



# **Lansdown Cricket Club**

## **CONSTITUTION**

Approved by members

at the

**Annual General Meeting**

28 February 2014

## **1. Name and Identity**

- 1.1. The name of the Club, established in 1825, is Lansdown Cricket Club.
- 1.2. The colours of the club shall be Blue, White and Black and the Club Badge shall be the Griffin.

## **2. Club Purpose**

- 2.1. The purposes of the Club are to foster and promote participation in the amateur sport of cricket within the community, providing facilities for playing cricket, opportunities for recreation, coaching and competition.

## **3. Affiliation**

- 3.1. The Club is affiliated to the England and Wales Cricket Board through both the Somerset and the Gloucestershire County Cricket Boards.
- 3.2. The Club and its members shall ensure that members, playing and non-playing, abide by the ECB Code of Conduct which incorporates the Spirit of Cricket and by the Laws of Cricket.
- 3.3. The Club shall adopt and implement the ECB *Safe Hands – Cricket's Policy for Safeguarding Children* and any future versions of the policy.
- 3.4. The Club shall adopt and implement the ECB *Cricket Equity Policy* and any future versions of this policy.

## **4. Permitted means of advancing the Purposes**

### **4.1. The Supervisory Board**

- 4.1.1. Shall consist of the Club Officers (Chairman, Secretary and Treasurer) and the Director of Cricket. The President of the Club shall be invited to attend all meetings of the Board, but will not be entitled to vote.
- 4.1.2. Three members shall form a quorum, one of whom must be the Club Chairman who shall chair meetings
- 4.1.3. Shall be responsible for:
  - 4.1.3.1. establishing and maintaining a continuing development plan for the Club,
  - 4.1.3.2. nominating the President for election at the AGM
  - 4.1.3.3. the setting of Club policy both on and off the field,
  - 4.1.3.4. establishing and approving income and expenditure budgets, and

4.1.3.5. approving the Club's annual financial statements.

4.1.3.6. The Supervisory Board shall meet a minimum of four times between Annual General Meetings to ensure that income and expenditure is within budgets and that the Club Development Policy is maintained both in content and execution.

4.1.3.7. All meetings of the Supervisory Board shall be minuted and copies shall be circulated to the General and Cricket Committees and posted on the Club's website.

**4.2. The Management Committee has the power to:**

4.2.1. acquire and provide grounds, equipment, coaching, training and playing facilities, clubhouse, transport, medical and related facilities;

4.2.2. take out any insurance for club committee, employees, contractors, players, guests and third parties;

4.2.3. raise funds by appeals, subscriptions, loans and charges;

4.2.4. borrow money and give security for the same, and open bank accounts;

4.2.5. buy, lease or licence property and sell, let or otherwise dispose of the same provided that no disposal of the Club's leasehold interest in its Ground at Combe Park, Bath can be made without the approval of the members voting at a general meeting;

4.2.6. make grants and loans and give guarantees and provide other benefits;

4.2.7. set aside or apply funds for special purposes or as reserves;

4.2.8. deposit or invest funds in any lawful manner;

4.2.9. employ and engage staff and others and provide services;

4.2.10. co-operate with any organisation, club, sporting body, government or government-related agencies; and

4.2.11. do all other things reasonably necessary to advance the purposes.

4.3. NONE of the above powers may be used other than to advance the purposes consistently with the Rules below and the general law.

## **5. President**

- 5.1. The Club shall have a President who shall be elected for a three year term at the Annual General Meeting. The President shall be eligible for election for further terms of office.
- 5.2. Nominations for President shall be made by the Supervisory Board, the consent of each nominee having previously been obtained.
- 5.3. The President shall be an ex officio member of the Supervisory Board

## **6. Property Trustees**

- 6.1. All property or assets of the Club shall be vested in three trustees. The trustees shall hold the same for and on behalf of the members of the Club.
- 6.2. The Committee shall have power by notice in writing to appoint such trustees from the membership of the Club, and may remove them at any time, by resolution of the Committee.
- 6.3. The trustees shall deal with the Club's property and assets as directed by the Committee from time to time.
- 6.4. The trustees shall be entitled to be indemnified against any cost or expense properly incurred in dealing with the property or the assets out of the Club's funds.

