

Rayleigh Cricket Club Constitution

1 General

1.1 The name of the Club is The Rayleigh Cricket Club.

1.2 The Club Colours shall be White, Navy Blue and Sky Blue.

1.3 The Headquarters of the Club shall be The Clubhouse, Rawreth Lane, Rayleigh, Essex, SS11 8SP.

2 Club Purposes

2.1 The purposes of the Club are to promote and play the amateur sport of cricket in the Rayleigh and Rochford District area and community participation in the same.

3 Permitted Means of Advancing the Purposes

3.1 The Committee has the power to:

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

3.1.2 provide coaching, training, medical treatment, and related social and other facilities;

3.1.3 take out any insurance for club, employees, contractors, players, guests and third parties;

3.1.4 raise funds by appeals, subscriptions, loans and charges;

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

3.1.6 buy, lease or licence property and sell, let or otherwise dispose of the same;

3.1.7 make grants and loans and give guarantees and provide other benefits;

3.1.8 set aside funds for special purposes or as reserves;

3.1.9 invest funds in any lawful manner;

3.1.10 employ and engage staff and others and provide services;

3.1.11 co-operate with or affiliate to firstly any bodies regulating or organising the Sport and secondly any club or body involved with it and thirdly with government and related agencies;

3.1.12 do all other things reasonably necessary to advance the purposes;

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

4 Membership

4.1 Membership of the Club shall be open to anyone interested in the sport on application regardless of ability, 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.

4.2 The Club shall have the following categories of membership on a non-discriminatory and fair basis:

Life member, Adult playing member (19-23, 24-66, 67 & over), Young member (aged 15-18), Ladies playing member, Colt playing member (under 15), Associate member, and Vice-President

The Club will keep subscriptions at levels that will not pose a significant obstacle to people participating. Any female member wishing to play regularly in Mens or Colts cricket shall be regarded as an Adult or Colt playing member as appropriate. Colt playing members and Clubhouse members will not be entitled to vote at any General Meeting.

Application for membership of the Club shall be by completion of a membership application form and payment of the appropriate fee.

4.3 The Management Committee may refuse membership, or remove it, only for good cause such as conduct or character likely to bring the Club or sport into disrepute. Appeal against refusal may be made in accordance with the appeal procedure set out in the disciplinary procedure (see 12).

4.4 Membership of the Club shall be determined by payment of the appropriate Annual Subscription Fee. This fee must be received, in full, by 31st March of the year following the Annual General Meeting. If payment is not received by this date, membership of the Club will be considered terminated until such time as payment is received in full (including any applicable late payment fee). Those wishing to join the Club after 31st March of the year following the Annual General Meeting, shall be charged an appropriate Annual Subscription Fee at the discretion of the Management Committee.

4.5 Life members may be elected for special services to the Club. Such election shall only be made upon a proposal in writing to the Secretary, supported by the subsequent recommendation of the Management Committee and carried by a two-thirds majority vote at the Annual General Meeting.

4.6 The Club shall keep a register of members incorporating their names and addresses together with dates when a person ceases to be a member. Every member shall advise any change of address within fourteen days. The register shall also contain the names and addresses of Club officials.

5 Guests and Visitors

5.1 Each member may introduce two guests at any one time. The member must enter their details in a book kept for this purpose. No visitor may be introduced more than six times in one calendar year and shall not remain in the club longer than the member who

introduced them. Members shall be responsible for the conduct of all guests signed in by them.

5.2 Members and officials of visiting teams and/or clubs and their relatives and supporters shall be admitted to the Club's headquarters and intoxicating liquor supplied to them for consumption on the premises. On such occasions, the visiting club, by name, shall be entered in a book kept for that purpose.

5.3 A Group or Body on hiring facilities from the Club, shall be admitted to the Club's headquarters and intoxicating liquor supplied to them for consumption on the premises. On such occasions, the hiring Group or Body, by name, shall be entered in a book kept for that purpose. A Fee, at the discretion of the Management Committee, may apply.

5.4 Notwithstanding rules 5.1 - 5.3 above, the Officers shall have the right to refuse access to the ground and pavilion to individuals as they feel it necessary to maintain the good name of the Club. In particular, persons whose membership has been suspended or terminated under rule 12 shall not be eligible to be signed in as a visitor or given access under rules 5.1 - 5.3 during the period of such suspension or for such a period as determined by the Management Committee.

6 Permitted Hours

6.1 As set out in Rochford District Club Premises Certificate RDC/05/00416/LACLU the permitted hours for the supply of alcohol shall be 1100 to 2300.

6.2 The permitted hours for regulated entertainment shall be 1800 to 0100 on Fridays, Saturdays and Christmas Eve, New Years Eve and Sundays preceding Bank holidays.

6.3 Intoxicating liquor shall only be supplied to a Member in person, his bona-fide Guest and Visitors.

6.4 Members, their Guests and Visitors shall pay for goods or intoxicating liquor at the time of supply.

6.5 Persons under 18 may be admitted to the Club's headquarters but are not allowed to buy or consume intoxicating liquor.

