

Constitution of Ben Rhydding Croquet Club

1. Title and Definitions

- 1.1. The Club shall be called the Ben Rhydding Croquet Club hereafter referred to as 'the Club'.
- 1.2. The Club is a section of Ben Rhydding Sports Club hereafter referred to as 'BRSC'
- 1.3. The Club shall be managed by a Management Committee hereafter referred to as 'the Committee'.
- 1.4. The Club will normally be a member of the Croquet Association of England and of the Yorkshire Croquet Association or of their successor associations.

2. Main Purpose

- 2.1. The main purpose of the Club is the provision of facilities for and the promotion of participation in croquet within BRSC and the wider community.
- 2.2. The Club is based at Coutances Way, Ben Rhydding, Ilkley, West Yorkshire, LS29 8AW.

3. Relationship to Ben Rhydding Sports Club

- 3.1. The Club will be subject to the constitution of BRSC. In the event that there is any inconsistency or conflict between the constitution of the Club and the constitution of BRSC the provisions of the latter constitution shall prevail.
- 3.2. Subject to the provisions of clause 3.3 members of the Club shall be members of BRSC.
- 3.3. For the sole purpose of retaining for BRSC its registration as a Community Amateur Sports Club (as defined in section 658, Corporation Tax Act 2010) the committee of BRSC may declare that one or more specified classes of the members of the Club are to be excluded from voting rights in BRSC. In making any such declaration the committee of BRSC will have regard to levels of participation in the sporting activities of the Club and of other sections of BRSC so that entitlement of voting rights of BRSC is preserved, so far as possible, for active members of BRSC. Such exclusion is without prejudice to:
 - 3.3.1. the ability of the members to enjoy the facilities of BRSC (including those of the Club) on the terms of their existing membership of the Club;
 - 3.3.2. the ability of such members to move to some other class of the Club (for example by increasing their level of participation in the Club's sporting activities).
- 3.4. The committee of BRSC shall restore voting rights if and when it judges that such restoration will not prejudice BRSC's registration as a Community Amateur Sports Club.

4. Open to the Whole Community

- 4.1. Membership and use of the facilities of the Club is open to all without discrimination of any kind, whether direct or indirect, including (in particular) discrimination on the grounds of:
 - 4.1.1. ethnicity or nationality;
 - 4.1.2. religion or beliefs;
 - 4.1.3. sexual orientation;
 - 4.1.4. sex, age or disability.
- 4.2. The costs associated with membership of the Club for any year must not represent a significant obstacle to the membership of the Club, use of its facilities or full participation in its activities. (Meanings of the expressions 'significant obstacle', 'costs associated with membership' and 'full participation' in this context are set out in section 659 Corporation Tax Act 2010 and associated regulations as amended and re-enacted from time to time.)

5. Organised on an Amateur Basis

Any surplus or gains of the Club are to be reinvested in support of the Club's purposes subject to the following:

- 5.1. Part or all of any surplus income or gains may, at the discretion of the Committee or by resolution of the Club in a general meeting be donated to a registered charity or a Community Amateur Sports Club;
- 5.2. No assets of the Club shall be distributed in cash or kind to members or third parties except as permitted by clause 5.1. and clause 15 of this constitution.

6. Limits to the Benefits of Membership

6.1. The Club will provide members and their guests with no more than the ordinary benefits of an amateur sports club, namely:

- 6.1.1. provision of sporting facilities;
- 6.1.2. reasonable provision and maintenance of sports equipment;
- 6.1.3. provision of suitably qualified coaches;
- 6.1.4. costs or reimbursement of costs of coaching courses;
- 6.1.5. insurance cover;
- 6.1.6. medical treatment;
- 6.1.7. necessary and reasonable travel or subsistence expenses incurred by players, match officials coaches, first-aiders and accompanying individuals in connection with away matches;
- 6.1.8. reasonable provision of post-match refreshments for players and match officials;
- 6.1.9. sale or supply of food or drink as a social benefit which arises incidentally from the sporting purposes of the Club.

