



HARLOW CRICKET CLUB LIMITED

Playing Cricket since 1774

CLUB CONSTITUTION

Name and Aims and Objectives

The name of this club is **HARLOW CRICKET CLUB** and is affiliated to the England and Wales Cricket Board through the ESSEX COUNTY Cricket Board.

The main purposes of the Club are to provide facilities for and to promote participation in the amateur sport of cricket.¹

The aims and objectives of the club will be:

1. The Club will be a non-profit making organisation and any surplus funds will be reinvested in the Club and its operations. No dividends will be made to any member.
2. To play and encourage Cricket according to the laws of the ECB code of conduct and the laws of cricket.
3. The Club shall adopt and implement the ECB Safe Hands – Cricket's Policy for Safeguarding Children and any future versions of the policy. The Club must also have a separate club safeguarding Policy Statement, as required by the ECB.²
4. The Club shall adopt and implement the ECB Anti-Discrimination Code of Conduct and any future versions of this policy.³
5. To offer coaching and competitive opportunities in Cricket
6. To promote the club within the local community and Cricket
7. To ensure a duty of care to all members of the club
8. To provide all its services in a way that is fair to everyone
9. To ensure that all-present and future members receive fair and equal treatment.
10. To engage in Social Activities for the Club
11. To hold the leasehold interest in Marigolds and Spicers Field
12. To manage the grounds and all facilities at Marigolds and on Spicers Field.

¹ These objects follow the HMRC model CASC clauses and is compulsory for CASCs. Any change to this clause could mean that the Club doesn't qualify as a CASC. It is good governance for all Clubs to include a provision about their purpose.

² ECB Clubmark requirement.

³ ECB Clubmark requirement.

13. To carry on business as a general trading commercial company in the furtherance of the above objectives.

Permitted means of advancing the Purposes⁴

14. The Committee has the power to:

- a. acquire and provide grounds, equipment, coaching, training and playing facilities, clubhouse, transport, medical and related facilities;
- b. take out any insurance for the Committee, employees, contractors, players, guests and third parties;
- c. raise funds by grants, appeals, subscriptions, loans and charges;
- d. borrow money and give security for the same, and open bank accounts;
- e. buy, lease or licence property and sell, let or otherwise dispose of the same [provided that no disposal of Harlow Cricket Club can be made without the prior written approval of the members voting at a general meeting]
- f. make grants and loans and give guarantees and provide other benefits;
- g. set aside or apply funds for special purposes or as reserves;
- h. deposit or invest funds in any lawful manner;
- i. employ and engage staff and others and provide services;
- j. co-operate with any organisation, club, sporting body, government or government-related agencies; and
- k. do all other things reasonably necessary to advance the purposes.

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

Membership

- 16. Membership of Harlow Cricket Club is open to anyone interested in the sport on application on application regardless of sex, age, disability, ethnicity, Nationality, colour, sexual orientation, religion or other beliefs, except as a necessary consequence of the requirements of cricket.⁵
- 17. 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.⁶

⁴ Good governance to include a list of powers the Club can use.

⁵ Compulsory for CASC, if applicable. Suggested wording for Clubmark compliance.

⁶ Compulsory for CASC, if applicable. Suggested wording for Clubmark compliance.

18. The Club Committee may refuse membership, or remove it, only for a good cause such as conduct or character likely to bring the club or cricket into disrepute. Any person excluded by the Management Committee shall have the right to an appeal hearing and the right to attend that hearing and to be represented and produce witnesses in support of his/her appeal. The decision of the Appeal Board shall be final.
 19. The Club has three categories of Membership:
 20. **Full Members** – Which include the President, Vice Presidents and Life Members of Harlow Cricket Club and all playing members as defined later, over the age eighteen, may play cricket, attend social events, serve on the selection committee, vote at Annual General Meeting, sign in guests, use the clubhouse and facilities, purchase alcoholic beverages from the bar and nominate Committee Members at the Annual General Meeting.
 21. **Junior Playing Members** – Those under the age of eighteen years of age may have the privileges of full membership **except**;

To purchase alcoholic beverages.

