

# HYTHE LAWN TENNIS CLUB CONSTITUTION April 2010

1 The club established in 1889 is called the Hythe Lawn Tennis club (the club)

## 2 Definitions

- 2.1 **The Chairman** means the person elected from time to time to be the Chairman of the club in accordance with rule 9.
- Vice Chairman** means the person elected from time to time to be the Vice Chairman of the club in accordance with rule 9.
- The CLTA** means the Kent County Lawn Tennis Association.
- The Secretary** means the person elected from time to time to be the secretary of the club in accordance with rule 9.
- The Treasurer** means the person elected from time to time to be the Treasurer of the club in accordance with rule 9.
- The LTA** means the Lawn Tennis Association.
- The Management Committee (MC)** means the committee appointed under rule 9 to manage the club.
- Club Disciplinary Panel** means a panel set up to resolve disciplinary issues within the club in accordance with rule 9.7 and Section 7.
- The members** means the members of the club admitted from time to time to membership of the club in accordance with rule 5
- The President** means the person elected from time to time to be the President of the club in accordance with rule 9
- The Trustees** means the persons appointed from time to time to be the trustees of the club in accordance with rule 10.6
- Club Mix-ins** means specific periods allocated by the Management committee to promote social club play. The rules for mix-ins are defined on the mix-in board.
- 2.2 Words denoting the singular number include the plural number and vice versa; words denoting the masculine gender include the female gender

## 3 Objects

The objects of the club are

- a) Principally to provide facilities for lawn tennis and generally to promote, encourage and facilitate the playing of lawn tennis in the area of Hythe and the surrounding communities.
- b) to provide and maintain club premises and club owned equipment at The Grove, Hythe, Kent CT21 6AX , for the use of its members
- c) to provide other ordinary benefits of an amateur sports club as set out in Schedule 18 of the Finance Act 2002 including without limitation (provision of suitably qualified coaches, coaching courses, insurance, medical treatment, post match refreshments)
- d) to sell or supply food or drink as a social adjunct to the sporting purposes of the club
- e) to affiliate to the CLTA and by doing so affiliate to the LTA and to comply with and uphold the Rules and Regulations of the CLTA and the LTA as amended from time to time and the rules and regulations of any body to which the LTA is affiliated
- f) to acquire, establish, own, operate and turn into account in any way for the members benefit the tennis court facilities of the club together with buildings and easements, fixtures and fittings and accessories as shall be thought advisable
- g) to make rule, regulations, bye-laws and standing orders concerning the operation of the club including without limitation regulations concerning disciplinary procedures that may be taken against the members
- h) to make donations or offer support to lawn tennis clubs which are charities or community amateur sports clubs
- i) to do all such things as the Management committee thinks fit to further the interests of the club or to be incidental or conducive to the attainment of all or any of the objects stated in this rule 3.

#### 4 Application of Surplus Funds

- 4.1 The club is a non-profit making organisation. All surpluses will be used to maintain or improve the club's facilities and in furtherance of the club's objectives. No surplus will be distributed other than to another community amateur sports club for lawn tennis, to the LTA for use in community related tennis initiatives, or to a charitable organisation, on winding up or dissolution of the club.
- 4.2 Nothing in clause 4.1 shall prevent the club from entering into an agreement with a member for the supply by him to the club of goods or services or for his employment by the club, providing that such arrangements are approved by the Management Committee and are agreed with the member on an arm's length basis.

#### 5 Membership

##### 5.1 Eligibility for membership

- 5.1.1 Persons of either sex are eligible for full membership of the club provided they are at least 18 years old. No person shall be denied membership of the club on the grounds of race, ethnic origin, creed, colour, age, disability, sex, occupation, sexual orientation, religion, political or other beliefs.
- 5.1.2 Persons below the age of 18 may join as junior members without the right to hold office or vote at General Meetings.
- 5.1.3 The number of members may be limited by the Management Committee.
- 5.1.4 Any person who wishes to become a member must submit an application in such form as the Management committee shall decide. Every application for membership shall be considered by the Management Committee, which shall admit that candidate to membership of the club unless to do so would be contrary to the best interests of the sport or the good conduct and interests of the club.
- 5.1.5 All members on admittance or renewal of membership shall, by completing the application form, agree to abide by the club rules and constitution.
- 5.2 Only full members shall be entitled to receive notice of, attend and vote at general meetings. The other members shall be entitled to membership as set out on the membership application form.

