

# Swanage Cricket Club Constitution

## CONSTITUTION

### 1. Name

The name of the Club is Swanage Cricket Club, hereafter to be referred to as "the club" and the club shall be affiliated to the England and Wales Cricket Board through the Dorset Cricket Board. The Club colours shall be blue, green & pink.

### 2. Aims and Objectives

To foster and promote the sport of amateur cricket at all levels within the community and within the sport, providing opportunities for recreation, coaching and competition.

To manage Swanage Cricket Club Pavilion & Grounds. This is to include the purchase & sale to Members and their Guests of refreshments and alcoholic liquors and the holding of a Club Registration Certificate.

To ensure that all members, playing and non-playing, abide by the ECB Code of Conduct which incorporates the Spirit of Cricket and by the Laws of Cricket.

To ensure a duty of care to all members of the club by adopting and implementing the ECB 'Safe Hands – Cricket's Policy for Safeguarding Children' and any future versions of the Policy.

To ensure a duty of care to all members of the club by adopting and implementing the ECB Club Inclusion & Diversity Policy and any future versions of the Policy.

To encourage all members to participate fully in the activities of the club.

To encourage the use of the Club ground for the purpose of all forms of ball games, athletic sports and other social recreations which may from time to time be approved by the Committee, and are considered to be in the interest of the Club, as long as it doesn't interfere with the playing & promotion of amateur cricket.

### 3. Membership

(a) Membership of the club shall be open to anyone interested in the sport of cricket on application regardless of sex, age, disability, ethnicity, nationality, sexual orientation, religion or other beliefs. However, limitation of membership according to available facilities is allowable on a non discriminatory basis.

(b) 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.

(c) Application for membership (Full, Junior, Family, Student, Social) of the club shall be by completion of a membership application form and by payment of the relevant subscription fees as determined by the Annual General Meeting of the club.

(d) No person shall be eligible to take part in the business of the club or eligible for selection for any club team unless the appropriate subscription has been paid by the specified date or membership has been agreed by the Committee.

(e) The club Committee may refuse membership, or remove it, only for good cause such as conduct or character likely to bring the club or cricket into disrepute. Appeal against refusal or removal may be made to the Committee who shall appoint an Appeals Committee to hear the appeal.

(f) All members will be subject to the regulations of the Constitution and by joining the club will be deemed to accept these regulations and any Codes of Conduct that the club has adopted. The Constitution shall identify those members eligible to vote at any General Meetings.

(g) Honorary Life Members shall only be elected by a simple majority at a General Meeting and a person is only eligible for election if he/she has rendered exceptional service to the Club.

(h) Honorary Members shall only be elected by a simple majority at a Management Committee Meeting and a person is only eligible for election if he/she has rendered a good service to the Club.

(i) Vice Presidents shall only be elected by a simple majority at a Management Committee Meeting.

(j) The membership year will run from 1<sup>st</sup> January to 31<sup>st</sup> December.

#### **4. Classes of Membership**

There shall be seven classes of membership available. These are:

- Full Playing Member
- Junior Playing Member (Up to and including U15's)
- Student Member (Over 15's, under 18's or in full time education)
- Social Member
- Family Member (1 full playing member & any junior, student or non-playing member with the same home address)

- Honorary Life Member
- Honorary Member
- Vice President

A list of members in each category shall be maintained by the Treasurer or other Officer of the club.

The following categories of membership will have full voting rights at all meetings:

- Full Playing Member
- Student Playing Member
- Family Members (full or student members only-if none exist then one adult family member only) *proposals aimed at widening interest in club affairs to parents of junior members*
- Honorary Life Member
- Honorary Member
- Vice President
- Honorary President *proposal aimed at clarifying voting rights*

## 5. Officers

The Officers of the club shall be as follows:

### Executive Officers

- Chair
- Secretary
- Treasurer
- Club Welfare Officer
- Fixture Secretary
- Captains
- Vice-Captains
- Team Secretary
- Club Development Plan Coordinator
- Website Administrator
- Social Secretary
- Membership Secretary
- League Secretary
- PR & Media Officer
- Youth Coordinator
- Disability Coordinator
- Woman / Girls Coordinator
- Volunteer Coordinator
- Pavilion / Bar Manager

- Chairman Bar Committee
- Chairman Selection Committee

#### Honorary Officers

- President

### 6. Election of Officers

All Officers shall be elected at the Annual General Meeting of the club from, and by, the voting members of the club.

