

Club Constitution.

Kelvedon & Feering Cricket Club Constitution

1. Name

The name of the Club is Kelvedon & Feering 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 Essex County Cricket Board. The Club has incorporated a company limited by guarantee; Kelvedon & Feering Cricket Club company no 06641143, to carry on the activity of the club in accordance with this Constitution.

2. Aims and Objectives

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

To manage "the club".

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 Cricket Equity Policy and any future versions of the Policy.

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

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 the 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 of the club shall be by completion of a membership application form and by payment of the relevant subscription/joining 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 General Committee.

(e) The General 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 General Committee who shall appoint an Appeals Committee to hear the appeal who shall hear the appeal within 30 days of receipt. Any member or prospective member may if dissatisfied with the decision of the Appeals Committee appeal directly to the membership and request a vote in respect of an application or removal from membership, whereupon the committee shall convene a meeting for the purpose of hearing the appeal within 40 days of receipt of 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.

4. Classes of Membership

There shall be a number of classes of membership available. These are:

- Full Member (Playing)
- Full Member (Non Playing)
- Full Member (Concessionary)
- Full member (life)
- Junior Colt Member (School year 5 to year 13)
- Cadet Member (School year 4 or below)
- All members of 18 years of age and over are entitled to voting rights at all general meetings of the club

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

5. Officers

The Officers of the club shall be as follows:

- Executive Officers
- Chair
- Vice Chair
- Secretary
- Treasurer
- Club Welfare Officer
- Fixture Secretary
- Membership secretary
- Any other position including:

Groundskeeper, Bar Manager, Social Secretary, Bookings Secretary, Club Captain, Club Development manager, Club coach, Colts manager, Publicity Officer, Health and Safety Officer and any other relevant position identified by the General Committee.

Honorary Officers:-

- Patron
- President
- Vice-President(s)

Trustees

At any time there shall be a minimum of two and a maximum of four Trustees of the club who shall be appointed from time to time as necessary at the General Meeting from Full Members who are willing to be appointed. A Trustee shall hold office until he/she resigns by giving notice in writing to the committee, ceases to be a full member of the club or until a resolution removing him/her from office shall be passed at a General Meeting or until the office is no longer required.

All land and investments shall be held by the Trustees for the time being, in their own names as far as necessary and practical for use and benefit of the club. On death, resignation or removal from office of a Trustee the committee may if thought appropriate (and shall if there are fewer than two Trustees remaining) take steps to procure the appointment at a General meeting of a new Trustee or Trustees, and shall as soon as possible thereafter take all lawful steps to procure the vesting of all club land and investments into the names of the Trustees as constituted after said appointment.

The trustees shall in all respects act, in regard to any property of the club held by them, in accordance with the directions of the committee (of which an entry in the minute book shall be conclusive evidence); and shall have power to sell, lease, mortgage or pledge any club property for the purpose of raising money for the benefit of the club in compliance with the committee's directions.

The Trustees shall be indemnified against risk and expense out of club property.

6. Election of Officers

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

The affairs of the club shall be conducted by a General Committee (the Committee) comprising the Executive Officers of the club and a number other members elected from, and by, the Full Members of the club. Only these members of the Committee shall be entitled to vote at Committee meetings. The Committee will be convened by the Secretary and shall meet at agreed intervals and not less than four times per year. The quorum required for business to be agreed at Committee meetings shall be 50% of Officers in post.

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 should be verified 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 Chair, Treasurer and Secretary (other Officers as appropriate).
- 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) Buy, lease or licence property and sell, let or otherwise dispose of the same
- (g) Make grants and loans and give guarantees and provide other benefits
- (h) Set aside funds for special purposes or as reserves
- (i) Invest funds in any lawful manner
- (j) Employ and engage staff and others and provide services
- (k) 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
- (l) 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 Club Constitution and the general law.

8. Annual General Meetings

The Annual General Meeting of the club shall be held not later than the end of February each year. 21 clear days written notice of the Annual General Meeting shall be given to members by circulating a copy of the notice and agenda to every member at their home address by post or e-mail whichever is deemed the most suitable and posting the notice on the club notice board. 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 business of the Annual General Meeting shall be to:

- a) Confirm the minutes of the previous Annual General Meeting and any Extraordinary General Meetings held since the last Annual General Meeting
- b) Receive the verified accounts for the year from the Treasurer
- c) Receive the annual report of the Committee from the Secretary or Chairman
- d) Elect a verifier of the clubs' accounts
- e) Elect the Officers of the Club
- f) Review club subscription rates, including match fees, and agree them for the forthcoming year
- g) Transact such other business received in writing by the Secretary from members.

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 Full Members and must be seconded by another Full Member.

Extraordinary General Meetings may be convened by the Committee or on receipt by the Secretary of a request in writing from not less than 50% of the Full Members of the club. At least 21 days notice of the meeting shall be given.

All General Meetings will be presided over by the Chair or, in their absence, by vice chair or club secretary. Decisions made at a General Meeting shall be by a simple majority vote from those Full Members attending the meeting. In the event of equal votes, the Chair of the meeting shall be entitled to the casting vote.

A quorum for a General Meeting shall be 25% of the membership entitled to vote (as outlined by the membership section of this Constitution) and Officers of the Club including at least two from the Chair, Secretary and Treasurer.

Each Member of the Club shall be entitled to one vote at General Meetings.

9. Alterations to the Constitution

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

10. Finance

- a) All club monies shall be banked in accounts in the name of the club.
- b) 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.
- c) The Treasurer shall ensure that the club maintains adequate and appropriate insurance to cover the activities of the club.
- d) The financial year will end on 31st October.
- e) The Treasurer will present a statement of annual accounts at the Annual General Meeting.
- f) Any cheques drawn against club funds should hold the signatures of two of the nominated officers entitled to sign cheques.
- g) All surplus income or profits are to be reinvested in the club. No surpluses or assets will be distributed to members or third parties except to the extent permitted in clause 13 of this Constitution.

11. Property, Funds & Alcohol Licence

(i) The property, funds & Alcohol Licence 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) "the club" will at all times abide by the terms & conditions as stated in the current "Alcohol Licence Agreement" as issued by the appropriate licensing authority.

(iii) The club may also in connection with the sports and social purposes of the club:

- (a) Sell and supply alcoholic & non alcoholic drink, food, and related sports clothing and equipment
- (b) Employ members 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).

12. Discipline and Appeals

- a) The members of the club will abide by any "Club Rules" as posted and amended from time to time.
- b) All complaints regarding the behaviour of members should be lodged in writing with the Secretary.
- c) The Committee shall appoint a Disciplinary sub-committee who will meet to hear complaints within 15 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 recommendation to the General Committee of termination of membership.
- d) 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 7 days following the hearing.
- e) 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.
- f) The Appeals Committee shall consider the appeal within 7 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 except to the extent that a recommendation of termination of membership shall be dealt with in accordance with Section 3 (e) of this Constitution.

13. 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 an Extraordinary 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 Extraordinary 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:
 - to another club with similar sports purposes which is a registered charity and/or to another club with similar sports purposes which is a registered Community Amateur Sports Club and/or to the club's governing body for use by them for related community sports.

14. Declaration

"The club" hereby adopts and accepts this Constitution as a current operating guide regulating the actions of all members.