

CUDDINGTON & SANDIWAY TENNIS CLUB

Constitution and Rules of Membership

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**1<sup>st</sup> Mar 2024**

# CUDDINGTON & SANDIWAY TENNIS CLUB

## Constitution and Rules of Membership

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# CUDDINGTON & SANDIWAY TENNIS CLUB

## Constitution and Rules of Membership

### **Constitution and Rules of Membership**

#### **1. Name**

The Club is called The Cuddington and Sandiway Tennis Club ("the Club").

- 1.1 The Club is affiliated to the Cuddington and Sandiway Parish Playing Fields Association Limited.

#### **2 Definitions**

- 2.1 "Chair" means the person elected from time to time to be the chair of the Club in accordance with Rule 9;
- "Secretary" means the person elected from time to time to be the secretary of the Club in accordance with Rule 9;
- "Treasurer" means the person elected from time to time to be the treasurer of the Club in accordance with Rule 9;
- "Management Committee" means the committee appointed pursuant to Rule 9 to manage the Club;
- "Members" means the members of the Club admitted from time to time in accordance with Rule 5;
- "In writing" includes email and other electronic messaging, where there is evidence of sending;
- 2.2 Words denoting the singular number include the plural number and vice versa; words denoting the masculine gender include the feminine gender; and words denoting persons include bodies corporate (however incorporated) and unincorporated, including unincorporated associations of persons and partnerships.
- #### **3. Objects**
- 3.1 The objects of the Club are:
- (a) to provide tennis, social and other activities for its Members and generally to encourage and facilitate the playing of tennis;
  - (b) to provide and maintain Club premises at the Playing Fields, Norley Road
  - (c) to promote, improve, develop and support the interests of tennis;
  - (d) to acquire, establish, own, operate and turn to account in any way the tennis court facilities of the Club together with buildings and casements, fixtures and fittings and accessories as shall be thought advisable;

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- (e) to make rules, 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;
- (f) to discipline the Members where permitted by its Rules/Regulations
- (g) to do all such other 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 Profit**

The Club is a non-profit-making organisation. All profits and surpluses will be used to maintain or improve the Club's facilities and in furtherance of the Club's objects. Should the Club be dissolved, any property remaining after the discharge of the debts and liabilities of the Club shall not be paid to or distributed among members of the Club but shall be paid to or distributed to another non-profit making tennis club or voluntary organisation having objects similar to those of the Club or to a registered charity for lawn tennis or the LTA for use in community related tennis initiatives.

### **5. Membership**

#### **5.1 Eligibility membership**

5.1.1 No person shall be denied membership of the Club on the grounds of race, sex, age, disability, sexual orientation, gender reassignment or religion. All members must abide by the club's policies and procedures.

5.1.2 Persons below the age of 18 may be elected as Junior Members without the right to hold office or vote at general meetings.

#### **5.2 Admission of Members**

5.2.1 Any person who wishes to become a Member must submit an application in such form as the Management Committee shall decide. Every candidate for membership shall be considered by the Management Committee, which shall, in its absolute discretion, decide whether to admit that candidate as a Member.

5.2.2 Until a candidate has paid the membership fee appropriate to their membership he or she is not entitled to any privileges of the Club.

#### **5.3 Classes of Members**

There shall be the following classes of membership for the Club:

- Junior Mini Member – any child, who is not yet attending secondary school, at the time of joining

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- Junior Member – anyone of age eighteen or below, who is not a junior mini, who is attending secondary school, sixth form college, or other further education, at the time of joining
- Student Member – anyone in full-time higher education at the time of joining. Copy of student card required
- Parent of Junior Mini – a parent of a junior mini, only permitted to play with that junior mini, at weekends, or on weekdays upto 18:30
- Family members – up to two adults and all children in full time education, normally living at the same address
- Adult Member – anyone of age eighteen and over, who is not a junior, a student, a family member, an honorary member or a parent of a junior mini
- Honorary members – as agreed by the Management Committee

All members aged eighteen and over on the date of a general meeting, shall be entitled to receive notice of, and vote at general meetings. Members aged less than eighteen shall be entitled to all the other privileges of membership other than the right to receive notice of, and vote at general meetings.

### 5.4 Number of Members

The total number of Members of the Club may not at any time fall below 25.

### 5.5 Subscriptions

- 5.5.1 The annual subscription for each type of Member shall be determined from time to time by the Management Committee.
- 5.5.2 The Members shall pay any annual subscription fees set by the Management Committee.
- 5.5.3 No Member shall be entitled to the privileges of membership until he has paid his annual subscription.
- 5.5.4 Any Member whose entrance fee or subscription is not paid by such date as the Management Committee shall decide each year shall be deemed to have resigned his membership of the Club.

## 6. Resignation

A Member may withdraw from membership of the Club on **7 days** clear notice 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.