##### 5.3 Subscriptions

- 5.3.1 The entrance fee if set and the annual subscription for each type of member shall be determined from time to time by the Management Committee provided that the Management Committee shall use its best endeavours to ensure that the fees set by it do not preclude membership of the club.
- 5.3.2 The members shall pay the entrance fee if set and the annual subscription fees set by the annual general meeting following recommendations from the Management committee.
- 5.3.3 No candidate who has been elected a member shall be entitled to the privileges of membership until he has paid the entrance fee (if any) and his first annual subscription.
- 5.3.4 Annual subscriptions are due on the 1<sup>st</sup> of April and should be paid within 1 month. Any member whose subscription is not paid within 2 months of the start of the club year shall be deemed to have resigned his membership of the club.

#### 6. Resignation

A member may withdraw from membership of the club on clear notice of 1 month to the club. Membership shall not be transferable in any event and shall cease immediately on death or dissolution or on the failure of the member to comply or to continue to comply with any condition of membership set out in these rules.

#### 7. Disciplinary Procedures

- 7.1 The Disciplinary Panel and/or Management Committee shall have the power to expel or suspend a member when, in its opinion, it would not be in the interests of the sport or the club for him to remain a member.
- 7.2 A member shall not be expelled or suspended unless he is given 14 days' notice of the meeting of the Disciplinary Panel at which his expulsion or suspension shall be considered. Written details of the complaint made against him shall be given.
- 7.3 The member shall be given an opportunity to make written representations and/or to appear before the Disciplinary Panel at any such meeting to be accompanied by a representative or friend, who may answer complaints made against the member and/or cross examine any witnesses on behalf of the member. Witnesses may have the option of putting their evidence in writing and not having to appear in person if they so choose. At the end of the meeting, the Disciplinary Panel shall notify the member and the Management Committee of its decision as to how the disciplinary matter shall be resolved. It shall also notify the member that they have the right of appeal to the Management Committee and that in order to exercise this right they must inform the Management Committee of their intent to do so within 14 days.
- 7.4 Should the member notify the Management Committee of their intent to appeal, the member shall not be expelled or suspended unless he is given 14 days' notice of the meeting of the Management Committee at which the appeal shall be heard.

- 7.5 The member shall be given an opportunity to make written representations and/or to appear before the Management Committee at any such appeal meeting and to be accompanied by a friend or representative who may answer complaints made against the member and/or cross-examine any witness on behalf of the member. The Chairman of the Disciplinary Panel shall represent the Panel's decision and rationale to the meeting. The member must not be expelled or suspended unless a simple majority of the Management Committee then present vote in favour of his expulsion or suspension.
- 7.6 The Management Committee's decision shall be notified to the member in writing and shall be final. There shall be no right of further appeal against the Management Committee decision.
- 7.7 Any member who was involved in the incident under investigation or is related to the member may only attend meetings of the Disciplinary Panel and/or the Management Committee as a witness and may take no part in the consideration of the matter or voting thereon.
- 7.8 The Chairman or Vice-Chairman, in his absence, may exclude the member from the Club's premises until the meetings of the Disciplinary Panel and Management Committee considering his expulsion or suspension has been held.

Any member having previously been given a written warning may have his membership suspended or terminated by the Management Committee without a further hearing if he/she commits another offence which the Management Committee consider requires disciplinary action. A written warning will remain valid for a period of 3 years.

## 8 Effect of Resignation or Disciplinary Procedures

Any person ceasing to be a member forfeits all right to and claim upon the club, its property and funds and he has no right to the return of any part of his subscription. The Management Committee may refund an appropriate part of a resigning member's subscription if it considers it appropriate taking account of all the circumstances.

