



**Minutes – CUCBC Captains pre-Michaelmas Term meeting
6:30pm, Tuesday 8th October 2024**

1. Apologies

Attended: Addenbrookes, Anglia Ruskin, Caius, St. Catherines, Christ's, Churchill, Clare, Clare Hall, Corpus Christi, Darwin, Downing, Emmanuel, First and Third, Fitzwilliam, Girton, Homerton, Hughes Hall, Jesus, King's, LMBC, Lucy Cavendish, Magdalene, Murray Edwards, Newnham, Pembroke, Peterhouse, Queens', Robinson, Selwyn, Sidney Sussex, St Edmund's, Trinity Hall, Wolfson

CUCBC: David O'Loughlin (Hon Sec, Chair), Dan Wilkins (Senior Treasurer), Tony Ford (Events Sec), Luke Barratt (Exec Committee)

Apologies received: Conor Burgess, Isabel Nimmo, Mark Jacobs, ARU overall captain, Vet School

2. Intro to CUCBC Presentation – Hon Sec

- Welcome/intro from David
- General introduction to CUCBC Slides - to be circulated, so limited minutes; please refer back to these for information
- Captains booklet to be circulated when ready
- Please ensure all coxes are on coxes@cucbc mailing list - email coxes+subscribe@cucbc.org. Others (especially coaches) may want to be on contacts@

3. Update on CUCBC Finances and Change to Bumps Fees – Update from CUCBC Senior Treasurer

- Note about changes to CUCBC organisation - sitting under University Sports Service
- Please pay your bills on time or you won't be allowed to race
- Fine appeals to go to senior treasurer (Dan Wilkins) within 48 hours of notification
- Clubs may receive bills with a negative balance - use that to offset your next entry fees.
- Presentation of the CUCBC accounts – attached to Minutes
- Due to the general increase in costs, along with the cancellation of Lents divisions—especially Conservancy fees, gunmen costs, and first aid costs—Bumps entry fees will need to increase. Starting from Lent Bumps 2024, the entry fee will be £90 per crew. Crews entering GoR and not getting on will get a 50% refund, and scratched crews will receive a full refund, as in previous years.

4. Ratification of CUCBC Senior Committee – **for Vote**



The Senior Committee proposed to be chaired by Dr Isabel Nimmo and consisting of Dr David Munday, Dr Dan Wilkins, Mark Jacobs, Prof. Pete Convey, Dr Ian Cowley, Dr Tom Grimble, and Conor Burgess.

- There were no objections to the proposal, so the Senior Committee was ratified for a three-year term
5. Update to Early Morning Regulations – **for Vote.**

A rule change to Early Morning Regulations was proposed by the Boathouse Managers and discussed. The exact workings of the rule were discussed and questions asked:

- Would the 7:30am restriction be waved? No – this is in place as Novices need coaching from the bank and so would create excess noise.
- Will the 2 boat rule then be applied on top of this? Unlikely, as CUCBC want to see if the trial is successful, however CUCBC Exec Committee still reserve the right to apply this rule if necessary

Two amendments were proposed:

1. That there be alternating three senior mornings and three novice mornings biweekly.
2. That there be two novice and two senior mornings each week and that one day remain where any crew may boat.

The Chair agreed to vote on amendments if the rule as written was passed.

- Vote: Proposed Change as written: PASS 31:30 with zero abstentions
- Amendment 1: FAIL 6:38 with zero abstentions
- Amendment 2: PASS 27:21 with 7 abstentions

The final wording of the rule to be implemented as a Trial for Michaelmas Term 2024 is as follows:

Early Morning Traffic Restrictions

7. That for Michaelmas Term (as a trial in 2024) there be designated Novice and Senior only mornings.
- a. That on Monday and Wednesday mornings, no Senior crew be permitted to boat before 9:00am.
 - b. That on Tuesday and Thursday mornings, no Novice crew be permitted to boat before 9:00am.
 - c. That on Friday mornings, normal rules apply regarding which crews may boat.
 - d. That on Senior mornings, all crews must maintain full slide, at least half crew rowing, until Chesterton footbridge where they may begin exercises providing, they allow room for other crews to overtake. This will apply in the 15 minutes after Lighting Down only.
 - e. Notwithstanding rule 7.a, if a yellow flag is raised, crews eligible to boat under a yellow flag may do so.

