall be decided by the Committee and reviewed on at least an annual basis.

22 Visitors

22.1 Every member may introduce visitors, subject to any regulations made from time to time by the Committee.

22.2 Every visitor is the guest of and must be accompanied by the member introducing the guest.

22.3 The member introducing a guest to the Club is responsible for all charges payable in respect of that visitor.

23 Property

23.1 The property and income of the Club shall be applied solely towards the promotion of the objects of the Club and no payment or distribution shall be made to any member by way of dividend bonus or profit (but this provision shall not preclude reimbursement of expenses properly incurred in the course of Club business nor affect the operation of any indemnity provided by these Rules).

23.2 The title to the Club Premises shall be vested in the Trustees who shall hold the Club Premises on trust for the membership of the Club (See Rule 25).

23.3 No member may on any pretence or in any manner receive any profit, salary or emoluments from the funds or transactions of the Club, except for professional services rendered at the request of the Committee.

24 Maintenance of Club Premises

24.1 The Committee shall be responsible for the upkeep and maintenance of the Club Premises and for insuring them for full value against all normal risks, dealing with issues relating to health and safety, occupier's liability or other issues that may arise from time to time.

24.2 The Committee shall keep records of insurance, upkeep, maintenance and use of the Club Premises and of any other matter that may be considered material

24.3 In considering any transaction involving the Club Premises the Committee shall have regard to (but shall not be bound by) the recommendations of the Trustees.

24.4 All members shall have a duty to safeguard the Club Property and to promptly notify the Committee of any matters which come to their attention which might give rise to a risk of damage or destruction, loss of amenity, diminution in value or of matters relating to the Club Property which give rise to some risk or liability or increase therein to the members and shall promptly deliver to the Club Secretary any notice relating to such.

25 Trustees

25.1 Trustees must be full members of the club and shall be appointed by the Committee to hold in trust on behalf of the membership the Club's property (Lands & Buildings). The number of Trustees shall be no more than four (4) and not less than two (2) per property.

25.2 Trustees shall hold office until death or resignation (providing that they remain full members of the Club) unless removed from office by resolution brought to an Annual or Extraordinary General Meeting, any Trustee so removed shall concur in executing any document requisite to give effect to the Trustees removal.

25.3 In accepting appointment as a Trustee that member appoints the Honorary Auditor (who is independent of the Committee) as his/her attorney for the purpose of executing any documents etc. in the circumstances described below.

25.3.1 The attorney will only be required to act in exceptional circumstances and only on behalf of one Trustee per transaction/requisite.

25.3.2 Examples of circumstances for when the attorney would be required to act are as follows-

25.3.2.1 Where a Trustee cannot be contacted or does not respond to a communication after several attempts have been made to communicate e.g. On extended absence from home, re-located without giving new address or whose whereabouts are unknown etc.

25.3.2.2 An individual Trustee refuses to execute a document produced as a result of a direction or resolution derived at in accordance with the Club Rules (See Rule 25.4).

25.3.3 The process for empowering the attorney to act is as follows:-

25.3.3.1 Once it has been determined that a Trustee cannot or will not execute a document the Club Secretary shall put the matter to a meeting of the Committee.

25.3.3.2 Where the Trustee can be contacted the Trustee shall be informed of the date, time and venue of the Committee meeting and be invited to attend the meeting or provide written submission to the meeting.

25.3.3.3 The Committee shall consider all relevant facts relating to the matter and shall decide by simple majority if it is appropriate to empower the attorney to act on behalf of the Trustee in question, of which an entry in the Minutes of such meeting shall be conclusive evidence. The Club Secretary shall notify the Trustee (where contactable) and the Honorary Auditor (the attorney) of the Committee's decision in writing.

25.3.3.4 The attorney's entitlement to act on behalf of the Trustee shall be in the form of a letter certifying such from the Club Secretary, naming the Attorney and the Trustee, briefly describing the events that lead to the situation and referring to the Committee Meeting Minutes as evidence etc. the letter shall be signed by the Club Secretary and the Chairman.

25.4 Trustees shall act in accordance with any and all directions given by the Committee or as directed by resolution in Annual or Extraordinary General Meeting providing that such directions/resolutions were arrived at in accordance with the Clubs Rules, of which an entry in the

Minutes of such meeting(s) shall be conclusive evidence.

- 25.5 The Trustees shall not agree to buy, lease, rent, sell, let, mortgage or otherwise acquire or part with possession of any or all of the Club's property (whether freehold, leasehold or otherwise) without the prior approval by a resolution of the Club in Annual or Extraordinary General Meeting at which all members shall be present or have the opportunity to vote by postal ballot at such meeting, a two thirds majority is required.