To nominate Committee Members and vote at Annual General Meetings. If, however they have played in five or more senior games for the Club in the previous season, they will be allowed to nominate and vote in the elections of team Captains and Vice captains.
- Note:** In addition, parents/carers/guardians of a junior playing member will enjoy automatic non-voting membership status of the Club as part of that junior membership.
22. **Non-Playing Members** – May attend social functions and use the Clubhouse facilities. They may not vote at general Meetings.
 23. A nominated person should keep a register of all members.⁷
 24. The President will be elected annually at the Annual General Meeting. The President will retire each year but will be eligible for re-election subject to the rules included here later. The President will have the privileges of full membership but will not be eligible to vote except where later described in this document.
 25. The role of President will be principally that of a symbolic figurehead of the Club. The President will have no official duties or rights outside of those described elsewhere in this Constitution and will not be entitled to take any action which may affect or bind the Club without the prior written authority of the Committee. The President might, from time to time, be empowered to undertake various roles and duties as may be asked of him by the Committee.
 26. Life Members shall be past members and other persons who have given exceptionally long and meritorious service as an Officer and /or a Playing Member of the Club. Following a written and seconded proposal sent to the Club Secretary in time to be circulated with the notice of the AGM nominations for Life Membership will be decided upon by a simple majority vote at an AGM. Life Members will have the privileges of full membership including voting rights.

⁷ Nominated person to keep a members register.

27. Vice Presidents shall be past members and other persons who have given service to the Club and who will be appointed from time to time at the discretion of the Management Committee for a given period of time. The management Committee will review the schedule of Vice Presidents annually before the AGM. Vice Presidents will have the privileges of full membership but will not be eligible to vote unless they are an officer of the Club or a member.
28. A playing member of the Club is deemed to be someone who has played a game of cricket for Harlow CC and who has paid their annual subscription and any match fees in full.
29. Annual subscriptions will be paid in full by the second Sunday in May or at such date as decided upon by the Committee and match fees will be paid on the day of the match. (see clause 69 below)
30. All members will be subject to the regulations of this constitution and by joining the club will be deemed to accept these regulations and codes of conduct that the club has adopted.

The Committee shall have the right to refuse or withdraw membership of the Club subject to the terms of this Constitution. 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. (Clauses 87-93)

A Code of Conduct for Members and Guests must be displayed prominently to ensure that all Club guests and non-member volunteers are aware of the code and the requirement to abide by it.⁸

Committee

31. The club will be managed through the Management Committee, hereafter known as the Committee, consisting of the Chairman, Secretary, Treasurer, Club Captain, Groundsman, Club Safeguarding Officer plus three other nominated members (1/5/22: current titles - Social Secretary, Social Media Lead & I.T/Balance) who will at all times use their best endeavours in the pursuance of their duties in the best interest of the Club.
32. At least 3 of the Committee must be unrelated to each other and not cohabiting.⁹
33. The Committee members shall consider skills needed and diversity on the Committee.¹⁰
34. The Committee shall appoint a Club Welfare Officer to ensure compliance with safeguarding legislation and the ECB Safe Hands policy. The Club Welfare Officer shall be a Committee member and report to relevant Committee meetings and the reports, together with any action taken, must be minuted.¹¹
35. Only these posts will have the right to vote at meetings of the Committee.
36. Meetings of the Committee will be convened by the Secretary of the Club and held no less than eight times per year. The quorum required for business to be agreed at Committee meetings will be six.

⁸ To be displayed in entrance lobby.

⁹ This is a requirement of Clubmark.

¹⁰ This is a requirement of Clubmark.

¹¹ This is a requirement of Clubmark.