This rule will come into effect on Monday 14th October and last until Thursday 5th when Jesus College have control for Fairbairns Races



6. Change to the wording of EMMs – **for Vote**

A change to the location of Early Morning Marshals was proposed to protect Marshals from a rise in anti-social behaviour on the towpath.

- The wording was proposed and unanimously accepted, 49:0 in favour with no abstentions.

The wording of the change is as follows:

- EMMs now require high-visibility jackets. If your club does not have any, speak to your Boathouse Manager, who will order/provide some.
- Marshal 1 shall take post outside Combined Colleges Boathouse.
- Marshal 2 shall take post by the Penny Ferry (Pembroke, Emma) footbridge and join Marshal 1 at Combined between 7:45 and 8:00 once everyone has boated.
- Both marshals should then patrol between Riverside and the P&E together, staying mobile.

7. Update to CUCBC Constitution – University Sports Service – **for Vote**

Due to a change in the university's governance structure, CUCBC is now a registered Society with the University Sports Service. These changes are required to bring us in line with their policies and clarify in writing several things that are legally the case anyway.

- Passed 42:0 with 5 abstentions.

8. Website – update information

We are aware of some issues with text displaying on our website. If you update your information, it may not be publicly visible currently, but it is uploaded, and we can see it. Email webmaster@ or committee@ if any issues.

9. Insurance – you'll be banned if you don't update!

As of 1pm on the 8th of October the following clubs have not updated their insurance information:

Addenbrookes, Caius, Christs, Corpus Christi, Darwin, Emmanuel, First and Third, Fitzwilliam, Girton, Homerton, Hughes Hall, Jesus, LMBC, Lucy Cavendish, Murray Edwards, Newnham, Pembroke, Peterhouse, Queens', Robinson, Selwyn, Sidney Sussex, St. Catherine's, St. Edmund's, Trinity Hall, Vet School

- This information will be available from your ST.
- This must be done by the end of Week 4 (5th November) you'll be banned from the river effective the 6th of November.



10. College-run events – public notices

Please put the timings up of College run events on the Cam River Users Facebook group. This helps keep all river users informed (residents, town clubs, fishermen, pleasure boat operators)

11. Flag – clarification on when flag will be set

We'll endeavour to set the flag at 10 pm the night before if it's likely to be yellow to try and give more clarity and reduce the number of last-minute cancellations

12. Cox recruitment and training – NOW is the time!

As part of your recruitment, you must ensure that you recruit sufficient coxes. Getting cox subs for Bumps is exceptionally difficult and rarely approved, and you cannot have an exceptional substitute in top boats (see our handbook). Make sure you use this time to recruit and train coxes. Having two coaches on the bank can help with this.

13. New online substitution request form for Bumps to be rolled out

For Lent Bumps 2025, we'll be piloting an online substitution request portal. This is for routine substitution requests and will only allow you to submit if the request agrees with the handbook. For exception requests, you will still need to contact committee@. Coxing requests will always need to be approved by email because of the requirement for attending a briefing so cannot go through this form.

14. Reminders for all captains and coaches:

Ensure lights are white, continuous, visible (new term, new batteries!), and attached to both the bow and stern of the boat (**not people or riggers**)
Lights should be on no matter the time if the flag is yellow due to fog. This makes it even more important that they be bright enough!

15. AOB

There was no other business raised.

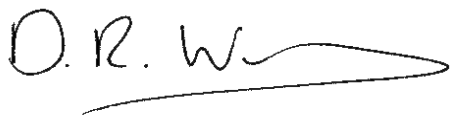
Cambridge University Combined Boat Clubs

Income and expenditure account for the year ended 30 September 2024

	2023-24		2024-25
	Income	Expenditure	Income
College Accounts Carried Forward	£3,842.50		£0.00
Race Entries	£18,135.00		£0.00
Fines	£9,285.00		£0.00
Programme Sales	£2,663.55		£0.00
College Event Insurance	£240.00		£0.00
Committee Kit Sales	£0.00		£0.00
Insurance		£3,521.70	
Web Hosting		£498.08	
Equipment Purchase		£173.97	
Equipment Hire		£3,995.91	
Equipment Maintenance		£156.99	
First Aid		£5,000.00	
Bumps Gunman		£5,550.00	
Conservancy Fees	£144.00	£5,666.00	
Programme Production		£1,662.00	
Medals and Trophies		£5,433.60	
Umpires' Dinner		£3,309.80	
Committee Expenses		£1,189.24	
Committee Kit Purchase		£0.00	
Total	£34,310.05	£36,157.29	£0.00
Profit	-£1,847.24		£0.00

