

# Hereford Whitecross Club

## Constitution and Rules

### 1) **Name.**

The Club shall be called the “**Hereford Whitecross Club**” (hereinafter referred to as “the Club”). It will trade as **Hereford Squash Tennis and Racketball Centre**

### 2) **Objects.**

The object of the Club is to provide for the whole community facilities for, and to promote participation in, the sports of Lawn Tennis and Squash Rackets. The facilities will include:

- a) A Clubhouse and social amenities.
- b) Any new other activities which the Club committees may from time to time approve.

### 3) **Policies.**

The Club will create and maintain policies for achievement of the following objectives:

- a) The prevention of crime and disorder.
- b) The promotion of public safety.
- c) The prevention of public nuisance.
- d) The protection of children from harm.
- e) As far as is consistent with the nature of the sports, the provision of safe conditions for the playing of lawn tennis and squash rackets.
- f) The provision of a safe environment for social activities in accordance with current legislation.
- g) Membership of the Club to be open to all persons in the local community, irrespective of age, gender, sexual orientation, ethnic origin, disability or religious persuasion, except as a necessary consequence of the physical requirements of a particular sport.

### 4) **Administration.**

The Club shall be administered by:

- a) An Executive Committee (hereinafter referred to as “the Committee”).
- b) A Lawn Tennis Sub-Committee.
- c) A Squash Rackets Sub-Committee.
- d) A Social Sub-Committee.
- e) A Promotion and Development Sub-Committee
- f) An Appeals Committee.

**5) The Executive Committee.**

- a) The Committee shall administer the Club overall and consist of at least a Chairman, Secretary, Treasurer and the Chairmen for the time being of the Sub-Committees.
- b) The Committee shall receive reports from the Sub-Committees at monthly intervals.
- c) All Committee posts shall be elected by the Club members in General Meeting, as hereinafter provided. Executive Committee Members may be co-opted by the Committee during the year if necessary to maintain the Committee membership, and such co-opted members must be formally elected at the following Annual General Meeting.

**6) The Sub-Committees.**

- a) Each Sub-Committee (with the exception of the Appeals Sub-committee) shall consist of at least a Chair, a Secretary and two other members of the Club.
- b) The Chair of each Sub-Committee shall be elected by the members of the Club in General Meeting as hereinafter provided and the other members of the Sub-Committee shall be appointed by such elected Chairman.
- c) The remit of each Sub-Committee is to provide and manage facilities and arrangements to ensure the relevant activity is effective and available to Club members. This shall include, but not be limited to - organisation of events and other arrangements, setting policies for use and maintenance of the necessary facilities, costing and proposing whatever expenditure is necessary for an effective activity, in co-operation with the Executive Committee and providing accounts of the expenditure in a form acceptable to the Treasurer.

**7) The Appeals Committee (see also Paragraph 17)**

The Appeals Committee shall be created following a disciplinary matter within the Club. The Appeals Committee will be formed and managed as per set out in the Discipline and Appeals Policy.

**8) Power to co-opt.**

The Committee and the Sub-Committees shall be empowered to co-opt additional members for specific purposes.

**9) Trustees.**

- a) There shall be no more than four Trustees of the Club, who shall be members of the Club.
- b) The freehold and leasehold property of the Club shall be vested in them to be dealt with by them as the Committee shall from time to time direct by resolution, evidenced by a entry recorded the Minute Book.
- c) The Trustees shall be indemnified against risk and expense out of the Clubs assets.
- d) The Trustees shall hold office until death or resignation, or until removed from office by a resolution of the Committee, who may remove any Trustee or Trustees from office for any reason which appears sufficient to a majority of those present and voting at a Committee meeting.

- e) Following death, resignation or removal from office of one or more trustees, new Trustees shall be nominated by the Committee by resolution.
- f) For the purpose of giving effect to such nominations the Chairman of the Club is hereby nominated as the person to appoint new Trustees of the Club within the meaning of Section 36 of the Trustees Act 1925 and he shall by deed duly appoint the person or persons so nominated by the Committee as the new Trustee or Trustees of the Club. The provisions of the Trustee Act 1925 shall apply to any such appointment.