6.2. In connection with clause 6.1.7:

- 6.2.1. travel or subsistence expenses means expenses on food, drink and temporary living accommodation;
- 6.2.2. an accompanying individual is an individual accompanying a player or match official who has a disability for the purposes of the Equality Act 2010;
- 6.2.3. no reimbursement of expenses will be made in connection with away matches that require travel time for the round trip of 4 hours or less.

6.3. The Club will not exceed the limit on paid players as set out in section 660, Corporation Tax Act 2010 (together with any associated regulations) as amended or re-enacted from time to time. The Club will secure approval in advance from BRSC for making arrangements regarding paid players, having regard to the fact the limit on paid players applies to BRSC as a whole.

7. Priority

7.1. The foregoing rules are to have priority over the remaining provisions of this constitution. In the event of any inconsistency the foregoing rules take priority.

7.2. Where appropriate and necessary, terms and expressions in this constitution shall be construed in accordance with chapter 9 of part 13 of the Corporation Tax Act 2010 and of any regulations made under the provisions of chapter 9 as amended or re-enacted from time to time.

8. Membership and Subscriptions

8.1. Membership of the Club shall be open to any person completing a membership application form and paying the relevant subscription as determined by the Committee.

8.2. The Committee shall determine classes of membership and subscriptions for each class.

8.3. The different classes of membership may be set by reference to any or all of the following:

- 8.3.1. the age of the member;
- 8.3.2. whether the member is a student;
- 8.3.3. whether the member is waged;
- 8.3.4. whether the member is a playing member;
- 8.3.5. how far from the club the member lives.

- 8.4. Subject to clause 3.3 all members of the Club shall be entitled to vote at General Meetings and Annual General Meetings of the Club, and to participate in elections for Officers and members of the Committee.
- 8.5. Members shall be entitled to use and enjoy all the benefits and facilities offered by the Club but the Committee may specify:
 - 8.5.1. the times at which the Club's facilities are to be open;
 - 8.5.2. any priorities to be given for matches or special events;
 - 8.5.3. arrangements to be made for sharing facilities at times for which the number of members exceeds the capacity of the facilities.
- 8.6. A member who has not paid his/her subscription by such default date as the Committee determines may, at the discretion of the Committee, be deemed to have resigned.

9. Officers of the Club

The Officers of the Club shall be as follows:

1. Chair
2. Treasurer
3. Secretary

10. The Committee

- 10.1. The affairs of the Club shall be controlled by the Committee comprising the Officers of the Club and no fewer than three and no more than seven members elected from the membership of the Club.
- 10.2. The Committee shall:
 - 10.2.1. control the affairs of the Club on behalf of the members;
 - 10.2.2. meet at agreed intervals and not less than four times per year;
 - 10.2.3. keep accurate accounts of the finances of the Club through the Treasurer;
 - 10.2.4. appoint Committee members to designated roles and appoint sub-committees as necessary;
 - 10.2.5. co-opt additional members to the Committee as the Committee deems necessary, such co-opted members holding office until the next Annual General Meeting (AGM) but not being entitled to a vote on the Committee unless they have been co-opted to replace a member who has died or has resigned;
 - 10.2.6. take 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.
- 10.3. In connection with clause 10.2.3:
 - 10.3.1. the accounts shall be available for reasonable inspection by members and be presented at every AGM of the Club;
 - 10.3.2. the Club shall maintain a bank account;
 - 10.3.3. there shall be four authorised signatories of Club cheques all of whom shall be serving members of the Committee who have not been co-opted to the Committee and two of these authorised signatories shall be required for authorisation of cheques.

11. Election of Officers and Committee Members

- 11.1. All members of the Committee (except those that are co-opted members) shall be members of the Club entitled to vote as given in clause 8.4 of this constitution.
- 11.2. The officers of the Club and other members of the Committee shall be elected at the AGM by members of the Club entitled to vote as given in clause 8.4.
- 11.3. During the course of the year the Committee may co-opt other members as required as long as the Committee does not exceed ten.
- 11.4. All officers and Committee members are elected for a period of one year but may be re-elected to the same office or another office the following year.