Bank balance	£6,895.62
Cash	£0.00
Additional Owed to Society	£4,623.58
Additional Owed By Society	£0.00
Fixed assets	£6,000.00
Total assets	£17,519.20

It is estimated that the replacement value of the assets above is £ 6000



Dr D. Wilkins MA, PhD
Acting Senior Treasurer



Cambridge University Combined Boat Clubs Constitution

Name

1. That the name of the body shall be the Cambridge University Combined Boat Clubs.

Aims and Responsibilities

2. That the objects of the body shall be:
 - a. To promote the safe use of the Cam between Jesus Lock and Bottisham Lock by the University and College Clubs and to encourage courtesy to other river users.
 - b. To define and organise races between the College Crews. Such events should be in the best interests of the development of Cambridge College rowing and should take into account the wishes of the College Clubs.
 - c. To represent University and College rowing interests and such other matters relating to the Cam and subsequently the Cambridge Rowing Lake as shall be decided at general meetings.
3. That the CUCBC shall be responsible for the following matters:
 - a. Rules of the River
 - b. all such rules on this stretch of the Cam as shall apply to University and College rowing boats, within the framework of the British Rowing rules and the Bye-laws laid down by the Conservators of the River Cam.
 - c. in making these rules the CUCBC shall be cognisant of the special needs of University Crews (using University Blades) who are preparing for their responsibility to beat Oxford University. Such University crews shall ensure that, notwithstanding their special training needs, they use the Cam with safety as their prime responsibility.
 - d. the penalties for failing to adhere to the rules shall be defined by the CUCBC. Such penalties shall be imposed by the CUCBC Officers through the medium of the Executive Committee. Any club so penalised shall have the right of written and verbal appeal to the Senior Committee, at least three of whose members should convene to decide the appeal (not including the Chief Umpire, if this person is a Committee members, should a conflict of interest arise during CUCBC races), whose decisions on such matters shall be final.
 - e. Inter-College Competitive events
 - f. rules for and eligibility to row in all events organised by the CUCBC.
 - g. approval for the organisation of and the overseeing of events organised by College Clubs, including specifically matters of safety and river closure (in consultation with other river users).
 - h. arrangements for the financing of the CUCBC organised races and approval for the entry fees for events organised by Colleges.
 - i. Representation of University and College rowing interests in any such matters as shall be defined by the members in general meeting, with particular but not

exclusive reference to matters concerned with the Cam and subsequently and additionally the Rowing Lake.

Membership

4. That the membership of the CUCBC shall be composed of the Captains of each of the constituent College Men's and Women's Boat Clubs together with the Presidents and Vice-Presidents of the Cambridge University Boat Club (CUBC), the Honorary Secretary, the Coxswains' Representative and the two student secretaries of the CUBC, in addition to the officers co-opted to the Executive Committee.
5. That membership of the CUCBC shall open to the boat clubs of all constituent colleges of the University of Cambridge in addition to the boat clubs of Anglia Ruskin University and those defined by Rule 2a of the Regulations for Racing. All members of the University shall be able to participate in CUCBC-run events through membership of their own college boat club.
6. That participation in competitions organised by the CUCBC be contingent on the club being a member of the CUCBC.
7. That to maintain membership, all clubs, in addition to their own members and crews agree to adhere to all rules and regulations set forth in this Constitution, as well as the CUCBC Handbook, including but not limited to the Rules of the River, the 10 Golden Rules for Safety and the Regulations for Racing.
8. That no fee shall be charged to the constituent clubs for membership of the CUCBC, however constituent clubs will be expected to pay to the CUCBC entry fees for participation in races in addition to any fines levied against the club in accordance with the Rules of the River. To maintain membership and to retain the right to participate in races, any fees and fines shall be paid in a timely manner upon receipt of a bill sent on behalf of the CUCBC Senior Treasurer.
9. That at the beginning of the Michaelmas Term, the Secretary, or another officer of each College Boat Club, shall send to the Secretary of the CUCBC the names of all the officers of his/her club, with postal and e-mail addresses and telephone numbers.
10. That membership of CUCBC may be terminated if the club resigns by written notice to the Honorary Secretary, or if that club is expelled from the CUCBC in accordance with the terms of this Constitution.