## **7. Membership**

- 7.1. 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. However, limitation of membership according to available facilities is allowable on a non discriminatory basis.
- 7.2. The Club may have different classes of membership and subscription on a non discriminatory and fair basis. The Club will have an equitable pricing policy and will keep subscriptions at levels that will not pose a significant obstacle to people participating.
- 7.3. The level of subscriptions will be decided by the Management Committee from time to time and notified to the members.
- 7.4. The Club will have the following classes of membership:
  - 7.4.1. Full member- playing
  - 7.4.2. Full member – non-playing
  - 7.4.3. Youth or Junior member (under the age of 18)

7.4.4. Family members (minimum two playing and one non-playing members)

- 7.5. On the recommendation of the Supervisory Board, members may be elected Honorary Life Members, Honorary Vice-Presidents or Vice-Presidents at the Annual General Meeting. Such Honorary Life Members, Honorary Vice-Presidents and Vice-Presidents shall retain all the privileges of membership, including being entitled to vote at meetings and to serve as Officers and on the Management Committee.
- 7.6. The Supervisory Board shall be empowered to confer Honorary membership for a period not exceeding one year on non-members who have given conspicuous service to the Club. Such Honorary members shall enjoy the full privileges of membership, except that they shall not be entitled to vote at meetings or serve as Officers or on the Management Committee.
- 7.7. Life Membership shall only be available at such times and at such rates as the Supervisory Board shall decide.
- 7.8. The Management Committee shall be empowered to grant associate membership to paying members of Clubs and Associations applying to use the Club's facilities, on such terms and conditions as may be agreed.
- 7.9. Associate members shall enjoy such privileges of membership as may be determined by the Management Committee. They shall not be entitled to vote at meetings or serve as Officers or members of the Management Committee.
- 7.9.1. Application for membership of the Club shall be by completion of a membership application form.
- 7.9.2. No person shall be eligible to take part in the business of the Club, vote at general meetings or be eligible for selection for any Club team unless the applicable subscription has been paid by the due date and/or membership has been agreed by the Management Committee. Two days must also have passed since the application for membership was submitted before membership can be granted.
- 7.9.3. The Management Committee may refuse membership, or remove it, at their discretion but only for good cause such as conduct or character likely to bring the Club or cricket into disrepute and:
- 7.9.4. The Management Committee may only refuse to admit a new member if a resolution is passed at a meeting of which the person in question has been notified in writing in advance and been given 14 days to submit written representations for the Management Committee to consider at the meeting. Appeal against a refusal of membership shall be to the Appeal Committee as detailed below.
- 7.9.5. The procedure for taking disciplinary action against a member, including removing membership, is set out in Section 13.
- 7.10. All members will be subject to these Rules and by joining the Club will be deemed to accept these Rules, any Club Regulations and any Codes of Conduct that the Club

has adopted. A Code of Conduct for Members and Guests must be displayed prominently at the Club's premises to ensure that all Club guests and non-member volunteers are aware of the code and the requirement to abide by it.

7.11. The Membership Secretary will keep a register of members.

7.12. Membership is not transferable and shall cease on death.

7.13. A member may resign by written notice to the Club, but the return of any subscription paid is at the discretion of the Club Committee.

## **8. All General Meetings**

8.1. All members may attend all general meetings of the Club in person.

8.2. All full members have one vote.

8.3. Members must be given at least twenty one clear days written notice of all general meetings.

8.4. The quorum for all general meetings is not less than twenty five members present.

8.5. If a quorum is not present within 15 minutes of the start of the meeting, the meeting will be adjourned to the following week at the same time and place or such other time and place as the Committee decide and any voting members attending the adjourned meeting will constitute a quorum.

8.6. The Chair or (in his or her absence) another member chosen at the meeting by the members shall preside.

8.7. Except as otherwise provided in these Rules or in Club Regulations every resolution shall be decided by a simple majority of the votes cast on a show of hands.

8.8. Where a proposition, or an amendment, contemplates amendment to these Rules or Constitution, the consent of not less than two thirds of those members present and voting at a General Meeting shall be required.

8.9. Formalities in connection with general meetings (such as how to put down resolutions) shall be decided by the Management Committee in Club Regulations and publicised to Club members.