All Officers shall be elected for a period of one year, but shall be eligible for re-election to the same office or to another office the following year.

### 7. Management Committee

The affairs of the club shall be conducted by a Management Committee (the Committee) comprising of the President, Executive Officers of the club, a representative of other sports (if played at the Club) and at least three other members elected from, and by, by the voting Members of the club. All members of the Management Committee ~~Only the Executive Officers and the elected members of the Committee~~ shall be entitled to vote at Committee meetings. *Proposals remove limits on participants having to be a voting member of the club (i.e allows social members to stand etc) and extends a vote to representatives of other sports played at the club to reflect closer working relationship in club affairs with the croquet club.*

The Committee will be convened by the Secretary within four weeks of election and shall meet at agreed intervals and not less than eight times per year.

The Secretary shall give seven days' notice of a meeting in writing or by electronic means to all Committee Members and shall send therewith an Agenda.

The quorum required for business to be agreed at Committee meetings shall be five.

The duties of the Committee shall be:

- a) To control the affairs of the club on behalf of the members.
- b) To keep accurate accounts of the finances of the club through the Treasurer. These should be available for reasonable inspection by members and Year End Accounts prepared before every Annual General Meeting. The club shall maintain a bank current account and the following Officers shall be authorised to sign club cheques: any two from the

President, Chair, Treasurer and Secretary. *Proposed change consistent with Sec. 12*

- c) To co-opt additional members of the Committee as the Committee feel is necessary. Co-opted members shall not be entitled to a vote on the Committee and shall serve until the end of the next Annual General Meeting.
- d) To make decisions on the basis of a simple majority vote. In the case of equal votes, the Chair shall be entitled to an additional casting vote.

The Committee shall have powers to appoint sub-committees as necessary and to co-opt advisers who may be non club members invited to advise on specialist subjects.

An elected Committee member ceases to be such if he or she ceases to be a member of the club, resigns by written notice, or is removed by the Committee for good cause after the member concerned has been given the chance of putting their case to the Committee. Appeal against removal may be made to the Appeals Committee. The Committee shall fairly decide time limits and formalities for these steps.

The Committee has the power to:

- (a) acquire and provide grounds, equipment, coaching, training and playing facilities, clubhouse, transport, medical and related facilities
- (b) provide coaching, training, medical treatment, and related social and other facilities
- (c) take out any insurance for club, employees, contractors, players, guests and third parties
- (d) raise funds by appeals, subscriptions, loans and charges
- (e) borrow money and give security for the same, and open bank accounts
- (f) set aside funds for special purposes or as reserves
- (g) invest funds in any lawful manner
- (h) employ and engage staff and others and provide services
- (i) co-operate with or affiliate firstly to any bodies regulating or organising the sport of cricket and secondly any club or body involved with cricket and thirdly with government and related agencies
- (j) do all other things reasonably necessary to advance the aims and objectives of the club.

NONE of the above powers may be used other than to advance the aims and objectives in a manner consistent with the Rules and the general law.