Equality of Opportunity

11. That the CUCBC is committed to equality of opportunity within rowing at the University of Cambridge and its constituent colleges, and to encouraging a proactive and inclusive approach to equality, which supports and encourages all under-represented groups, promotes an inclusive culture, and values diversity.
12. That the CUCBC is committed to everyone having the right to enjoy the sport of rowing in an environment free from threat of intimidation, harassment and abuse.
13. That the CUCBC and its constituent clubs have a responsibility to oppose discriminatory behaviour and promote equality of opportunity.

14. That the CUCBC will deal with any incidence of discriminatory behaviour that falls under its remit at CUCBC events or meetings seriously, according to club disciplinary procedures.

Officers

15. That the officers of the CUCBC shall be:

- a. Between four and six senior members of the University rowing community. These would typically be members of College, or University fellowship or staff with an active interest in and knowledge of College rowing and Cam-related issues. These officers should serve for a renewable period of three years and should be appointed by the existing senior members.
- b. One person to act as CUCBC Chair~~person~~, one as CUCBC Senior Treasurer and one as CUCBC Safety Advisor elected by the Senior Committee among their membership and approved by majority vote of the Captains. At least one of the Chairperson and the Senior Treasurer, shall be a member of the Regent House, or other person approved by the Sports Club Registration Sub-committee.
- c. An Honorary Secretary, elected annually by single vote at the Captains at the May Bumps Captains' meeting. Any member of the University or the constituent boat clubs in *statu pupillari* may stand for election by submitting a manifesto to the present Honorary Secretary not less than 48 hours before the election.
- d. One bona fide in statu pupillari member from the Cambridge University Boat Club. This would currently be the CUBC Administrative Secretary, but this could be changed by a duly convened meeting of the University Boat Club.
- e. ~~The Coxswains' Representative~~, elected annually at the May Bumps meetings by the coxswains of the College Boat Clubs. Any member of the University or the constituent boat clubs in *statu pupillari* may stand for election by submitting a manifesto to the present Honorary Secretary not less than 48 hours before the election.

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- 16.

- a. That there be an Executive Committee comprising of the Chair~~person~~, the Senior Treasurer, the Honorary Secretary, the Coxswains' Representative and the two student secretaries of the CUBC. This Committee shall have responsibility for the day-to-day administration of the committee, College rowing on the River Cam and the organisation of races by the CUCBC. The Executive Committee shall be led by the Honorary Secretary and a majority of the elected members of the Executive Committee shall be full-time undergraduate or postgraduate students of the University of Cambridge;
- b. That there be a Senior Committee comprising the senior members of the CUCBC. This Committee shall have responsibility for discussions and recommendations relating to strategic and longer-term issues affecting College and University rowing on the Cam, and interactions with other official bodies (including, but not restricted to, the CRA, British Rowing, Cam Conservancy, CFPAS, local councils, police, University authorities). This Committee should meet on a

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regular termly basis, in advance of the main Captains' meeting of the term, and otherwise as necessary. The CUCBC Secretary should also normally attend these meetings.

17.
 - a. That the Officers of the body shall have the right to co-opt, for individual committee meetings or for a period, such advisors as shall appear desirable to further the objectives of the CUCBC
 - b. A Junior Treasurer should be co-opted annually [in the Easter Term] who shall be responsible for the day-to-day administration of the accounts, preparation of the budget (with the Senior Treasurer) and billing the constituent clubs.
 - c. One or more Events Secretaries shall be co-opted annually [in the Easter Term] to facilitate the organisation of races by the CUCBC and the constituent clubs.
 - d. An internet secretary should be co-opted annually [in the Easter Term] to maintain the CUCBC website and the e-mail lists.

