

Ardleigh Green and Havering-Atte-Bower Cricket Club

Club Constitution

Founded 2019



The Rules of the Ardleigh Green and Havering-Atte-Bower Cricket Club adopted by a General Meeting held on 25th November 2018 at Ardleigh Green's Clubhouse, Central Park and Havering-Atte-Bower's CC Clubhouse at Broxhill Road and subsequent amendments.

1. "The Club" means the Ardleigh Green and Havering-Atte-Bower Cricket Club.

"Management Committee" means the management committee for the time being holding office in accordance with Rule 5 hereof.

"General Meeting" means a general meeting of the Club held in accordance with Rule 18 hereof.

Aims and objectives

2. a) The aims and objectives of the Club shall be:-

- to offer coaching and competitive equal opportunities in cricket
- the object of the Club is to provide facilities for and promote participation of the whole community in the sport of Cricket
- to manage the Ardleigh Green and Havering-Atte-Bower Cricket Club
- to ensure a duty of care to all members of the Club
- to provide all its services in a way that is fair to everyone
- to ensure that all present and future members receive fair and equal treatment

b) The ancillary or secondary object of the Club is to provide for members social and recreational facilities

c) Ardleigh Green and Havering-Atte-Bower Cricket Club shall be non-profit making and any surplus income or gains shall be reinvested back into the Club. Surpluses or assets cannot be distributed to members or third parties

Membership

3. The members of the Club shall be:-

a) All persons who at the date of the adoption of these rules were members of the Club in accordance with the rules which were in force immediately prior to such adoption

b) Such other persons as shall be admitted to Membership by the Management Committee. Membership shall be open to all irrespective of age, gender, disability and race, ethnic origin, colour, social status, sexual orientation, religion or other beliefs

The Club may refuse membership or expel from membership only for good and sufficient cause, such as conduct or character likely to bring the Club or sport into disrepute. Appeal against such a decision is covered in membership, Discipline and appeals section

- c) Prospective members may not be admitted to the privileges of membership without an interval of at least two days between their becoming members and their admission.

Subscriptions

4. Each member shall pay to the Club:-

- a) Either such annual subscription as the Club may from time to time determine (such subscription being payable on the 1st May in every year or upon admission to membership which ever is the earlier), or a single subscription of such amount as the Club from time to time determine for Life Membership
- b) Such match subscription as the Club shall determine
- c) The rate of annual and match subscription or the amount of such single subscription applicable for the time being shall be decided by the Club in General Meeting

If a member (other than a member holding Life Membership) fails to pay the subscription due from them for any year within two months of the same becoming due they shall ipso facto cease to be a member but shall be eligible for readmission on payment of all arrears due from them while a member. In cases of individual hardship the Management Committee shall adjust / waive subscriptions as and when it deems appropriate.

Management Committee

5. The Members of the Management Committee shall be elected by the Club at its Annual General Meeting. The Management Committee shall consist of:-

- a) The Officers of the Club viz Chairman, General Secretary, Treasurer, Fixture Secretary, Club Captain / 1XI Captain, Maintenance / Ground / Pavilion, Social, Social Media, Bar and Child Welfare
- b) The Chairman of the following sub-committees:-

Finance, Development, Ground, Clubhouse, Social and Juniors

The Chairman of the sub-committees shall be responsible for size, and membership of their respective committees.

6. The Management Committee shall have all powers, save those expressly reserved herein to the Club in General Meeting, as are necessary, or convenient for the Club to attain its objects or purposes. They may delegate to the appointed sub-committees such responsibilities as they think fit, but shall retain final responsibility for all policy and final decisions.

The meetings and proceedings of any such sub-committee shall be governed by the provisions of these presents for regulating the meetings of the Management Committee so far as applicable, and so far as the same shall be superseded by any regulations made by the Management Committee.