## **8. Bar Committee**

The Bar Committee shall consist of a Chair and up to ~~four~~ six other elected members. The Committee shall be elected at the Annual General Meeting. The hours during which the Bar shall be open shall be determined by the Management Committee, within permitted hours of the District. The Bar Committee shall be responsible for the purchase and sale of all liquor belonging to the Club and will be responsible for accounting to the Management Committee for all profits made on the sale of liquor. *Minor change aimed at increasing numbers on the Bar Committee to reflect discussions at the last AGM.*

## **9. Selection Committee**

The selection of teams shall be carried out by the Selection Committee elected at the Annual General Meeting. The Committee shall consist of a Chair, Team Secretary and the Captains or in their absence the Vice-Captains and up to four other elected members. The Team Secretary shall be responsible for notifying members of their selection. In his absence the Captains shall be responsible for notifying members. *Reason for change self evident*

## **10. General Meetings**

The Annual General Meeting of the club shall be held during the month of November each year on a date decided by the Management Committee. 14 clear days written notice of the Annual General Meeting shall be given to members by circulating a copy of the notice to every member either at their home address or by electronic means and posting the notice on the Club notice board & on the Club Website. Members must advise the Secretary in writing of any other business to be moved at the Annual General Meeting at least 14 days before a meeting. The Secretary shall circulate or give notice of the agenda for the meeting to members not less than 14 days before the meeting.

The business of the Annual General Meeting shall be to:

- a) Confirm the minutes of the previous Annual General Meeting and any General Meetings held since the last Annual General Meeting
- b) Receive the prepared accounts for the year from the Treasurer
- c) Receive the annual report of the Committee from the Secretary
- d) Receive Captain's Reports
- e) Receive Youth Section Report
- f) Elect an auditor
- g) Elect the Officers of the Club
- h) Review club subscription rates and agree them for the forthcoming year
- i) Transact such other business received in writing by the Secretary from

members 14 days prior to the meeting and included on the agenda.

Nominations of candidates for election of Offices shall be made in writing to the Secretary at least 14 days in advance of the Annual General Meeting date. Nominations can only be made by voting Members and must be seconded by another voting Member.

Special General Meetings may be convened by the Committee or on receipt by the Secretary of a request in writing from not less than ten voting Members of the club. At least 21 days notice of the meeting shall be given.

At all General Meetings, the Chair will be taken by the Chair or, in their absence, by a deputy appointed by voting Members attending the meeting. Decisions made at a General Meeting shall be by a simple majority vote from those voting Members attending the meeting. In the event of equal votes, the Chair of the meeting shall be entitled to an additional casting vote.

A quorum for a General Meeting shall be 20 of the Voting Members and Officers of the Club including at least 2 from the Chair, Secretary and Treasurer.

Each voting Member of the Club and Executive Officer sitting on the Management Committee shall be entitled to ~~one~~ <sup>proposal</sup> vote at General Meetings. *removes current anomaly in that social members etc who sit on the Management Committee are not eligible to vote at the AGM despite their involvement in club affairs during the year. This is detrimental to encouraging people to stand for election and get involved in club affairs.*

## **11. Alterations to the Constitution**

Any proposed alterations to the club Constitution may only be considered at an Annual or Special General Meeting, convened with the required written notice of the proposal. Any alteration or amendment must be proposed by a voting Member of the club and seconded by another voting Member. Such alterations shall be passed if supported by not less than three-quarters of those Full Voting Members present at the meeting, assuming that a quorum has been achieved.

## **12. Finance**

All club monies shall be banked in an account in the name of the club.

The Treasurer shall be responsible for the finances of the club and for providing a report on the financial position as required by the Committee.

The Treasurer shall ensure that the club maintains adequate and appropriate insurance to cover the activities of the club.

The financial year will end on 30<sup>th</sup> September..

The Treasurer will present a statement of annual accounts at the Annual General

Meeting prepared by a Qualified Accountant.

Any cheques drawn against club funds should hold the signatures of two people being the President, Treasurer, Chair or Secretary, who must act within the authority bestowed on them by the Management Committee.

No Member may collect money for any purpose in the Club's name, or on behalf of the Club, unless expressly authorized by the Committee for that purpose and any Member so authorized shall account to the Treasurer for the money so received by him.