**10) Membership Classes.**

- a) The Club membership shall consist of Ordinary, Social, Student, Junior, Life Members, Honorary, Coached, Coaching, Corporate, Short-term and Family Members.
- b) Persons eighteen years and over shall be eligible as Ordinary, Social, Life, Corporate, Short-term and Family Members of the Club.
- c) Persons of seventeen years of age and under shall be eligible as Junior Members of the Club.
- d) Honorary Members shall be elected by the Committee at its discretion.

**11) Limits and Classes of Membership.**

The privileges attaching to each class of membership shall be as follows:

- a) Ordinary Members shall be entitled to use all the facilities of the Club, and vote at any general meeting.
- b) Social Members shall be entitled to all the social facilities of the Club, but not the tennis and squash facilities and may not vote at any general meeting.
- c) Student Members shall be entitled to use all the facilities of the Club, but are not entitled to vote at any general meeting,
- d) Junior Members shall be entitled to use all the facilities of the Club, but may not purchase or consume alcohol on the premises, and may not vote at any general meeting.
- e) Life Members shall have the same privileges as Ordinary Members.
- f) Honorary Members shall have the same privileges as Ordinary Members.
- g) Corporate Members shall have the same entitlement as Ordinary Members, but may not vote at any general meeting or play in external leagues or tournaments, and may only join in groups of ten or more at any one time and from any one corporate body, governmental authority or registered or affiliated club. Subscriptions shall be 90% of the Ordinary or Social membership rates for each individual of a corporate membership.
- h) Short-term Members shall have the same entitlements and restrictions as Corporate Members, and be members for any consecutive period of a subscription year up to 6 months, with a subscription rate to be decided by the Executive Committee as to what it decides as appropriate with due regard to CASC rules. This class shall be only used once per person, and is not available to Junior, existing or past members.
- i) Family Members shall have the same entitlements as Ordinary Members relative to their age categories, and shall include all members of the same

family with the same primary residence. The subscription rate to be decided by the Executive Committee as to what it decides as appropriate with due regard to CASC rules.

**12) Application for Membership.**

- a) Every candidate for admission shall complete and submit an Application for Membership. This membership may be amended from time to time by the Committee in liaison with the Treasurer.
- b) At least two days shall elapse after the receipt by the Treasurer of the Application for Membership before the candidate may be elected. The candidate may enjoy temporary entitlement to the privileges of the club pending election at an Executive meeting. Until the candidate is elected as a Member the candidate shall only be temporarily entitled to any of the privileges of the Club as if not accepted any entitlement will cease.

**13) Acceptance of Members.**

Candidates for membership shall be elected by the Committee at its sole discretion by a majority vote of not less than three Committee members. The Committee may refuse membership to persons proven to have character or reputation or behaviour likely to bring the Club into disrepute.

**14) Payment of Initial Subscription.**

On the election of a new member the Treasurer shall notify the Member in writing of his election enclosing a copy of the Constitution and requesting payment of the subscription. If this is not paid within one month of the sending of such notification the election of the new member shall be void, unless the Committee at its discretion shall otherwise decide.

**15) Order of admission of New Members.**

Candidates for admission shall come up for election in the order in which their Applications for Membership forms are received by the Treasurer unless the Lawn Tennis Sub-committee or Squash Rackets Sub-Committee decides in its discretion to support a candidate's application, in which case that application shall be considered by the Committee to have priority over the others.

**16) Date of Purchase and fixed date membership packages**

Where payment is made by monthly direct debit the payments will be continuous without an end date but be subject to the points 19 b)c) and d) below and the monthly payment rate will be adjusted in line with the rate set for monthly payments at the AGM.

