

# EDGORTH CRICKET AND RECREATION CLUB CONSTITUTION

VERSION DE/MJ 2

DATE 27<sup>th</sup> June 2022

## 1.0 NAME

1.1 The Club shall be called “**Edgorth Cricket & Recreation Club**”, hereinafter referred to as “The Club”.

1.2 This Constitution replaces that of Edgorth Cricket Club and the previously constituted Edgorth Cricket & Recreation Club. This renewed Constitution will be recommended for acceptance to the membership by the committee at the meeting held 27/6/22

## 2.0 OBJECTIVES OF THE CLUB

The club has two primary objectives:

**2.1 Primary Objective 1 – This primary objective of the club is to act as the agent for the delivery of the Barlow Trust’s ( Reg Charity 521333) recreational objectives and obligations.**

“The object of the charity is, in the interest of social welfare to improve the conditions of life of the inhabitants of the area of benefit without distinction of political, religious or other opinions by the provision and maintenance of “recreational and leisure time opportunities” and “a recreation ground for use by inhabitants””.

This objective is achieved through the provision of facilities for the playing and watching of cricket matches and promotion of the development of cricket within the area, and the provision of social and recreational facilities commensurate with the playing of cricket and additional sports and recreational activities for the community of users and members.

**2.2 Primary Objective 2 – This primary objective is to contribute to the North West Plan for Sport and Physical Activity (Sport England).**

This objective is achieved through the club acting as a sporting stakeholder – an amateur Sports and Recreation Club with a community centred approach by:

Adding to the Sporting Infrastructure in the North West.

- acting as a participant node in the network of stakeholders
- sustainable in economic and environmental terms
- an important contributor in an area of rural amenity deprivation
- addressing the issue of poor access to sporting facilities

Improving Health and Well-Being of the Community of Members.

- setting targets for attracting participants, especially priority groups (women/girls, young people, ethnic minorities, those aged 45+) collecting data on participation rates,
- retention, progression helping Sport England achieve participation and retention targets
- producing and distributing promotional material; the benefits to health and well-being
- from participation in sport, a healthy diet and a healthy environment

- a multi-activity project; cricket and other opportunities; daytime, evenings, week-ends
- playing the lead role in supporting increased participation rates within the village community and adding value to the contribution of its community of partners.
- providing a healthy environment for members, participants and staff

#### Developing Education and Skills.

- working with young people to assist them in gaining skills, physical literacy, and qualifications in sport
- providing opportunities for members to gain coaching accreditation

#### Benefiting the Economy.

- E.C. & R.C. as a business within the sports sector providing benefits to service providers
- improving the physical well-being and self-esteem of participants thereby benefiting their roles in the workplace and their productivity
- providing training and employment within the Clubhouse / Pavilion, in the grounds, and among the coaching staff

#### Building a Stronger and Safer Community • old, young, male, female, all in one centre fostering a bond of mutual trust and communal well-being

- addressing youth exclusion by acting as an important provider of youth facilities and services in an under-resourced area
- providing leadership and direction recognised by Clubmark
- working with community police service in a way that can promote communal cohesion and safety

#### Impacting against the barriers to inclusive participation in sport and recreation

- AGE: a wide range of physical and recreational activities to suit all ages.
  - TIME PRESSURE: providing flexible opportunities in daytime, evenings and weekends.
  - ATTITUDES TO HEALTH: providing a resource that advertises through example the benefits to one's well-being of sport and physical activity.
  - ACCESS: a central location in an under-resourced area with no intervening opportunities.
  - THE WORK OF VOLUNTEERS / PROFESSIONALS: providing the management structure and coaching staff to cope with the increased critical mass of usage.
  - EDUCATION: of mutual benefit to local school and college.
- INVESTMENT: a resource of currently massively underused potential, therefore a project that re-affirms the original vision of the benefactors, the Barlow family.

### 3.0 MEMBERSHIP



**3.1 The club has an inclusive participation policy. No person shall be excluded from the benefits of participation and privileges of membership on grounds of race, gender, age, physical disability religion, socio-economic circumstances, or sexual orientation (see terms of charity 521333) Non-members have the right to use the club premises for the purpose of the consumption of alcohol on no more than THREE occasions during a membership year (see 19.3)**

**3.2 The primary benefits of membership shall be as follows:**

- the exercise of the power of voting, and qualification to be an officer of the Club or member of the General Committee of Edgworth Cricket and Recreation Club. This is limited to Full Members only.
- the right to consume alcoholic beverages on the premises for those aged 18 or over.
- the right to engage in team games, sports and such recreational activities offered by the club and associated with the club's structure

**All members of the public have the right to enter and use the club premises, except for the purposes stated in 3.2 above which are restricted to members only.**

**3.3 The Club shall consist of the following types of Full Members:** (i) Full Playing Members - cricket (ii) Social Members (iii) Centenary Members (iv) Family Members (adults) (v) Associated Recreational Members.