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### **7. Discipline and Appeals**

- 7.1 All complaints regarding the behaviour of members should be submitted in writing to the Club's Secretary.
- 7.2 The Management Committee shall meet to hear complaints within 28 days of a complaint being lodged. The committee have the power to take appropriate disciplinary action, including the power to expel a Member when, in its opinion, it would not be in the interests of the Club for them to remain a Member. The outcome of the disciplinary hearing will be notified in writing to the person who lodged the complaint and the member against whom the complaint was made within 7 days of the hearing.
- 7.3 The member against whom a complaint has been upheld shall be given 14 days' written notice of the pending action. There will be a right to appeal to the Management Committee during this 14 day period. The committee shall consider the appeal within 28 days of the secretary receiving the appeal. The Member shall be given an opportunity to make written representations and/or to appear before the Management Committee and at any such meeting to answer complaints made against them and to cross-examine any witnesses and must not be expelled unless at least two-thirds of the Management Committee then present vote in favour of their expulsion.
- 7.4 The Management Committee may decide to exclude the Member from the Club's premises until the meeting considering their appeal has been held. For the avoidance of doubt, the member shall be entitled to attend that meeting.

### **8. Effect of Resignation or Expulsion**

Any person ceasing to be a Member forfeits all right to and claim upon the Club, its property and its 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) Chair;
  - (b) Secretary;
  - (c) Treasurer;
  - (d) Membership Secretary
  - (e) Club Captain
  - (f) no more than 12 other Members elected annually at the annual general meeting

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- 9.2 The election of the Management Committee for the forthcoming year shall take place at the AGM.
- 9.3 Any person nominated as a member of the Management Committee must be a Member who is eighteen or over and of not less than one years' standing.
- 9.4 The Management Committee shall be elected at the annual general meeting in each year, and subject to termination of office by resignation, removal or otherwise, the members remain in office until they or their successors are re-elected or elected (as the case may be) at the annual general meeting following their re-election or election (as the case may be). If there is more than one candidate for any particular vacancy there shall be an election at the annual general meeting for that position. If there is only one candidate nominated to fill any particular vacancy, that candidate shall still be voted on, if the majority vote against the candidate, that post will remain vacant.
- 9.5 In addition to the members elected or appointed in accordance with this Rule 9, the Management Committee may co-opt up to **3** further members who shall serve until the next annual general meeting, where if required, they can then be elected to full Management Committee members. Co-opted members shall be entitled to vote at the meetings of the Management Committee.
- 9.6 The Management Committee may appoint any member to fill any casual vacancy on the Management Committee until the next annual general meeting when that person shall retire but shall be eligible for re-election.
- 9.7 Retiring members of the Management Committee may be re-elected.
- 9.8 A member of the Management Committee shall be deemed to have vacated office if;
- (a) he becomes bankrupt or makes any arrangement or composition with his creditors generally; or
  - (b) he resigns his office by notice to the Club; or
  - (d) he shall without sufficient reason for more than 4 meetings of the Management Committee have been absent without permission of the Management Committee and the Management Committee resolves that his office be vacated; or
  - (e) he is requested to resign by not less than two-thirds of the other Management Committee members acting together.
- 9.9 The Club Head Coach will be a full Management Committee member, with full voting rights, however, the other members of the Management Committee may meet without the Head Coach, to discuss and vote upon matters relating to the Head Coach's employment, contract and performance of his duties.

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#### 10. Proceedings of the Management Committee

- 10.1 Management Committee meetings shall be held as often as the Management Committee thinks fit provided that there **shall be at least 4** meetings each year. The quorum of such meetings shall be six. **The Chair, Secretary and Treasurer** shall have 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 all the members of the Management Committee not less than 7 days' notice of a meeting.
- 10.2 The Chair shall usually preside at meetings of the Management Committee at which he is present. But if there is no person holding that office, or if the Chair is unwilling to preside or is not present within 20 minutes after the time appointed for the meeting, or if a majority of the Management Committee present, prefer to appoint one of their number, that person will chair the meeting.
- 10.3 Decisions of the Management Committee shall be made by a simple majority and in the event of equality of votes the Chair (or the acting chair of that meeting) shall have a casting or additional vote.
- 10.4 The Management Committee may from time to time appoint from the Members such sub-committees as it considers necessary and may delegate to them such of the powers and duties of the Management Committee as the Management Committee may determine. All 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 power to enter into contracts for the purposes of the Club on behalf of all the Members.
- 10.6 Every member of the Management Committee, employee or agent of the Club shall be indemnified by the Club, and the Management Committee shall pay all costs, losses and expenses which any such member of the Management Committee, employee or agent, may incur or for which he may become liable by reason of any contract entered into or act or thing done by him in good faith as such member of the Management Committee, employee or agent in accordance with the instructions of the Management Committee or of a general meeting of the Club or otherwise in the discharge of his duties. The Management Committee may give to any member of the Management Committee, employee or agent of the Club who has incurred or may be about to incur any liability at the request of or for the benefit of the Club such security by way of indemnity as may seem expedient.
- 10.7 Any member of the Management Committee may participate in a meeting of the Management Committee by way of video conferencing or conference telephone or similar equipment which allows every person participating to hear and speak to one another throughout such meeting. A person so participating shall be deemed to be present in person at the meeting and shall accordingly be counted in the