Where a new member completes a membership application for an annual payment at a date other than at the 1<sup>st</sup> of April the annual payment for that member will be due one year from that members date of joining and annually thereafter and will be subject to the points 19 b)c)and d) below and be adjusted at renewal in line with the rate set at the AGM

**17) Expulsion or exclusion of a Member.**

A Member is expected to abide by the rules of the club and in particular the Code of Conduct. Disciplinary action against Club members, including expulsion without

notice, may be taken for offences of breach of the Club's Code of Conduct, misconduct and gross misconduct. It is recognised and accepted that every member:

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- a) Has the right to expect fair and consistent treatment.
- b) Has the right to adequate notice from the Club.
- c) Has the right to appeal against the Club Secretary's judgement or Disciplinary Committee's decision in all disciplinary matters.
- d) Has the right to representation.
- e) No member will be expelled for the first breach of Club's rules except in cases of "gross misconduct". However all disciplinary actions taken by HSTRC will be duly recorded and placed on file for reference at a future date.
- f) No member who has had any involvement in the incident(s) leading to the disciplinary procedure being invoked will be involved in the disciplinary process relating to the issue(s) in question.

The Discipline and Appeals Policy provides a detailed step by step process to be followed and the sanctions available to the Disciplinary Committee and Appeals Committee. As a condition of membership all members must agree to fully comply with this procedure and specific codes of conduct pertinent to their role. It is assumed that all parties will cooperate in the interest of resolving the issue in question. In the absence of such cooperation, or if it is withdrawn at any stage, the Club reserves the right to proceed with a Hearing or an Appeal based on such evidence and information as it can obtain.

**18) Forfeiture of Subscription.**

Any person ceasing to be a Member of the Club shall immediately forfeit all rights to and claims upon the Club or the property of the Club in respect of any unexpired part of the current year's subscription and any entrance fee.

**19) Annual Subscription.**

- a) The annual subscription shall be due on the anniversary of the members annual payment in each year.
- b) The annual subscription shall be determined at the Annual General Meeting (AGM) and a list of all subscription rates shall be posted at all times on the Club Notice Board.
- c) The subscriptions are payable in full not later than the date specified by the Treasurer or by a series of instalments. Any Member who fails to pay his subscription or any instalment thereof within one calendar month of the same falling due shall cease to be a member.
- d) If the Member wishes to re-join the club he must submit an Application for Membership form in the manner as prescribed by Paragraph 12 and shall be required to pay the entrance fee administration fee current unless the Committee in the exercise of its discretion shall waive the fee.

**20) Additional Fees.**

The Committee may, at its discretion, impose other fees to cover specific or special items.

**21) Accounting Year.**

The Club's accounting year shall end on the thirty-first day of December.

**22) Bankers.**

The Club's bankers shall be selected by the Committee and be reviewed annually.

**23) The Annual General Meeting. (AGM)**

*The Club's AGM will be held in the month of March or April in each year, at a date fixed by the Committee, for the following purposes:*

- a) To approve the minutes of the previous year's AGM.
- b) To receive and approve a report by the Chairman on the Club's activities during the preceding year.
- c) To receive and approve from the Treasurer a Report, Balance Sheet and Statement of Accounts for the preceding financial year and an estimate of receipts and expenditure for the current financial year and including a recommendation for the fixing of annual subscriptions. A copy of the independently reviewed Balance Sheet and Statement of Accounts for the preceding year shall be sent to all Members with the Notice of the Meeting.
- d) To elect the all Committee posts (see Paragraph 5).
- e) To elect independent reviewers for the ensuing year.
- f) To consider any resolution which may be duly submitted to the meeting as hereinafter provided.

**24) Special General Meetings.**

The Committee shall be empowered to call a Special General Meeting of the Club at any time, to consider business which the Committee wishes to put to the members, or upon the requisition in writing stating the business to be transacted from any twenty-five Members entitled to attend and vote at such a Meeting.

**25) Notice of Meetings.**

At least twenty-eight days before the Annual General Meeting or any Special General Meeting a written notice shall be sent to every Member stating the business to be transacted.