## **9. Annual General Meetings (AGM)**

9.1. The Club will hold an AGM once in every calendar year, no later than the end of February and in any case not more than 15 months after the last AGM. At every AGM:

9.2. the Members will elect a Management Committee including a Chairman, Treasurer and Secretary together with the Chairmen of all sub-committees together with two

members who are neither office-holders or sub-committee chairmen to serve until the next AGM provided that no Committee member shall serve for more than five consecutive terms without spending one year out of office before being eligible for appointment again

9.3. the members will elect a chairman for each of the following sub-committees, namely the Cricket and the House sub-committees

9.4. the Treasurer will present accounts of the Club for the latest financial year audited as the Committee shall decide;

9.5. the Management Committee will present a report on the Club's activities since the previous AGM;

9.6. the Members will appoint a suitable person to audit the accounts; and

9.7. the Members will discuss and vote on any resolution (whether about policy or to change the Rules) and deal with any other business put to the meeting.

## **10. Extraordinary General Meetings (EGM)**

10.1. An EGM shall be called by the Secretary within 14 days of a request to that effect from the Committee or on the written request of not less than 25 members signed by them. Such EGM shall be held not less than 14 nor more than 21 days' notice at a place decided upon by the Committee or in default by the Chair. If the Committee fails to call a meeting within 14 days of receiving a valid request from the members then those members requisitioning the meeting may themselves call a meeting, the costs of which will be reimbursed by the Club.

## **11. The Management Committee**

### **11.1. Role**

11.1.1. Subject to these Rules the Management Committee shall have responsibility for the management of the Club, its funds, property and affairs.

### **11.2. Property etc.**

11.2.1. 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 are to be re-invested in the Club. No surpluses or assets will be distributed to members or third parties.

11.2.2. The Club may provide sporting and related social facilities, sporting equipment, coaching, courses, insurance cover, medical treatment, away-match expenses, post match refreshments and other ordinary benefits of Community Amateur Sports Clubs as provided for in the Corporation Tax Act 2010.

11.2.3. The Club may also in connection with the sports purposes of the Club:

11.2.3.1. sell and supply food, drink and related sports clothing and equipment;

11.2.3.2. 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;

11.2.3.3. pay for reasonable hospitality for visiting teams and guests; and

11.2.3.4. 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).

11.2.4. The Committee will have due regard to the law on disability discrimination and the safeguarding of children and vulnerable adults.

### **11.3. Composition etc.**

11.3.1. The Committee shall consist of the Chairman, Hon.Secretary, Hon.Treasurer, Chairman of the Cricket Committee and Chairman of the House Committee and two members elected at the AGM.

11.3.2. Any Committee member may be re-elected without limit.

11.3.3. A Committee member ceases to be such if he or she:

11.3.3.1. ceases to be a member of the Club; or

11.3.3.2. resigns by written notice to the Club; or

11.3.3.3. is removed by the Committee in accordance with clause 7.9.3 or 13.

### **11.4. Committee Meetings**

11.4.1. Whenever a Committee member has a personal interest in a matter to be discussed he/she must declare it, withdraw from that part of the meeting (unless asked to stay), not be counted in the quorum for that agenda item and withdraw during the vote and have no vote on the matter concerned.

11.4.2. The Committee may decide its own way of operating. Unless it otherwise resolves, the following rules apply:

11.4.2.1. at least 2 Committee members must be present for the meeting to be valid;

11.4.2.2. the Committee shall meet not less than four times between AGMs

11.4.2.3. the Chair or whoever else those present choose shall chair meetings;

11.4.2.4. decisions shall be by simple majority of those voting;



11.4.2.5. a resolution in writing signed by every Committee member shall be valid without a meeting; and

11.4.2.6. the chair of the meeting shall have a casting vote.

11.4.3. The Committee shall appoint a Club Welfare Officer to ensure compliance with safeguarding legislation and the ECB Safe Hands policy. The Club Welfare Office shall report to relevant Committee meetings and the reports, together with any action taken, must be minuted

## **11.5. Bank Account**

11.5.1. Any bank account in which any part of the Club's funds are deposited shall be operated by the Committee and shall be held in the name of the Club. Unless regulations state otherwise, all cheques and orders for payment of money from such accounts must be signed by at least two people authorised by the Committee, including at least one Committee member.

## **11.6. Delegation, etc.**

11.6.1. The Committee may delegate any of their functions to sub-committees but must specify the scope of its activity and powers; the extent to which it can commit the funds of the Club; its membership; its duty to report back to the Committee. The Committee may wind up any sub-committee at any time or change its mandate and operating terms.

## **11.7. Disclosure**

11.7.1. Annual club reports and statements of account must be made available for inspection by any member and all club records may be inspected by any Committee member.