Meetings

18. That there shall be a general meeting of the CUCBC during the first two weeks of each term to which all members shall be invited.
19. That the meeting at the beginning of the Michaelmas term shall be an Annual General Meeting at which the accounts for the previous years shall be presented and approved and the names of the Officers who shall have been elected by the respective clubs or appointed to the Senior Committee shall be announced and approved.
20. That other general meetings of the CUCBC may be convened as often as business shall require and the Secretary of the CUCBC shall give at least two days' notice of such meetings. A meeting shall be called if the Chairperson is requested, in writing, to call one by at least fifteen College Captains.
21. That meetings of the CUCBC shall be chaired by the Chairperson, or, in their absence, the Honorary Secretary. If neither the Chairperson nor Honorary Secretary is present, the remaining members of the Executive Committee shall select a chairperson for that meeting.
22. That no business shall be conducted unless there be at least fifteen members present excluding the Chairperson.
23. That each College Club shall have one vote for each of its Men's and Women's Clubs, and that, in general, motions shall be passed by a simple majority vote. The Chairperson shall have a vote and a further casting vote at such meetings. That, on a proposal from the Officers, the Chairperson may decree that a vote which would substantially affect the rules or regulations shall require a 67% vote of those present to be passed rather than the simple majority which will apply to other votes. The members of the Senior Committee shall only exercise their votes in the event that a matter of general concern to the good of the University is being discussed.
24. That the Secretary enter an account of all business transacted at meetings of the CUCBC in a Minute book and that at the opening of every meeting the minutes of the previous meeting, either pre-circulated to all members or read at the meeting, shall be approved.

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25. That the committee or any person intending to bring forward a motion at a general meeting shall ensure that a copy of the motion be given to the Secretary at least three days before a meeting and the Secretary shall ensure that all such motions are circulated with notice of the meeting.

Rule Changes

26. That amendments and additions to this Constitution (and the Rules of the River and regulations for Racing) may be made by means of a majority decision at a properly convened general meeting of the CUCBC, save that no amendment to any clause in paragraphs 1 to 55 of the Constitution shall be valid without the prior written approval of the Senior Committee, which approval shall not be withheld without good reason.

27. That no amendment to this Constitution intended to remove the position of Senior Treasurer, to alter its prerogatives and duties, or to change the criteria and procedure for the appointment of a Senior Treasurer can be put to a vote without the prior written agreement of the University Sports Service.

Finances

28. That the CUCBC shall cause to be opened a specific bank account, in the name of the club, into which subscriptions, entry fees and fines shall be paid and from which the charges relating solely to control and safety of rowing and events on the Cam shall be met. The Senior Treasurer shall be responsible for ensuring that appropriate budgets and accounts shall be established.
29. That the funding of the CUCBC shall be by such Club subscriptions, entry fees for CUCBC events and fines as shall be agreed at the Annual General Meeting for that year.
30. That the CUCBC Secretary or such other Official as shall be defined, send out accounts for the previous term dues at the beginning of each term.
31. That Clubs which have outstanding dues or have not paid their current entry fees by the published date shall be ineligible to compete in CUCBC run races.
32. That the Senior Treasurer shall, through the Committee, advise the CUCBC on the financial state of the organisation when so required and propose any reserves to be retained. Any funds available at the end of the year and reported to the Annual General Meeting to be surplus to reserves shall be allocated as agreed by the Meeting. To this end a proposal shall be circulated to the Committee prior to the Annual General Meeting.
33. That the Senior Treasurer shall make arrangements for the Society's Accounts to be properly audited, either by themselves, or by some other person approved under University Ordinances.
34. That the Executive Committee (acting by its members) is authorised to enter into contractual arrangements with third parties for and on behalf of all members, but only to the extent reasonably necessary for the proper performance of its duties pursuant to the constitution and acting always in the best interests of the CUCBC and its members. Non-Executive Committee members are not entitled to enter into contractual arrangements for and on behalf of other members unless expressly authorised in writing by the Executive Committee.

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35. That when entering into contractual arrangements pursuant to the above, the Executive Committee shall endeavour to agree a contractual limit on the members' liability which does not exceed the assets of the CUCBC from time to time, or, if not possible, a reasonable limit of liability taking into account the nature of the contract and the circumstances.
36. That all monies drawn against CUCBC funds should be authorised by the Senior Treasurer or Chairperson, either by signature, or access to online banking facilities.
37. That the assets of the CUCBC shall be held on trust by the members of the Executive Committee as trustees for the benefit of the CUCBC and its members.
38. That as an unincorporated association, all members are liable for any debts and obligations properly incurred by one or more members on behalf of the CUCBC. In the event that members individually or collectively suffer a claim, penalty or other financial loss or liability on behalf of the CUCBC (whether in negligence, contract or otherwise) which is not covered by insurance, then provided the relevant members have acted in good faith and in accordance with the constitution and have taken all reasonable steps to mitigate their loss, they shall be entitled to an indemnity from the Club's realisable assets up to the value of the assets from time to time, such indemnity to be administered by the Executive Committee, subject to the following exclusions: claims, penalties or other financial loss or liability incurred by a member or members: (i) as a result of criminal offences committed by such members; and/or (ii) in connection with the use of motor vehicles by such members; and/or (iii) which would have been covered by insurance but which due to the acts or omissions of such members (including but not limited to failure to obtain insurance required by law or failure to comply with the terms and conditions of insurance), is not so covered.
39. That the Senior Treasurer shall not be liable for any financial debt or other obligation of the CUCBC unless personally authorised such a debt in writing.
40. That for so long as the CUCBC shall be registered with the University Sports Service, it shall be the duty of the Executive Committee to ensure that the Club complies with the requirements for registration as a University Sports Club.