37. Subject to the provisions of this Constitution the Committee shall have the full management and control of the affairs of the Club and in particular may make such regulations, as they consider necessary for the well being of the Club.
38. Subject to the provisions of this Constitution the Committee shall have the full day to day management of the affairs of the Club including but not limited to:¹²
39. Maintenance of the Lease and compliance of the clauses therein.
40. Maintaining all proper and adequate insurances of the Club's buildings, facilities, equipment, contents and liabilities in respect of its members and members of the public.
41. Maintaining all proper services such as electricity, gas, water and any other services deemed necessary by the Committee.
42. Purchase or hire of all fixtures and fittings as may be deemed necessary by the Committee.
43. Purchase or hire of all equipment and grounds maintenance machinery required for the day to day running of the Club
44. Purchase of all sporting equipment and the hire of any facility or venue that can be reasonably deemed necessary by the Committee for the proper pursuance of the Club's objectives
45. Maintenance, repair and improvement of the Clubhouse, fixtures therein and all its environs including the employment of tradesmen and contractors and or volunteers necessary to carry out such works including the proper payment of same.
46. Maintenance, repair and improvement of all other buildings and structures in and on the grounds including the employment of tradesmen and contractors and or volunteers necessary to carry out such works including the proper payment of same.
47. Maintenance of the grounds and the wickets in order that cricket is played as and when scheduled by the Committee.
48. Maintaining the Premises licence for the bar and in the event that the licence is forfeit or any application to renew the licence is rejected to take all such actions as may reasonably be necessary to secure a new licence as soon as possible.
49. Maintaining and running of the bar and all bar sales including maintaining as required the premises in order to comply with the conditions laid down by the Premises licence.
50. Employment, whether paid or unpaid of a Premises Supervisor (Licensee) to oversee the running of the bar in accordance with the conditions laid down in the Premises Licence. Where the Premises Manager is also a member of the Committee no salary shall be paid without the prior approval of the Members.
51. Day to day maintenance of housekeeping of the clubhouse or any other similar facilities.
52. The payment in good time of all monies that fall due in the proper pursuance of the Club's objectives

¹² CASC requirement if applicable

53. Maintenance of all licences and the payment of all fees thereof that may be required for the proper running of the establishment and the activities carried out therein.
54. Payment of all duties, taxes and such like as they fall due
55. Employment of sufficient staff, contractors and volunteers to carry out the works scheduled above, and any other works deemed necessary by the Committee for the proper pursuance of the Club's objectives. Where a member of the Committee is to be so employed no salary shall be paid without the prior approval of the Members.
56. The Committee may, from time to time, appoint a sub-committee or sub-committees for any purposes in connection with the affairs of the Club as deemed necessary. The Committee may also appoint advisers and may co-opt any member of the Club to serve on the Committee as deemed necessary.
57. If any vacancy occurs amongst the members of the Committee during the season, the Committee may appoint any member of the Club to fill the vacancy until the next AGM. In regards of the Team Captains or Vice Captains the Committee shall consider the recommendations of the members of the Team.
58. The Chairman of the Club should preside at all Committee Meetings. In the absence of the Chairman, the Secretary or the Treasurer shall chair the meeting. At the AGM and any EGM, it is customary for the President to be invited to Chair the meeting. At all meetings, in the case of equality of votes, the Chairman shall have a second and casting vote and his decision upon all questions of order shall be final.
59. The Committee will be responsible for disciplinary hearings of members who infringe the club rules/regulations/ constitution. The Committee will be responsible for taking any action of suspension or discipline following such hearings as set out elsewhere in this Constitution.
60. The Secretary shall keep full and correct minutes of all proceedings of the Club and shall produce these at all Club Meetings.
61. Officers serving on the Committee will be elected annually at the Annual General Meeting. All officers will retire each year but will be eligible for re-election subject to the rules included here later.

Finance

62. The Club's financial year runs from 1st April to 31st March.
63. All club monies will be banked in an account(s) held in the name of the club.
64. The Club Treasurer will be responsible for the finances of the club.
65. The Club's accounts will be checked annually by an independent Assessor
66. The Treasurer shall produce the annual accounts of the Club and will submit the same after checking by an independent Assessor to the next full Committee meeting. Those accounts will be submitted at the following AGM.

67. The independent Assessor shall be appointed at the AGM, to check the Club's financial records for the following season. The Assessor should not be a member of the Club.
68. Any cheques drawn against club funds should hold the signatures of the Treasurer plus one of two other Committee members.¹³
69. Match fees and annual subscriptions shall be fixed annually at the AGM and notified to all Club Members in the fixture card. Any change during the season will require an EGM. The Committee shall decide whether to sub-divide the playing membership into Full, Junior, Colt, Veteran or any other category. The Committee shall have the power to waive the annual subscription and/or match fees for certain individual players each year, if it should be decided that by doing so, the playing strength of the Club would be improved.
70. As previously stated in clause 29 (above) the annual subscriptions will be paid in full by the second Sunday in May and match fees will be paid on the day of the match. Failure to pay by the due dates will render the individual exempt from membership of the Club (including selection) until the subscription and /or fees have been paid in full.
71. The Committee will be responsible for operating a 100 Club or other similar fundraising competition/lottery as it deems fit and will be responsible for the proper running of the same including the acquisition and maintenance of any licence as required from time to time.
72. 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 any vote and have no vote on the matter concerned. Conflict of interest must be declared and minuted.
73. 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 for 'disclosure purposes'.