## **12. Visitors**

12.1. Every member shall be allowed to introduce a limited number of visitors at any one time, subject to such regulations as shall be made from time to time by the Management Committee, provided that no such person shall be introduced as a visitor into the Club who shall have been expelled from membership or whose conduct or presence in the Club shall be considered by the Management Committee objectionable or prejudicial to the interests of the Club.

12.2. Visitors who are introduced shall be able to purchase intoxicating liquor.

12.3. Members, officials and supporters of visiting teams may be introduced in accordance with this Rule and shall by virtue of such introduction be admitted to the Club and be entitled to purchase intoxicating liquor.

12.4. Those visitors attending the Club and/or its functions on a regular basis may be approached by the Hon. Membership Secretary to submit an application for membership in the appropriate category.

12.5. If, following such an approach, an application is not made, without good reason, within 14 days from the date thereof, such visitor or visitors shall no longer be entitled to use the Club facilities.

12.6. The Management Committee shall be empowered to hire the Club's facilities to non- members, who may purchase intoxicating liquor for consumption on the premises

### **13. Removal of Membership, Discipline and Appeals**

13.1. Any complaints regarding the behaviour of members, guests or volunteers should be lodged in writing with the Secretary.

13.2. Any person that is the subject of a written complaint or appeal shall be notified of the procedures to be followed by the relevant committee in reasonable time to prepare for any hearing.

13.3. The Committee shall appoint a standards sub-committee ("Standards Sub-Committee") who will meet to hear complaints within 21 days of a complaint being lodged. Any person requested to attend a Standards Sub-Committee shall be entitled to be accompanied by a friend or other representative and to call witnesses. The Standards Sub-Committee has the power to take appropriate disciplinary action on behalf of the Committee, including the termination of membership or exclusion from Club premises.

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

13.4.1. There shall be a right of appeal within 14 days of receipt of the disciplinary decision or decision to refuse membership:

13.4.1.1. against the Standards Sub-Committee's findings or the sanction imposed or both; and

13.4.1.2. against the Committee's refusal to admit a new member

13.5. in either case, the Committee shall appoint an appeals committee ("Appeals Committee"). The Appeals Committee shall have a maximum of three members 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 21 days of the Secretary receiving the appeal. The individual who submitted 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.

## **14. Club Regulations**

- 14.1. The Committee may make Club Regulations consistent with these Rules and will publicise these to the members.

## **15. Notices**

- 15.1. Notices to be sent out in accordance with these Rules may be sent by hand, by post or by suitable electronic means and will be treated as being received:

15.1.1. 24 hours after being sent by electronic means or delivered by hand to the relevant address;

15.1.2. Two clear days after being sent by first class post; or

15.1.3. Three clear days after being sent by second class post.

- 15.2. Notice of all general meetings must also be put on the Club's notice board(s) and website.

- 15.3. A technical defect in the giving of notice of which the members or the Committee are unaware at the time does not invalidate decisions taken at a meeting.

## **16. Amendments**

- 16.1. These Rules may be amended at a general meeting by resolution passed by two-thirds of the votes cast but not (if relevant) so as to jeopardise the Club's status as a Community Amateur Sports Club as first provided for by the Corporation Tax Act 2010 and not in any event to alter its purposes (unless the procedure set out in 9(b) has been followed) or winding up provisions.

- 16.2. The Management Committee shall be the sole authority for the interpretation of these Rules and the decision of the Management Committee upon any question of interpretation upon any matter affecting the Club and not provided for by these Rules shall be final and binding upon members

- 16.3. The Club Purposes may be changed to include another eligible sport if the Committee unanimously agree and the members also agreed the change by a 75% majority of votes cast.

## **17. Winding Up the Club**

17.1. The members may vote to wind up the Club if not less than three quarters of those present and voting support that proposal at a properly convened general meeting.

17.2. The Committee will then be responsible for the orderly winding up of the Club's affairs.

17.3. After settling all liabilities of the Club, the Committee shall dispose of the net assets remaining to one or more of the following:

17.4. to another Club with similar sports purposes which is a charity; and/or

17.5. to another Club with similar sports purposes which is a registered CASC; and/or

17.6. to the Club's national governing body for use by them for related community sports.

### **Adopted at a meeting held**

at [Place]

on [Date]

#### **Signed**

Name .....

Signature .....

[Name and signature of chair of meeting]

Witnessed .....

Name .....

Address .....

Occupation .....

Signature .....

[Name, address, occupation and signature of witness]