## 9 The Management Committee

9.1 The club shall be managed by a Management Committee consisting of;

- a) The Chairman
- b) The Vice Chairman
- c) The Secretary
- d) The Treasurer
- e) Match Secretary
- f) Membership Secretary
- g) Not less than 4 and not more than 6 members

9.2 The secretary shall send to members each year notification of the Annual General Meeting at which Officers and members of the Management Committee shall be elected. Those persons proposed to be nominated as Officers and members of the Management Committee must be nominated by any 2 full members.

9.3 If there is only one candidate to fill any particular vacancy, that candidate shall be declared elected unopposed for that particular vacancy. If there is more than one candidate for any particular vacancy there shall be an election at the Annual General Meeting for that position.

9.4 The position of Chairperson shall only be held for a maximum of 5 years.

9.5 In addition to the members elected at the Annual General meeting the Management Committee may co-opt further members who shall serve until the next Annual General Meeting. Co-opted members shall have the right to vote at Management Meetings.

9.6 Retiring members of the Management Committee may be re-elected.

9.7 The Management Committee shall set up, when needed, a Disciplinary Panel comprising the Vice Chairman or his nominee and 2 other members from a panel of 4 approved each year by the Annual General Meeting.

## 10 Proceedings of the Management Committee

10.1 Management Committee meetings shall be held as often as the Management Committee think fit. The quorum for such meetings shall be 6 as long as one of the 6 is the Chairman or Vice Chairman or the Secretary. The Chairman or the Secretary shall have the discretion to call emergency meetings of the Management Committee if they consider it to be in the interests of the club. The secretary shall give not less than 3 days' notice of a meeting.

10.2 The Chairman shall be the chairman of the Management Committee or if he is not present the Vice Chairman shall preside.

10.3 Decisions of the Management Committee shall be by a simple majority and in the event of an equality of votes the Chairman or the acting chairman shall have a casting or additional vote.

10.4 The Management Committee may from time to time appoint such sub-committees as it considers necessary and may delegate to them such powers as the Management Committee may determine. All such sub-committees shall periodically report their proceedings to the Management Committee and shall conduct their business in accordance with the directions of the Management Committee.

- 10.5 The Management Committee shall be responsible for the management of the club and shall have the sole right of appointing and determining the terms and conditions of service of employees of the club. The Management Committee shall have the power to enter into contracts for the purposes of the club on behalf of all the members. The Management Committee shall have the power to make Bye Laws for the efficient running of the club
- 10.6 The Trustees of the club shall be appointed from time to time as necessary by the club in general meeting from among the members who are willing to be so appointed. A Trustee shall hold office during his life, or until he shall resign by notice in writing given to the Management Committee or until a resolution removing him from office shall be passed at a general meeting comprising two thirds of the members present or voting.
- 10.7 All property of the club shall be held by the trustees for the time being, in their own names so far as necessary and practicable, for the use and benefit of the club. On the death, resignation or removal from office of a Trustee the Management Committee shall take steps to procure the appointment by the club in general meeting of a new Trustee in his place. The Trustees shall in all respects act, in accordance with the directions of the Management Committee; and shall have power to sell, lease, mortgage or pledge any club property for the purpose of raising or borrowing money for the benefit of the club in compliance with the Management committee's directions.
- 10.8 The number of Trustees shall be not more than 4 and not less than 2.
- 10.9 The members of the Management committee shall be entitled to an indemnity out of the assets of the club for all expenses and other liabilities properly incurred by them in the management of the affairs of the club.