11.5. Nomination of candidates for election of officers and membership of the Committee shall be made and seconded by members of the Club entitled to vote as given in clause 8.4 and given in writing to the secretary seven days before the AGM.

12. General Meetings

12.1. General Meetings may be convened by the Committee or at the request of not less than ten members of the Club entitled to vote (clause 8.4) given in writing to the Secretary or Chair. At least 21 days notice shall be given to the members of a General Meeting.

12.2. Procedure for General Meetings:

12.2.1. the meeting shall be chaired by the Club chair or by a deputy agreed by Club members at the meeting;

12.2.2. a quorum for a General Meeting shall be 20% of the membership of the Club and two officers of the Club;

12.2.3. minutes of the previous General Meeting shall be confirmed;

12.2.4. minutes of the meeting shall be taken;

12.2.5. decisions shall be made by a majority vote by all members attending and entitled to vote as given in clause 8.4 of this constitution with each such member entitled to one vote and with the Chair having a casting vote in the event of a tie.

13. Annual General Meetings

13.1. An AGM must be held not later than the end of April each year.

13.2. In addition to the procedure for General Meetings given in clause 12 the business of the AGM shall:

13.2.1. confirm the minutes of the previous AGM and any General Meetings that occurred during the period covered by the AGM;

13.2.2. receive the accounts and the annual report of the Treasurer for the relevant period;

13.2.3. receive the annual reports of the Chair and or the Secretary for the relevant period;

13.2.4. elect the officers of the Club and other members of the Committee in accordance with clause 11 of this constitution;

13.2.5. appoint the auditor for the accounts;

13.2.6. conduct any other business.

14. Expulsion

14.1. A member who is found by vote carried at a General Meeting called in accordance with clause 12 of this constitution to have behaved in a manner likely to bring the Club into disrepute or cause substantial prejudice to it may be expelled from the club provided that:

14.1.1. the resolution is carried by 4/5ths of those attending and entitled to vote as given in clause 8.4 of this constitution;

14.1.2. this is the only business at the meeting;

14.1.3. before putting the motion to the vote the member shall have a full opportunity to address the meeting.

14.2. The member expelled may appeal by notice in writing sent to the Secretary of the Croquet Association within fourteen clear days who shall within fourteen days (or as soon as reasonably possible thereafter) convene a meeting of the chairperson (or in their absence the vice-chairperson) of the Council of the Croquet Association and two members who shall decide the appeal and shall not be required to give reasons. Following expulsion any subscription for the whole of that year that has been paid by that member shall be returned.

15. Dissolution

15.1. In the event that BRSC is dissolved (necessarily involving dissolution of the Club, which is a section of BRSC) the application of the Club's surplus assets (if any) will be determined by the BRSC committee or by the BRSC members in General Meeting; but that determination can only be exercised in favour of a registered charity, another registered Community Amateur Sports Club or a governing body of any eligible sport for which BRSC existed immediately prior to its dissolution.

- 15.2. Clause 15.1 is without prejudice to the power of the Club's Committee under clause 5 to make donations at any time in advance of the dissolution of BRSC.
- 15.3. In the event of dissolution of the Club (otherwise than as part of the dissolution of BRSC) any surplus assets may be applied for the purposes of a registered charity, or of a registered Community Amateur Sports Club (including BRSC) or the governing body of croquet (e.g. the Croquet Association). The application of funds in these circumstances must be determined by the Club Committee or the Club's members in General Meeting.

16. Alterations to the Constitution

- 16.1. Any proposed alterations to the Club constitution may only be considered at an AGM or a General Meeting of the Club, convened with the required written notice of the proposal as given in clauses 12 and 13 of this constitution.
- 16.2. Any alteration or amendment must be proposed by a member of the Club and seconded by another member of the Club. Such alterations shall be passed if supported by not less than two thirds of those members present at the meeting and voting, assuming that a quorum has been achieved.
- 16.3. An abstention shall be recorded but shall not count as a vote.

Adopted by General Meeting of the Club 30th March 2015