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quorum and be entitled to vote. Such a meeting shall be deemed to take place where the largest group of those participating is assembled or, if there is no such group, where the Chair of the meeting is.

### 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 but in any event shall take place no later than the end of February to transact the following business:

- (a) to receive the Chair'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, Treasurer's report as to the financial position of the Club; the Membership Secretary's report on the membership of the Club and any other officer reports deemed useful by the Management Committee
- (c) to remove and elect the auditor or confirm that he remain in office;
- (d) to elect the 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 which the Management Committee desires to bring before the membership.

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 15 days before the 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, **called for by not less than 20 members who shall be named in the requisition**, or by 10% of the membership (whichever is the smaller), stating the purposes 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 in writing, to each Member at his last known address, notice of the date of the general meeting at least 28 days before the meeting. This will then be followed up with the resolutions to be proposed, 14 days before the meeting.

13.2 The quorum for the annual and extraordinary general meetings shall be 20 Members or one-tenth of the membership of the Club (whichever is the smaller number).

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- 13.3 The Chair shall usually preside at meetings of the Club but if he is not present within 20 minutes after the time appointed for the meeting or has signified his inability to be present at the meeting, or if a majority of the Members present and entitled to vote, prefer to appoint one of their number, that person will chair the meeting.

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- 13.4 Each eligible Member present shall have one vote and resolutions shall be passed by a simple majority of those Members present and voting. In the event of an equality of votes the chair of the meeting shall have a casting or additional vote.
- 13.5 The Secretary, or in his absence a member of the Management Committee, shall take minutes at annual and extraordinary general meetings.
- 13.6 There shall be no right for a member to vote by proxy. No person may represent more than one Member. For the avoidance of doubt voting shall be based upon one member being entitled to one vote.

#### **14. Guests**

- 14.1 Any member may introduce guests to the Club, provided that no one whose application for membership has been declined or who has been expelled from the Club may be introduced as a guest, subject to the following conditions:
- 14.2.1 Guests may only play at the club in the presence of a current member
- 14.2.2 All members bringing guests on court, must have asked for, each time, (verbal or in writing), and received, the permission of a committee member.
- 14.2.3 Guests may play at the club on a maximum of 3 occasions, after which they must decide whether to join the club or not.

#### **15. Court Availability**

Court availability and playing times are published separately and are deemed part of the Club's Regulations, Bye-laws and Standing Orders which may be amended from time to time by the Management Committee in accordance with Clause 17.

#### **16. Alteration of the rules**

These Rules may be altered by resolution at an annual or extraordinary general meeting provided that the resolution shall not be passed unless carried by a majority of at least two-thirds of the Members present and voting at the general meeting, the notice of which contained particulars of the proposed alteration or addition.

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### **17. Regulations, Bye-laws and Standing Orders**

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

### **18. Finance**

- 18.1 All moneys payable to the Club shall be received by the people authorised by the Management Committee to receive such moneys and shall finally be deposited in a bank account in the name of the Club.
- 18.2 Subject to Rule 20.3, the income and property of the Club shall be applied only in furtherance of the objects of the Club and no part thereof shall be paid by way of bonus, dividend or profit to any Member.
- 18.3 The Management Committee shall have power to authorise the payment of remuneration and expenses to any officer, member of the Management Committee, Member or employee of the Club and to any other person or persons for services rendered to the Club.
- 18.4 The financial transactions of the Club shall be recorded by the Treasurer, in such manner as the Management Committee thinks fit.
- 18.5 Full accounts of the financial affairs of the Club shall be prepared each year. A report on these accounts shall be prepared by an independent auditor. The accounts must be made available to every Member at the annual general meeting.

### **19. Dissolution**

- 19.1 A resolution to dissolve the Club shall only be proposed at an extraordinary general meeting and shall only be passed if carried by a majority of at least three-quarters of the Members present and voting.
- 19.2 The dissolution shall begin to 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.
- 19.3 Should the Club be dissolved, any property remaining after the discharge of the debts and liabilities of the Club shall not be paid to or distributed among members of the Club but shall be paid to or distributed to another non-profit making tennis club or voluntary organisation having objects similar to those of the Club or to a registered charity for lawn tennis or the LTA for use in community related tennis initiatives.