## 11 Annual General Meeting

- 11.1 The annual general meeting of the club shall be held at such time as the Management Committee shall decide each year (normally at the completion of the Summer Season and before the 31<sup>st</sup> of December) to transact the following business:
- a) to receive the chairman's report of the activities of the club during the previous year;
  - b) to receive and consider the accounts of the club for the previous year and the Treasurer's report as to the financial position of the club
  - c) to elect the auditor
  - d) to elect the officers and other members of the Management committee;
  - e) to decide on any resolution which may be duly submitted in accordance with rule 11.2 below;
  - f) to deal with any special matters that the Management committee wish to bring before the membership.
  - g) to receive reports from the match secretary, membership secretary, social secretary and the grounds man
  - h) to receive a report on the juniors
  - i) to consider any other business
- 11.2 Notice of any resolution proposed to be moved at the annual general meeting shall be given in writing to the secretary not less than 14 days before the meeting;
- 11.3 No period greater than 15 months shall elapse between one annual general meeting and the next.
- 11.4 The Secretary shall give 21 days notice to the members of the date of the annual general meeting

## 12 Extraordinary General meetings

An extraordinary general meeting may be called at any time by the Management Committee and shall be called within 21 days of receipt by the Secretary of a requisition in writing signed by not less than 15 members stating the purpose for which the meeting is required and the resolutions proposed.

## 13 Procedures at the Annual and Extraordinary general meetings

- 13.1 The secretary shall send to each member at his last known address written notice of the date of the general meeting together with the resolutions to be proposed at least 21 days before the meeting.
- 13.2 The quorum for the annual and extraordinary general meetings shall be 20 members
- 13.3 The President shall preside at the meetings or if he is not present the Chairman shall preside.
- 13.4 Each full member present shall have one vote and resolutions passed by a simple majority of those members present and voting. In the event of a tie the chairman of the meeting shall have a casting or additional vote
- 13.5 The Secretary shall take minutes at an annual or extraordinary general meeting.
- 13.6 There shall be no right for a member to vote by proxy
- 13.7 Any decision taken lawfully at an extraordinary general meeting may not be over ruled within a period of 12 months by the Management Committee or by another extraordinary general meeting

14 Opening of club premises

The club is open at such times and periods as the Management Committee may decide

15 Alteration of the Constitution and Rules

The club constitution may be altered by resolution at an annual or extraordinary general meeting by means of a simple majority of those present. The club rules may be altered by the Management committee.

16 Regulations and Standing Orders

The Management committee shall have the power to make, repeal and amend such regulations and standing orders as it may from time to time consider necessary for the well being of the club. Such regulations and standing orders and any repeals or amendments to them shall have effect until set aside by the Management Committee.

17 Finance

- 17.1 All moneys payable to the club shall be received by the person authorised by the Management Committee to receive such moneys and shall be deposited in a bank account in the name of the club. No sum shall be drawn from that account except by cheque signed by 2 persons chosen from the Treasurer and Chairman and one other nominated person. Any moneys not required for immediate use may be invested as the Management Committee in its discretion thinks fit.
- 17.2 The financial transactions of the club shall be recorded in such manner as the Management Committee think fit by the Treasurer.
- 17.3 Full accounts of the financial affairs of the club shall be prepared each year and duly audited. The accounts shall be presented at the annual general meeting.

18 Borrowing

The Management Committee shall from time to time have the powers to borrow money from outside sources to enable the progression of improvements to the clubs facilities. Such projects to be approved by members at the annual general meeting.

19 Property

The property of the club, other than cash at the bank, shall be vested in the Trustees. They shall deal with the property as directed by resolution of the Management committee and entry in the minute book shall be conclusive evidence of such a resolution.

The Trustees shall be entitled to an indemnity out of the property of the club for all expenses and other liabilities properly incurred by them in the discharge of their duties.

20 Dissolution

- 20.1 A resolution to dissolve the club shall be proposed only at an extraordinary general meeting and shall be passed only if carried by a majority of at least three quarters of the members present and voting
- 20.2 The dissolution shall take effect from the date of the resolution and the members of the Management Committee shall be responsible for the winding up of the assets and liabilities of the club.
- 20.3 Any property remaining after the discharge of the debts and liabilities of the club shall be paid or distributed to the LTA for use in community related tennis initiatives, another community amateur sports club or a charity.