Annual General Meetings

74. All members may attend all general meetings of the Club in person.
75. The Annual General Meeting (AGM) of the Club will be held in October or November of each year at such a date as the Committee shall appoint.
76. The Club Secretary shall no later than 6 weeks before the date set for the AGM give notice to all members the date of the AGM and request any items for inclusion on the agenda. The Club Secretary will forward the agenda to all members no later than 21 days prior to the meeting.
77. At the AGM and any EGM it will be customary for the President to be invited to Chair the meeting. Where the President is unable to attend the Chairman will be invited to Chair the meeting. Where the Chairman is unable to attend another member of the Committee shall be invited to Chair the meeting such person to be decided by a vote of the members present.

¹³ This requirement is compulsory for Clubmark.

78. The AGM will receive a report from officers of the Committee and a statement of the audited accounts.
79. Election of members to the Committee is to take place at the AGM and all members will have the right to vote subject to any of the other clauses listed herein this Constitution. At all meetings, in the case of equality of votes, the Chairman shall have a second and casting vote and his decision upon all questions of order shall be final.
80. Any two members of the Club may nominate another Club member to a position on the Committee, having first received the agreement of that member. Nominations, in writing must reach the Secretary not less than fourteen days before the AGM. Verbal nominations will be accepted at the AGM for posts where no eligible written nominations have been received by the Secretary. Proxy voting will only be permitted for candidates who have been nominated and details of which have been circulated with the notice of the AGM.
81. The business to be transacted at the AGM shall be the consideration and adoption of the reports of the Committee, the accounts of the Club, the setting of the match fees and subscriptions, the selection of the Officers, Captains and Vice Captains of the respective teams and any other business, that has been notified to the Secretary in accordance with clause. No business will be considered at the AGM that requires a vote by the full membership unless it has been included on the agenda circulated to the full membership.
82. **Extra Ordinary Meeting (EGM)**
Shall be called by the Secretary within 14 days of a request to that effect. This effect shall be in the form of a written request signed by twenty members of the Club, giving twenty-one days' notice. The notice shall specify the business to be transacted and the meeting shall be confined to that business.
83. Procedures for EGM's will be the same as for the AGM.
84. The Constitution of the Club may be altered, but only at an Annual or Extra-Ordinary General Meeting and the alterations shall be fully specified in the notice calling that meeting. Such alterations shall be adopted on receiving approval by special resolution (75%) of the members present.
85. At any Annual or Extra Ordinary Meeting, a minimum of fifteen voting members shall form a quorum.

Discipline

86. Any complaints regarding the behaviour of members, guests or volunteers should be lodged in writing with the Secretary.
87. 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.
88. The Committee shall appoint a disciplinary sub-committee (Disciplinary Sub-Committee) who will meet to hear complaints within [21] days of a complaint being lodged. Any person requested to attend a Disciplinary Sub-Committee shall be entitled to be accompanied by a friend or other representative and to call witnesses. The Disciplinary 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.
89. 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.
90. There shall be a right of appeal within 14 days of receipt of the disciplinary decision or decision to refuse membership:
 - a. Against the Disciplinary Sub-Committee's findings or the sanction imposed or both; and
 - b. Against the Committee's refusal to admit a new member
91. 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.
92. 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.