The Club shall also consist of the additional grade of Associated Members without Full member status: (vi) Associated Corporate Members. The Club shall also consist of (vii) Junior Members.

**3.4 All persons shall be eligible for full membership provided they are 18 years of age or over.**

**3.5 The exercise of the power of voting, and qualification to be an officer of the Club or member of the General Committee of Edgworth Cricket and Recreation Club shall be limited to Full Members only.**

**3.6 Persons below the age of 18 years may be elected as:** (i) Junior Playing members or (ii) Junior Non-Playing members without the right to hold office or to exercise the power of voting for the General Committee. They can, however, vote and hold office within the Junior Section of Edgworth Cricket and Recreation Club.

**3.7 The name and contact details of every person wishing to become a club member will be entered onto an application form to include the names of the proposer and seconder [both of whom should be full members].**

**3.8 The names of members shall be prominently displayed on a membership list in the club premises**

**3.9 Immediately upon registration of a member, notice thereof should be given to him or her, and after payment of a subscription he or she will be furnished with a card of membership and copy of the club rules.**

**3.10 Such person shall then become a member of the club and be entitled to all the benefits and privileges of membership and be bound by the rules.**

## **4.0 GOVERNMENT**

**4.1 The affairs of the Club, except in those matters reserved under the rules for the Club in general meetings, shall be managed by a General Committee. The Committee shall exercise the**



powers given to it by these rules and shall consist of a PRESIDENT, CHAIRPERSON, SECRETARY, TREASURER, COMMERCIAL DEVELOPMENT OFFICER, CRICKET AND RECREATIONAL DEVELOPMENT OFFICER, PREMISES AND ASSETS MANAGER, AND CHILD WELFARE OFFICER, all of whom shall have been elected in accordance with these rules, except for the President which is an honorary position given by the Committee.

Four members shall form a quorum of the Committee.

4.2 Reporting to the General Committee will be the PREMISES AND ASSETS SUB-COMMITTEE consisting of Premises and Assets Manager, Bar Manager, Membership Secretary and Social Secretary; the CRICKET AND RECREATIONAL DEVELOPMENT SUB-COMMITTEE consisting of Cricket and Recreational Development Officer, Cricket Manager, League Representative, Associated Recreational Managers, and Junior Manager; and FUNDRAISING SUB-COMMITTEE.

4.3 Junior Playing Members, Junior Non-Playing members, their parents/guardians and their respective coaches and managers, have their affairs managed by a Junior Section consisting of an Executive Committee and Members. This group operate within the terms of their own Constitution, and are bound by the rules of ECRC..

4.4 The Club shall adopt and implement the ECB Safe Hands – Cricket’s Policy for Safeguarding Children and any future versions of the policy

4.5 The Club shall adopt and implement the ECB Anti Discrimination Code of Conduct and any future versions of this policy

## **5.0 TRUSTEES**

5.1 The self-owned property of the Club (other than the cash which shall be under the control of the Committee) shall be vested in the Trustees.

5.2 The appointment of Trustees shall be vested in the members, and their appointment shall be made by resolution passed at a General Meeting.

5.3 The number of Trustees shall not be more than four and not less than two, and they shall remain in office until death or resignation in writing, unless removed from office by a resolution of a General Meeting.

5.4 They shall deal with the self-owned property of the Club as directed by resolution of the Committee and they shall be indemnified against risk and at the expense out of Club property.

5.5 The Trustees have the power to call an EGM with due notice of 28 days.

**5.6 The trustees have a responsibility that at all times the activities of the General Committee and Sub-Committees shall be in accordance with the primary objectives of the club (2.1, 2.2) and within the terms of this Constitution.**

## **6.0 SUBSCRIPTIONS**

6.1 The annual subscription for each type of member specified in Section 3.0 shall be determined each year by the Club in General Meeting and the Club shall in so doing make special



concessions for children and for persons in receipt of State Retirement Pensions, Income Support, or Job Seeker's Allowance who shall pay such reduced subscriptions as the Club in General Meeting shall determine.