Without prejudice to the generality of the foregoing the powers of the Management Committee shall include the following:-

- a) Power to purchase, take on lease, hire or otherwise acquire, any real or personal property and any rights or privileges which the Management Committee may think necessary, or convenient for the promotion of the Club's objectives. To construct, maintain, and alter any building or erections necessary or convenient for the promotion of the objectives of the Club
 - b) Power to accept entrance fees, match, or annual or other subscriptions and to accept voluntary subscriptions, donations, devises and bequests
 - c) Power to sell, let, mortgage, dispose of or turn to account all or any of the property, or assets of the Club as the Management Committee may think expedient with a view to promoting the objectives of the Club
 - d) Power to borrow or raise money for the purposes of the Club on such terms and on such security as may be thought fit
 - e) Power to invest the monies of the Club not immediately required for its purposes in or upon such investments, securities, or properties as may be thought fit or to maintain such monies in a current or deposit account with any bank of good repute
 - f) Power to apply for a Club Premises Certificate for the supply of alcohol and carrying out of qualifying Club activities
7. Any contract agreement, lease or conveyance entered into by the Management Committee, shall be fully binding upon the Club if signed or executed on its behalf by the Chairman and General Secretary for the time being of the Club. A receipt for any monies paid to the Management Committee may be signed by either the Treasurer or the General Secretary on its behalf.
8. The Management Committee may meet together for the dispatch of its business, adjourn and otherwise regulate their meetings as they think fit and determine the quorum necessary for transactions of business.

Unless otherwise determined six shall be a quorum. Questions ensuing at any meeting shall be decided by a majority of votes. In case of an equality of votes the Chairman (or the Chairman appointed for the purposes of the meeting) shall have a second or casting vote.

9. A member of the Management Committee may at any time request that the Secretary summon a meeting of the Management Committee by notice served upon the several members of the Committee.
10. The Chairman of the Management Committee shall be the Chairman elected by the Club in General Meeting. If at any meeting the Chairman is not present within five minutes after the time appointed for the holding of a meeting and willing to preside, the members of the Management Committee present shall choose one of their number to preside as Chairman of the meeting.
11. A meeting of the Management Committee at which a quorum is present shall be competent to exercise all the authorities, powers and discretions for the time being vested on the Management Committee.
12. All acts bona fide done by any meeting of the Management Committee or of any sub-committee of the Management Committee, or by any person acting as a member of the Management Committee, shall notwithstanding it be afterwards discovered that there was some defect in the appointment, or continuance in office of any such member, or person acting as aforesaid, or that they, or any of them were disqualified, be as valid as every such person has been duly appointed, or duly continued in office, and was qualified to be a member of the Management Committee.
13. The Management Committee shall cause proper minutes to be made of all appointments of officers made by the Management Committee, and of the proceedings of all meetings of the Club, and of the Management Committee, and of its sub-committees, and all business transacted at such meetings, and any such minutes of any meeting, if purporting to be signed by the Chairman of such meeting, shall be sufficient evidence without any further proof of the facts therein stated.
14. A resolution in writing by all members for the time being of the Management Committee, or of any sub-committee of the Management Committee who are entitled to receive notice of a meeting of the Management Committee, or of such sub-committee shall be valid and effectual as if it had been passed at a meeting of the Management Committee, or of such sub-committee duly constituted.
15. Members of the Management Committee shall hold office until the conclusion of the Annual General Meeting next following that at which they were elected.

Captains

16. At each General Meeting there shall be elected by those members who are qualified to vote and who played in one or more of the Club's cricket eleven's in the season which immediately preceded the relevant Annual General

Meeting, a captain and vice or deputy captain for each of the Club's cricket eleven's except for the Club Captain and the Saturday 1st XI Captain who shall be nominated by the Management Committee prior to that meeting. This nomination shall be subject to ratification by the Annual General Meeting and such ratification shall constitute proper election for the purposes of Rule 5.

The persons so elected shall be responsible to the Management Committee for selection and conduct of the Club's cricket elevens in all respects as if they constituted a sub-committee of the Management Committee.