General

93. **Selection Committee.** The Selection Committee shall consist of the team Captains or their nominated representative.
94. **Complaints.** All complaints about any matter shall be made in writing to the Secretary for referral to the Committee, whose decision shall be final
95. **Notices.** Any notice required by this Constitution, shall be given to, or sent by post to the last known address of each member and shall be assumed conclusively that it was received. It is each member's responsibility to notify the Secretary of any change of address or telephone contact numbers.
96. **Questions/Interpretation.** In the event of any questions arising, not provided for in this Constitution, such questions shall be referred to the Committee for a decision. Similarly the Management Committee shall be the sole authority for the interpretation of the rules set out in this Constitution and of the regulations made from time to time by the management Committee. The decision of the Management Committee regarding any of the above shall be final and binding on all members.
97. **Visitors.** Every member shall be allowed to introduce visitors subject to such regulations as shall be made from time to time by the Management Committee and every visitor shall be considered the guest of and be accompanied by the member introducing him. Provided that no persons shall be introduced as a visitor into the Club who shall have been expelled from membership or whose conduct or presence on the Club premise shall be considered by the Management Committee objectionable to the interests of the Club. No member may under this rule introduce more than 8 visitors at any one time.
98. **Profit.** No members shall, except for professional services rendered at the request of the Management Committee, on any pretence or in any manner receive any profit, salary or emoluments from the funds or the transactions of the Club.

Clubmark

99. The Club will strive to maintain the standard of care towards young people as demanded by the conditions and requirement set out for the qualification of Clubmark Accreditation.
100. To that end the Club will adopt the ECB Club Inclusion & Diversity Policy, ECB Safe Hands alongside ECB Cricket Unleashed Strategy and any future versions of these documents.
101. The Club will adopt and maintain the Code of Conduct for Cricket Club and Guests.

Dissolution

102. 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 (as set out in clause 82) to be held not less than one month thereafter to discuss and vote on the resolution.

If at that Special General 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 in accordance with the statutory procedure from time to time in force.

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

After settling all liabilities of the club, the Committee shall pass the remaining assets to the trust known as Marigolds Recreation Ground.

Revised on 1st May 2022 (in line with new ECB Clubmark policy)

Approved by the Committee members (undersigned) on 8th June 2022

Signed:

Date: 8th June 2022

Name: Simon Radbourne

Committee title: Chairperson

Signed:

Date: 8th June 2022

Name: Jack Sykes

Committee title: Secretary

Signed:

Date: 8th June 2022

Name: Paul Fisk

Committee title: Club Safeguarding Officer

Signed:

Date: 8th June 2022

Name: Jenny Tasker

Committee title: Treasurer

Signed:

Date: 8th June 2022

Name: Cliff Clark

Committee title: Head Groundsman

Signed:

Date: 8th June 2022

Name: Simon Baulcomb

Committee title: Club Captain

Signed:

Date: 8th June 2022

Name: Craig Messenger

Committee title: Social Media Head

Signed:

Date: 8th June 2022

Name: Tracy Sykes

Committee title: Social Secretary

Signed:

Date: 8th June 2022

Name: Rizwan Qaayum

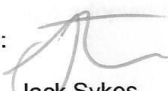
Committee title: I.T & Balance

Approved by the Committee members (undersigned) on 8th June 2022

Signed: 
Name: Simon Radbourne


Date: 8th June 2022

Committee title: Chairperson

Signed: 
Name: Jack Sykes

Date: 8th June 2022

Committee title: Secretary

Signed: 
Name: Paul Fisk

Date: 8th June 2022

Committee title: Club Safeguarding Officer

Signed: 
Name: Jenny Tasker

Date: 8th June 2022

Committee title: Treasurer

Signed: 
Name: Cliff Clark

Date: 8th June 2022

Committee title: Head Groundsman

Signed: 
Name: Simon Baulcomb

Date: 8th June 2022

Committee title: Club Captain

Signed: 
Name: Craig Messenger


Date: 8th June 2022

Committee title: Social Media Head

Signed: 
Name: Tracy Sykes

Date: 8th June 2022

Committee title: Social Secretary

Signed: 
Name: Rizwan Qaayum

Date: 8th June 2022

Committee title: I.T & Balance

Declaration

Harlow Cricket Club Limited hereby adopts and accepts this constitution as a current operating guide regulating the actions of its members.

Presented for adoption at Membership AGM on the 21st November 2022

APPENDIX 1

Changes to constitution May 2022 in line with ECB & Clubmark requirements

3. The Club shall adopt and implement the ECB Safe Hands – Cricket's Policy for Safeguarding Children and any future versions of the policy. The Club must also have a separate club safeguarding Policy Statement, as required by the ECB. **ADDED**
4. The Club shall adopt and implement the ECB Anti-Discrimination Code of Conduct and any future versions of this policy. **ADDED**
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