**26) Resolutions of Annual General Meeting.**

**Any Member wishing to move any resolution at the Annual General Meeting shall give notice in writing of such resolution to the Secretary of the Club at least fourteen days before the date fixed for the Meeting.**

**27) Quorum for General Meetings.**

A quorum at the Annual General Meeting or any Special General Meeting shall be as follows:

- a) For motions proposing any repeal, addition to or amendment of the Rules the quorum shall be one-sixth of the Members entitled to vote.
- b) For motions relating to any other business the quorum shall be one-twelfth of the Members entitled to vote.

**28) Voting.**

- a) Only Ordinary, Life and Honorary Members may vote at General Meetings of the Club. Social, Junior, Student or Coached members may attend general Meeting but may not vote.
- b) Voting at General Meeting shall be by a show of hands unless the Chairman directs that voting be by way of ballot.

**29) Postal Votes.**

The Committee may, at its discretion, in exceptional circumstances require the determination of any issue or matter affecting the affairs of the Club by a postal vote.

**30) Election of Committees.**

- a) At the Annual General Meeting all Members of the Committee shall retire. However, Members of the Committee shall be eligible for re-election, if they so wish.
- b) Any two Members may propose a candidate for election to any post of the Committee by notice in writing to the Secretary at least ten days before the Annual General Meeting. Such proposal shall state that the consent of the candidate has been obtained for his nomination.
- c) If no written nominations are received, or there are insufficient nominations to fill the vacancies, nominations may be accepted at the Annual General Meeting, provided there is a seconder and the nominee agrees to the nomination.
- d) Every Member entitled to vote may vote for as many candidates as there vacancies to be filled.
- e) The candidates who receive the most votes shall be elected. In the case of two or more candidates receiving the same number of votes The Chairman shall be entitled to a second or casting vote.

**31) Chair**

At all General Meetings of the Club the Chair, or in his/her absence a Member elected by the members at the meeting, shall take the Chair.

**32) Power to fill Casual Vacancies.**

In the event of a vacancy on the Committee or any Sub-Committee, the Committee or Sub-Committee, as the case may be, shall have the power to elect any Member of the Club to fill the vacancy. However, the proceedings of the Committee or any Sub-Committee shall not be invalidated by reason that the Committee or Sub-Committee consists of fewer persons than prescribed in Paragraphs 5, 6, 7, 8, or 9.

**33) Frequency of Committee Meetings and Quorum.**

- a) The Committee shall meet not less than once per calendar month and the quorum shall be two-thirds of the appointed members. The Committee may decide as an exception to defer a scheduled meeting for one month.
- b) A Committee meeting may be called at the request of any Sub-Committee.

**34) Minutes of Committee Meetings.**

At all Committee and Sub-Committee meetings Minutes shall be taken of the proceedings and such Minutes shall be available for inspection by any Member of the Club who may apply to the Secretary for that purpose.

**35) Additional Sub-Committees.**

The Committee shall from time to time appoint such additional Sub-Committees as it may deem necessary or expedient and may depute or refer to such Sub-Committees such powers or duties as the Committee may determine.

**36) Power to make Byelaws.**

The Committee shall from time to time make, repeal, amend or add to byelaws and regulations (consistent with these Rules) as they think expedient for the management of the Club and Club premises and for the use of tennis and squash courts. All such byelaws shall be binding upon the Members of the Club.

**37) Matches and Competitions.**

The Committee shall have power to authorise arrangements for holding matches, tournaments or other competitions and to reserve courts as may be on any occasion as in its discretion it shall think proper.

**38) Prohibited Games.**

The Committee shall have power to prohibit the playing of any games which in its opinion are unlawful or would be injurious to the interests of the Club.

**39) No Member to Profit from the Club.**

- a) No Member shall, except for professional services rendered at the request of the Committee, receive any profit or emoluments from the funds or transactions of the Club.
- b) No person shall at any time be entitled to receive at the expense of the Club, or any Member thereof, any commission, percentage or similar payment on, or with reference to purchases of intoxicating liquor by the Club. Nor shall any person, directly or indirectly, derive any pecuniary benefit from the supply of intoxicating liquor by, or on behalf of, the Club to Members or guests apart from any benefit accruing to the club as a whole. This excludes any benefit which a person derives indirectly by reason of the supply, giving rise to, or contributing to, a general gain from the running of the Club.