General Meetings

17. The Club shall hold a General Meeting in every calendar year as its Annual General Meeting, at such time and place as may be determined by the Management Committee. It will specify the meeting as such in the notice calling it, provided that every Annual General Meeting shall be held not more than 15 months after the holding of the last preceding Annual General Meeting.
18. All General Meetings, other than Annual General Meetings shall be called Extraordinary General Meetings.
19. The Management Committee may whenever it thinks fit, and it shall, upon a requisition made in writing by not less than twelve members convene an Extraordinary General Meeting. The business to be transacted at such Extraordinary General Meeting shall be set out in the requisition under which such meeting is convened and also in the notice convening such meeting. No other business shall be transacted.
20. At least 10 days notice shall be given to all members of the Club of every Annual General Meeting or Extraordinary General Meeting (excluding in every case both the day on which it is served, and the day for which it is given), specifying the place, the day and the hour of the meeting. In the case of an Extraordinary General Meeting it shall indicate the general nature of that business as specified in paragraph 19 above.
21. Such notice from the Management Committee will be via electronic mail to the last known address of each member held by the club. Any member wishing to receive a postal notification will be required to make a specific request to the Club Secretary.
22. The accidental omission to give notice of a meeting to or the non-receipt of such notice, by any person entitled to receive notice thereof shall not invalidate any resolution passed or election held at any meeting.
23. The Agenda for an Annual General Meeting shall be prepared by the General Secretary, and circulated immediately prior to the commencement of such meeting. The General Secretary shall include in the Agenda all matters necessary to give effect to these presents, and other such matters as:-
 - a) Are directed by the Management Committee

- b) The General Secretary is given not less than three days' notice in writing signed by not less than two members who are entitled to vote

No other matter shall be raised at an Annual General Meeting unless in exceptional circumstances the Chairman of the meeting shall so direct.

Proceedings at General Meetings

24. No business shall be transacted at any General Meeting unless a quorum is present when the meeting is called to order. For such business to proceed, fifteen fully paid up members who are eligible to vote shall constitute a quorum.
25. If within half an hour from the time appointed for the holding of a General Meeting a quorum is not present, the meeting of an Extraordinary General Meeting shall be dissolved. If an Annual General Meeting it shall stand adjourned to the same day in the next week, at the same time and place as the Management Committee may determine, and if at such adjourned meeting a quorum is not present within half an hour from the time appointed for holding the meeting the members present shall be a quorum.
26. The Chairman shall preside as chairman at every General Meeting, but if there be no such chairman, or if at any meeting he shall not be present within 15 minutes after the time appointed for holding the same, or shall be unwilling to preside, the members of the Club present shall choose some member of the Management Committee, or if no such member be present, or if all the members of the Committee present decline to take the chair, they shall choose some member of the Club who shall be present to preside.
27. The Chairman may, with the consent of any meeting at which a quorum is present (and shall if so directed by the meeting) adjourn the meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than business which might have been transacted at the meeting from which the adjournment took place.
- Whenever a meeting is adjourned for thirty days, or more, notice of the adjourned meeting shall be given in the same manner as of an original meeting. Save as aforesaid, the members shall not be entitled to any notice of an adjournment, or of the business to be transacted at an adjourned meeting.
28. At any General Meeting a resolution put to the vote of the meeting shall be decided on a show of hands, or if the Chairman of the meeting so decides by ballot. A declaration by the Chairman of the meeting that a resolution has been carried, or carried unanimously, or by a particular majority, or lost, or not carried by a particular majority, and an entry to that effect in the minute book of the Club shall be conclusive evidence of the fact without proof of the number, or proportion of the voters recorded in favour for or against that resolution.
29. In the case of an equality of votes, whether on a show of hands, or a ballot, the Chairman of the meeting shall be entitled to a second, or casting vote.