26 Indemnity

- 26.1 Every Officer, Trustee, member of the Committee and member of any sub-committee, (hereinafter together referred to individually as "Indemnified Members") shall be indemnified out of the assets of the Club against all losses or liabilities which he/she may sustain or incur in or about the execution of the duties of his/her appointment or otherwise in relation thereto including any liability incurred by him/her in defending any proceedings, of, or at the request of the Club, unless judgement is given in his/her favour and no Indemnified Member shall be liable for any loss, damage or misfortune which may happen to or always that the Indemnified Member is acting in accordance with the directions of the Committee.

27 Use of Club Property

- 27.1 The Committee has the power to offer the members of another Club the right to use the Club Property on the same terms as the members in return for reciprocal rights to the use of the premises of that other club.
- 27.2 The Committee shall have power to terminate any arrangement offering reciprocal rights to use the Club's Property.

28 BMC Affiliation

- 28.1 The Club is affiliated to the BMC, therefore the members acknowledge and agree that they will become Club Members of the BMC and that the Club shall pay the appropriate subscription on behalf of each member included in the return filed by the Club with the BMC, and, in the event of the BMC being wound up, shall pay the sum of not more than £1 on behalf of each Member included in a return filed by the Club with the BMC at any time within the preceding period of one year pursuant to the guarantee comprised in the Articles of Association of the BMC. The Members further acknowledge and agree that upon the Club being affiliated to the BMC and each becoming a Club member of the BMC that they will each be bound by the Articles of Association of the BMC.

29 Interpretation of rules

- 29.1 The Committee is the sole authority for the interpretation of these rules and the regulations made by it from time to time.
- 29.2 The decision of the Committee upon any question of interpretation or upon any matter affecting the Club and not provided for by these rules or by the regulations is final and binding on the members.
- 29.3 The headings to these rules are for ease of reference only and are not to be taken into account in their interpretation

30 Dissolution of Club

- 30.1 If the members of the Club voting at an Annual General Meeting or an Extraordinary General Meeting pass a resolution for the dissolution of the Club, then such a resolution must be confirmed at a subsequent Extraordinary General Meeting called for that purpose by the Committee in accordance with Rule 16.
- 30.2 At the Extraordinary General Meeting the resolution to dissolve the Club must be put to a vote. To succeed, the resolution needs the support of three-quarters of the members that are entitled to vote. Proxy votes and postal voting will be accepted in this particular instance.
- 30.3 If the resolution to dissolve the Club is confirmed at the Extraordinary General Meeting, then the Club shall cease all activities from the conclusion of that meeting.
- 30.4 The Committee then in office shall be responsible for winding up the Club affairs. The Committee

shall, after discharging all of the Club debts and liabilities, proceed to dispose of the Club properties and assets. A Chartered Valuation Surveyor (i.e. member of the Royal Institution of Chartered Surveyors) must be instructed to confirm that the price for which each property is sold represents market value. The assets shall be distributed to a registered charity or charities concerned with Mountain Rescue or to a trust or trusts concerned with Mountain Rescue. The existing hut Trustees must approve the distribution of the money. A copy of the final accounts, with a copy of the receipts from the recipient Mountain Rescue organisation(s) shall be sent to members. At this time the Club will be deemed to have been dissolved.

31 The club rules may only be changed by a motion submitted to the AGM or an EGM, see rule 18.

Appendix 1 ASSOCIATE MEMBERS

Purpose

To provide a lower cost way for long standing members to continue their association with the FMC rather than resign due to inactivity.

Qualification

Associate membership would be open to anyone who has been a long-standing member (more than 20 years in total) of the FMC and who no longer participates in mountaineering activities. Applications will be considered by the committee.

Principles

1. They will be associate members of the FMC and not declared to the BMC as club members. They will not be entitled to any BMC benefits, that is, BMC third party liability insurance, the Summit Magazine or a BMC membership / discount card.
2. They must accept responsibility for their own actions and agree not to instigate claims for misadventure against the FMC
3. They will pay a reduced membership subscription of £10 a year.
4. They will be entitled to hut access and stay in the huts paying members rates.
5. They will be entitled to attend club social events including the annual dinner.
6. They will not participate in any club mountaineering activity. However, they will be able to join in the social element, for example, they could not enter the fell race but could attend the follow up meal.
7. They cannot hold an official position – committee member, trustee etc.
8. They will be entitled to vote at any AGM / EGM.
9. They will receive all club communications – general postings and emails, *What's On* and the FMC Magazine.
10. They will have the right to revert to full membership upon payment of the appropriate fee.
11. They will otherwise be subject to all other club rules.