**40) Change of Address.**

- a) Every Member of the Club shall communicate to the Club their address or any change thereof.
- b) All notices posted to such address shall be considered as having been duly given on the day following the date of posting.

**41) Opening Hours.**

The Club shall be open to Members daily between the hours as the Committee shall from time-to-time determine but the Committee may close the Club either wholly or in part for such times as it may deem necessary for cleaning and repairs. The Club's opening hours shall be posted on the Club Notice Board.



**42) Bar Opening Hours.**

The maximum hours the bar shall be open to Members and guests are those specified on the certificate issued under the current Licensing Law. The actual hours of bar opening shall be set by the Committee from time-to-time, to reflect staffing and other considerations, providing the actual times do not exceed the certificated times. A notice shall be displayed on or near the bar, giving the actual times of opening. The bar will not be open Christmas day.

**43) Bar Account.**

The supply of intoxicating liquors shall be under the exclusive control of the Committee. A separate Bar Account shall be maintained and shall be the responsibility of the Treasurer but managed on a day-to-day basis by the Bar Supervisor or Club Manager.

**44) Supply of Intoxicating Liquor.**

Intoxicating liquor may be sold or supplied for consumption on the premises to such Members of the Club of eighteen years of age and over and their bona fide guests, also to employees of the Club and to members of visiting teams their supporters and other customers which our Alcohol Licence will allow

**45) Hire of Club facilities.**

The social facilities of the Club may, at the discretion of the Committee, be hired by Members *and non- members* for functions such as skittles matches, birthday and anniversary parties. The Member who hires the Club facilities will be responsible for the conduct of all persons at the function, and shall enter into a contract with the Club to that effect.

**46) Alteration of Club facilities.**

Any change of use of a tennis or squash court shall be proposed and approved at a General Meeting.

**47) Repeal, Addition and Amendment of Rules.**

The Rules of the Club may be added to, repealed or amended by resolution only at an Annual or Special General Meeting. However, no resolution shall be deemed passed unless it is carried by a majority of at least one-sixth of the Members voting thereon.

**48) Authority to borrow monies**

The Club may borrow monies from banks, breweries and other institutions, in order to further the Objectives of the club, at the discretion of the Executive Committee, and such borrowing shall be ratified by the Trustees in writing?.

**49) Dissolution of the Hereford Whitecross Club.**

If at any General Meeting a resolution for the dissolution of the Club shall be passed by a majority of the members present the following actions must be taken:

- a) A Special General Meeting must held not less than one calendar month of the meeting in which the resolution to dissolve was made.
- b) A quorum of not less than half of the Members entitled to vote must be present at such SGM.

- c) A vote shall be taken at such SGM on a resolution proposing the dissolution of the Club.
- d) A majority of at least two-thirds of the voting members is necessary for the resolution to be considered carried.
- e) If the resolution to dissolve is carried, the Committee at an agreed date, or as specified in the resolution, will proceed to realise the property of the Club.
- f) In the event of the dissolution of the Club, any assets remaining after the satisfaction of all debts and liabilities shall not be paid to or distributed among the members of the Club but shall be given or transferred to one or more of the following approved sporting or charitable bodies:
  - 1. A registered charitable organisation.
  - 2. Another club which is registered as a Community Amateur Sports Club.
  - 3. The Lawn Tennis Association or England Squash or divided between them for use, by them, for related community sports.

**50) Interpretation.**

- a) The Committee shall be the sole authority for the interpretation of these Rules and of any byelaws and regulations made from time-to-time.
- b) The decision of the committee upon any question of interpretation or upon any matter affecting the Club and not provided for by these rules or by regulations shall be final and binding on members.
- c) In these rules any reference to the male gender shall be taken to include the female.

**Signed:**

**Chair Paul Broadley**

**10<sup>th</sup> May 2023**