30. Each member present at a General Meeting shall be entitled to one vote save as provided in rules 16 and 38, providing that they are 16 years of age as at 1st September in the previous season.

Accounts

31. The Management Committee shall cause proper books of account to be kept with respect to:-
- a) All sums of money received, expended by the Club and the matters in respect of which such receipts and expenditure take place
 - b) All sales and purchases of goods by the Club and
 - c) The assets and liabilities of the Club

Proper books shall not be deemed to have been kept if there are not kept such books of accounts as are necessary to give true and fair views of the affairs of the Club to explain its transactions.

32. The books of accounts shall be kept by the Treasurer and shall always be open to the inspection of the Management Committee.
33. The Management Committee shall from time to time determine whether, and to what extent and at what times, and places, and under what conditions or regulations the accounts, and books of the Club, or any of them shall be open to the inspection of members, not being members of the Management Committee, and no member (not being a member of the Management Committee) shall have any right of inspecting any account, or book, or document of the Club except as authorised by the Management Committee, or by the Club in General Meeting.
34. The accounts of the Club shall be examined and the correctness of the income and expenditure account and balance sheet ascertained by one or more persons elected by the Club in General Meeting for that purpose. No member of the Management Committee shall be eligible for election as an auditor.
35. At the Annual General Meeting in every year the Management Committee shall lay before the Club a proper income and expenditure account for the period since the last proceeding account, made up to date not more than one month before such meeting together with a proper balance sheet made up as at the same date. Every such balance sheet shall be accompanied by proper reports of the Management Committee and the Auditors and copies of such accounts, balance sheet and reports shall not less than ten clear days before the date of the meeting, be sent to the Auditors, and to all persons entitled to receive notices of General Meetings in the manner in which notices are herein before directed to be served. The Auditors report shall be open to inspection and be read before the meeting.

Permitted Hours for the Supply of Alcohol

36. The permitted hours for the supply of alcohol as per the license for the building.
- a) Alcohol will only be purchased from outlets agreed by the management committee.
 - b) Alcohol will under no circumstances be sold to anyone under the age of 18, proof of age will be required when in doubt.
 - c) No arrangements are, or are intended to be, made for any person to receive at the expense of the club any commission, percentage or similar payment on, or with reference to, purchases of alcohol by the club.
 - d) No arrangements are, or are intended to be, made for any person directly or indirectly to derive any pecuniary benefit from the supply of alcohol by or on behalf of the club to members or guests, apart from—
 - (i) any benefit accruing to the club as a whole, or
 - (ii) any benefit which a person derives indirectly by reason of the supply giving rise or contributing to a general gain from the carrying on of the club.

Visiting Teams

37. Visiting teams / guests will be deemed to be Associate Members of the Club as defined in section 67 of the Licensing Act 2003.

Non-Playing / Associate Members

38. The Management Committee are prepared to accept applications from persons wishing to join the Club as non-playing members. They will be charged a nominal fee set by the Committee and will be known as Associate Members. It is to be understood that these members will not be permitted to vote at any Club Meeting.

Associate Members may be elected as officers or members of the Management committee but no more than three such members can serve in those capacities at any one time.

39. A resolution to dissolve the Club can only be passed at an Extraordinary General Meeting or through a majority vote of the membership. In the event of dissolution, any assets of the Club (Petersfeld Avenue) that remain will become the property of the Metropolitan Essex District Cricket Board for use by them in community related sports, and the club (Broxhill Road) that remain will become the property of Miss E A Pemberton-Barnes Will Trust (207399).

40. To ensure a duty of care to all members of the club by adopting and implementing the “ECB Club Inclusion and Diversity Policy”, plus the “ECB Safe Hands – Welfare of Young People in Cricket Policy” and any future versions of the same.

Removal and Refusal of Membership, Discipline and Appeals

41. Any complaints regarding the behaviour of members, guests or volunteers should be lodged in writing with the Secretary.
42. 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.
43. 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.
44. 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.
45. 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”). 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.

(February 2019)