Complaints Processes

41. That prior to submitting a written complaint members should, where possible and appropriate, first discuss any concerns that they may have in relation to CUCBC activities with a member of the Executive or Senior Committee so that a suitable informal resolution may be considered. If not possible or appropriate, or an informal resolution cannot be agreed, then the member should follow the complaints process identified in the remainder of this section.
42. That prior to submitting a written complaint, members should refer to the University Sports Club Incident Pathway (Students/Adults) to determine the complaints procedure(s) that should be followed. Advice on the appropriate procedure(s) may be sought, in confidence, from the Sports Service Welfare Officer(s).

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- 43. That a complaint must be submitted in writing to the Executive Committee in an expedient manner. Complaints should be treated confidentially and must not be distributed publicly.
- 44. That the Executive Committee will acknowledge receipt of any written complaint within 7 days.
- 45. That the Executive Committee will meet to review the complaint within 21 days of receipt to determine what information, response or action is required. The Executive Committee will also agree an appropriate timescale for the process to be completed. This will be communicated to the complainant within 7 days of the meeting taking place.
- 46. That where indicated by the University Sports Club Incident Pathway (Students/Adults), or when agreed by the Executive Committee as the appropriate course of action following their meeting, the complaint will be referred to the Chairperson who will conduct an investigation.
- 47. That complaints against a member(s) of the Executive Committee may be lodged with the Chairperson, or if this is not appropriate, the Senior Treasurer. Where a further conflict of interest arises, with the Sports Service who will advise on the appropriate procedures depending on the nature of the complaint.

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Disciplinary Processes

- 48. That the CUCBC may expel or suspend a member whose actions are felt to be such as to bring the CUCBC into disrepute, or to adversely affect the smooth running of the CUCBC, events, or college rowing in a major way. Such expulsion or suspension can only be effected by a majority vote of all Executive Committee members, excluding the Senior Treasurer.
- 49. That the Executive Committee, in consultation with the Senior Committee, may also take other disciplinary action in respect of a member of the CUCBC, commensurate with the seriousness of the offence.
- 50. That the member against whom a complaint has been made will be given an opportunity to make written or oral representations, following the conclusion of any investigation, before a decision is taken regarding expulsion.
- 51. That in the event of an expulsion, the excluded member is required to return all equipment, documents and finances belonging to the CUCBC within 7 days
- 52. That if the excluded or suspended member wishes to appeal the decision, that appeal should be made to the Senior Treasurer, who will consider all the facts, and whose decision will be final. An appeal as to the process of exclusion, may be lodged with the Secretary of the University Sports Committee who will convene a Review Group from members of the Sports Committee/Sub-Committees. The Review Group will consider the investigation process and the facts of the case and their decision will be final.

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Dissolution

- 53. That the CUCBC may be dissolved at a General Meeting provided that at least Twenty-one days written notice of the intention to dissolve the Society has been given to the members. At least two thirds of those present and voting at the General Meeting must vote in favour of the motion for Dissolution for it to be effective;

54. That any motion for Dissolution of the Society shall provide that assets remaining after all liabilities have been met shall become property of the University and be transferred to the Sports Service.

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Provision of Information

55. The Executive Committee must supply annual accounts of the CUCBC to the University, together with such other information as the University may reasonably require from time to time, whether in connection with the CUCBC's registration as a Sports Club of the University, or in relation to the need to ensure that the CUCBC is being administered in accordance with paragraph 28(1)(a) of Schedule 3 to the Charities Act 2011 or otherwise.