### **13. Property and Funds**

- (i) The property and funds of the club cannot be used for the direct or indirect private benefit of members other than as reasonably allowed by the Rules and all surplus income or profits shall be reinvested in the club.
- (ii) All property kept at the Club belongs to Swanage Cricket Club unless otherwise agreed by the Management Committee in writing.
- (iii) The club may also in connection with the sports purposes of the club:
  - (a) Sell and supply food, drink and related sports clothing and equipment
  - (b) Employ members (though not for playing) and remunerate them for providing goods and services, on fair terms set by the Committee without the person concerned being present
  - (c) Pay for reasonable hospitality for visiting teams and guests
  - (d) Indemnify the Committee and members acting properly in the course of the running of the club against any liability incurred in the proper running of the club (but only to the extent of its assets).

### **14. Discipline and Appeals**

All complaints regarding the behaviour of members should be lodged in writing with the Secretary.

The Committee shall appoint a Disciplinary sub-committee who will meet to hear complaints within 28 days of a complaint being lodged. Any member requested to attend a Disciplinary sub-committee shall be entitled to be accompanied by a friend or other representative and to call witnesses. The Committee (or its sub-committee) has the power to take appropriate disciplinary action, including the termination of membership.

The outcome of the disciplinary hearing shall be put in writing to the person who lodged the complaint and the member against whom the complaint was made within 14 days following the hearing.

There shall be a right of appeal to the Committee against either the finding or the sanction imposed or both following disciplinary action being taken. The Committee shall appoint an Appeals Committee (a maximum of three) which shall not include members involved with the initial disciplinary hearing but may include non members of the club. The Appeals Committee shall consider the appeal within 28 days of the Secretary receiving the appeal. The individual submitting the appeal shall be entitled to be accompanied by a friend or other representative and to call witnesses. The decision of the Appeals Committee shall be final and binding on all parties.

## **15. Dissolution**

- a) If at any General Meeting of the club, a resolution be passed calling for the dissolution of the club, the Secretary shall immediately convene a Special General Meeting of the club to be held not less than one month thereafter to discuss and vote on the resolution.
- b) If at that Special Meeting, the resolution is carried by at least two-thirds of the Full Voting Membership present at the meeting, the Committee shall thereupon, or at such date as shall have been specified in the resolution, proceed to realise the assets of the club and discharge all debts and liabilities of the club.
- c) The Committee will then be responsible for the orderly winding up of the club's affairs.
- d) After settling all liabilities of the club, the Committee shall dispose of the net assets remaining to one or more of the following:
  - i) to another club with similar sports purposes which is a registered charity and/or
  - ii) to another club with similar sports purposes which is a registered Community Amateur Sports Club and/or
  - iii) to the club's governing body for use by them for related community sports.

## **16. Trustees**

There shall be four Trustees appointed by the Management Committee. The Freehold and Leasehold Property of the Club shall be vested in them to be dealt with by them as the Management Committee shall direct by way of written resolution (of which an entry in the minutes of the Management Committee signed by the Chair shall be conclusive evidence) provided that the Trustees shall not make any disposition (other than a lease for less than 21 years) unless directed by both the Management Committee and by a resolution passed by at least two thirds majority of the voting members attending at a General Meeting of the Club. An entry in the minutes of such meeting and signed by the Chair shall be conclusive evidence of such resolution.

The Trustees will be indemnified against all risk liability and expense arising in their capacity as Trustees from the Club's assets including freehold and leasehold property.

A Trustee may hold the office until attaining the age of 80 or until removal or retirement. The Management Committee for any reason may remove a Trustee from office. The Management Committee may nominate a new Trustee on death, retirement or removal of a Trustee or Trustees. In each case a written resolution of the Management Committee signed by the Chair shall be conclusive evidence. To give effect to such nomination the President for the time being of the Club shall be the person entitled to appoint new Trustees for the purpose of section 36 of the Trustee Act 1925 and he/she shall by deed duly appoint the person or persons nominated.

## **17. Declaration**

Swanage Cricket Club hereby adopts and accepts this Constitution as a current operating guide regulating the actions of all members.

### **SIGNED (CLUB CHAIRMAN)**

**NAME**

**DATE**

### **SIGNED (CLUB SECRETARY)**

**NAME**

**DATE**