6.6 Intoxicating liquor may also be served to those attending any function organised at the club premises with the sanction of the Management Committee, provided that the number of functions on behalf of persons other than members and guests shall not exceed twelve any calendar year.

7 Club Procedures

7.1 These rules shall be binding on all members of the Club and each member shall have access to a copy, upon request and upon joining the Club. No alteration shall be made to these rules except at a General Meeting of the Club and carried by a two-thirds majority of the votes cast. Notification of any changes to sections 5 or 6 will be made within 28 days to the Chief Officer of Police and the Rochford District Council Licensing Unit.

7.2 The Financial Year to end on 31st October.

8 Management Committee

8.1 Role

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

8.1.2 All decisions made by the Management Committee shall be binding until set aside by the Membership at a General Meeting.

8.2 Property etc.

8.2.1 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 reinvested in the club.

8.2.2 The Management Committee will appoint such trustees as may be required from time to time to hold property on behalf of the Club. Trustees may not benefit personally from such appointment and shall at all times act in the interest of the Club.

8.2.3 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 Finance Act 2002.

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

8.2.4.1 sell and supply food, drink and related sports clothing and equipment;

8.2.4.2 employ members (though not for playing) and remunerate them for providing goods and services, on fair terms set by the Management Committee without the person concerned being present;

8.2.4.3 pay for reasonable hospitality for visiting teams and guests;

8.2.4.4 indemnify the Management 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).

8.2.5 The Management Committee shall identify and propose to each Annual General Meeting

8.2.5.1 the entitlements and associated subscription and match fees for each category of membership for the coming year,

8.2.6 The Management Committee will have due regard to the law on disability, discrimination and child protection.

8.2.7 The Management Committee will ensure a duty of care to all members of the Club by adopting and implementing the ECB ' Safe Hands- Welfare of Young People in Cricket' policy and any future versions of the policy."

8.2.8 The Management Committee will ensure a duty of care to all members of the Club by adopting and implementing the ECB Club inclusion and diversity policy and any future versions of the policy.

8.2.9 The Management Committee shall have a duty of care to all members of the Club by adopting the ECB General Conduct Regulations The scope includes the conduct and behaviour of cricketers, volunteers, officers, employees, coaches, supporters and any other person under the jurisdiction of the Club.

8.2.10 The Management Committee will ensure a duty of care to all members of the Club by adopting and implementing the ECB Anti discriminatory code and any future versions of the code.

8.3 Composition etc.

8.3.1 The Management Committee shall consist of a Chair, Deputy Chair, Secretary, Treasurer, Fixture Secretary, Social Secretary, Membership Secretary, Club Safeguarding Officer, Grounds Manager, Bar Manager & Youth Manager

8.3.2 The Management Committee members may co-opt up to four club members to serve until the end of the next AGM.

8.3.3 Any Management Committee member may be re-elected or re-co-opted without limit.

8.3.4 A Management 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 Management Committee for good cause after the Member concerned has been given the chance of putting his/her case to the Management Committee with an appeal to the Club members, or is removed by club members at a general meeting. The Management Committee shall fairly decide time limits and formalities for these steps.

8.4 Management Committee Meetings

8.4.1 Whenever a Management 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.

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

8.4.2.1 a simple majority of voting members and at least one from the Chair, Treasurer and Secretary must be present for the meeting to be valid;

8.4.2.2 The committee shall elect a Deputy Chair from within its membership in the event of the absence of the Chair from any Club meeting

8.4.2.3 Management Committee meetings shall be held face to face;

8.4.2.4 the Chair or (in his or her absence) the Deputy Chair shall chair meetings;

8.4.2.5 decisions shall be by simple majority of those voting;

8.4.2.6 a resolution in writing signed by every Management Committee member shall be valid without a meeting;

8.4.2.7 the chair of the meeting shall not have a casting vote.

8.5 Delegation etc.

8.5.1 The Management 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 Management Committee. The Management Committee may wind up any sub-committee at any time or to change its mandate and operating terms.

8.5.2 A Selection Committee may be formed to be responsible for the selection of teams during the season. The Committee will consist of the Team Captains of adult teams, Youth Manager and one independent member. If a Team Captain cannot attend then his place shall be taken by his Vice Captain or another nominated member.

8.6 Disclosure

8.6.1 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 Management Committee member.

8.6.2 The Management Committee shall convene at least 4 times annually. Seven days notice of such meetings shall be given to members of the Management Committee, in writing.

9 All General Meetings

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

9.2 Each member entitled to vote attending a general meeting may vote on matters put to the meeting for decision.

9.3 The quorum for all general meetings is 10 members present or 15% of the total adult membership whichever is greater.

9.4 The Chair or (in his or her absence) the Deputy Chair shall preside.

9.5 Except as otherwise provided in these Rules every resolution shall be decided by a simple majority of the votes cast on a show of hands but any vote may be taken by ballot of those present at the discretion of the Chair, or at the request of a majority of those present provided that such request is made before the question is put. In the event of a tie, a re-vote is required. If, after this re-vote there remains a tied position then the Chair shall be empowered to decide upon the course of action required within the best interests of the Club.

9.6 Except as otherwise provided in these Rules every election, where contested, shall be decided by a simple majority of the votes cast in a secret ballot. Each member shall have one vote for each position to be filled. In the event of a tie, a re-vote is required. If, after this re-vote there remains a tied position then the Chair shall be empowered to decide upon the course of action required within the best interests of the Club.

9.7 Except as otherwise provided in these Rules formalities in connection with General Meetings shall be decided by the Management Committee and publicised to Club members.

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 Management Committee or on the written request of not less than 10 members signed by them. The request shall be supported by reasons for calling the meeting, together with any proposed motion and the names of the mover and seconder. Such EGM shall be held on not less than 14 nor more than 21 days' notice at a place decided upon by the Management Committee or in default by the Chair.

11 Annual General Meetings

11.1 The Club will hold an AGM in November or December every year.

11.2 At least 6 weeks written notice of an Annual General Meeting shall be given to each member of the Club. In addition, the Secretary shall, no later than 14 days prior to the meeting, notify all members in writing of any resolutions and other matters for discussion.

11.3 At every AGM:

11.3.1 the Treasurer will produce accounts of the Club for the latest financial year audited independently of the Club;

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

11.3.3 the Management Committee will produce a report on the club's playing activities since the previous AGM;

11.3.4 the Members will elect a President to serve until the next AGM;

11.3.5 The Members will appoint a suitable independent person or organisation to examine the accounts;

11.3.6 the Members will vote upon and elect the Captains of the Adult Teams from the Membership;

11.3.7 the Members will elect a Management Committee including the officers to serve until the next AGM;

11.3.8 the Members will set the Annual Subscription and Match Fee payable for each category of membership; and

11.3.9 the Members will discuss and vote on any resolution (whether about policy or to change the Rules).

11.4 No other business shall be transacted at such meetings. Proposals arising under "any other business" can only be considered by the Management Committee at a subsequent date.

11.5 Resolutions

11.5.1 Resolutions to be submitted at the Annual General Meeting of the Club must reach the Secretary, in writing, with the name of proposer and seconder, no later than four weeks prior to the meeting.

11.5.2 Any member may submit amendments to resolutions to the Annual General Meeting at any time prior to voting on that matter provided such amendment is duly seconded.

11.5.3 Amendments must be relevant to the main motion and cannot negate the original motion. Amendments can be amended, but these sub-amendments cannot be amended.

12 Disciplinary Procedure

12.1 All complaints regarding behaviour of members shall be made to the Club Secretary in writing. The Management Committee shall take action forthwith to establish the facts and to take the necessary disciplinary action to ensure that the club acts in a manner designed to protect the good name of the club and of cricket generally.

12.1.1 If the Management Committee consider the misconduct to be of a relatively minor nature it may decide to impose a penalty or penalties as set out in 12.2.1.1 to 12.2.1.3 below.

12.1.2 If the misconduct is considered to be of a serious nature the Management Committee shall convene an Internal Club Enquiry. The enquiry shall be conducted by the Club Chairman or his nominee and two other committee members not having an interest in the alleged misconduct.

12.1.3 Any member requested to attend such an Internal Club Enquiry, or any appeal therefrom, shall be entitled to be accompanied at the Enquiry by a friend or other representative.

12.1.4 The Management Committee should publish a decision within 28 days of the complaint being received.

12.2 Penalties

12.2.1 If the Internal Club Enquiry finds the misconduct proved, the Management Committee shall have the following powers:

12.2.1.1 To require the member to write letter(s) of apology within a specified time

12.2.1.2 To record a reprimand and to give a warning as to future conduct.

12.2.1.3 To impose a fine, to be paid within a specified time

12.2.1.4 To suspend the member's right to be considered for selection by the club to play in one or more matches.

12.2.1.5 To suspend the member's right to be an official of the club for a period.

12.2.1.6 To suspend the member's membership of the club for a period.

12.2.1.7 If the conduct constitutes gross misconduct the club shall have the power to terminate the member's membership forthwith.

12.3 The club for the same offence may, if it is thought fit, impose more than one of the above penalties.

12.4 Appeals Procedure

12.4.1 There shall be a right of appeal within 14 days of receipt of the disciplinary decision or decision to refuse membership: against the Disciplinary Sub-Committee's findings or the sanction imposed or both; and against the Committee's refusal to admit a new member in either case, the Committee shall appoint an appeals committee ("Appeals Committee").

12.4.2 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.

12.4.3 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.

13 Dissolution

13.1 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.

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

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13.3 After settling all liabilities of the Club, the remaining assets shall not be paid or distributed to any member or members of the club. The Management Committee shall dispose of the net assets remaining to one or more of the following:

13.3.1 to another voluntary Club with similar sports purposes which is a registered charity and/or

13.3.2 to another voluntary Club with similar sports purposes which is a registered CASC and/or

13.3.3 to the Club's governing body for use by them for related community sports if neither 13.3.1 or 13.3.2 are possible.

Updated at AGM – held on 29th November 2023

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