6.2 All annual subscriptions shall be payable in advance without demand on the first day of April each year.

6.3 Any member of the two cricket senior teams or other sport / recreational teams whose subscription is unpaid on 30<sup>th</sup> April, may not be selected to play for the club

6.4 Any member whose subscription is unpaid on the 31<sup>st</sup> May shall cease to be a member.

6.5 No member whose subscription is in arrears may vote at any meeting or be allowed to use the facilities of the Club.

6.6 Any new member joining the Club after the aforementioned date must pay his or her full subscription before commencing to use the facilities of the Club.

6.7 A person who has ceased to be a member due to non-payment of subscription may at the discretion of the Committee, and upon payment of arrears and upon satisfactory explanation be re-admitted to membership.

## **7.0 HONORARY MEMBERS**

7.1 The Committee may invite as Honorary Members such persons as they see fit.

7.2 Honorary members shall not be required to pay any subscription, but shall have the same voting power and the same rights and privileges and be subject to the same rules as other members of the Club, except they shall not take part in the management of the Club.

7.3 The Honorary Members so admitted shall be restricted to such a number as shall ensure that their total number shall not be significant in proportion to the membership of the Club, to a maximum of 5%.

7.4 Life members registered under the discontinued constitutions of Edgworth Cricket Club and Edgworth Cricket & Recreation Club retain full member rights and privileges

## **8.0 AFFILIATED "VISITOR" MEMBERSHIP**

8.1 Except as provided by this rule and subject to any conditions which the local authority or Magistrates Court may attach to the Club's Registration certificate, a bona fide member of any other Club which is affiliated to the Bolton & District Cricket Association, or a bona fide member of any team invited to the Club premises for the purpose of participation in any form of sport or recreational activity or one that has been has been afforded associated recreational status, may (on production of his or her card of membership of such other Club or upon satisfactory proof of membership of such team as the case may be) be admitted to the club premises and be granted full membership privileges[except voting rights] and access during the occasion of the visit, and intoxicating liquor may be sold to him or her by or on behalf of the club for consumption on the premises.



8.2 Any such person is hereafter in these rules called "A Visitor Member" provided always that no such rights shall be conferred upon or be available to:

- (a) Any person who has been a member of the Club who has left it in arrears in payment of his or her subscription or who is otherwise a debtor of the Club.
- (b) Any person who has been an unsuccessful candidate for admission of the Club. (c) Any person who is under suspension or expulsion from the Club.

## **9.0 SUSPENSION, EXPULSION**

9.1 The Club may reprimand, suspend for such period as they think fit, or expel from membership any member wilfully disobeying any of these rules, or guilty of any conduct rendering such member unfit in their opinion to be a member of the Club. If such an instance was to arise, the Committee would nominate a disciplinary sub committee to deal with the matter as soon as reasonably practicable.

9.2 Provided that before expelling such member, the disciplinary sub committee shall call upon him or her for an explanation of his or her conduct, and shall hear what he or she may urge in his or her defence. In the case of an employee due regard shall be given to English employment law.

9.3 A member expelled in accordance with this rule shall have no claim on the property of the Club, and shall not be eligible for re-registration as a member during such period as the disciplinary sub committee may decide.

9.4 The member may appeal any decision by the disciplinary sub committee by submitting, in writing, to the club secretary their intention within seven days of the initial decision. The committee will form an appeals sub committee – formed with different officers of the club than those involved in the original disciplinary sub committee - as soon as reasonably practicable.

## **10.0 OFFICERS AND COMMITTEE**

10.1 The election to the offices of all members of the general Committee and Sub- Committees (excluding the bar manager) shall be held at the Annual General Meeting as the Committee shall determine, and each such officer shall hold office until the next succeeding Annual General Meeting.

10.2 Every candidate for the above offices shall be proposed and seconded by two full members of the Club. Such proposals shall be sent to the Secretary in writing not less than fourteen days before the AG.M., and the name of every such candidate with the names of proposer and seconder shall be posted in the Club not less than Seven days before the Annual General Meeting

10.3 The election to General Committee and Sub-Committees shall be held at or during the week following the Annual General Meeting as the Committee shall determine, and each Committee member shall hold office for One year from election; all existing Committee members shall retire at the Annual General Meeting.

10.4 Retiring members shall be eligible for re-election subject to a proposer and seconder being named.

10.5 The election of such officers shall be by ballot.



10.6 Balloting papers shall be prepared containing all the names properly nominated, and each full member of the Club shall be entitled to vote for as many candidates as there are vacancies to be filled and no more.

10.7 The candidates up to the number of vacancies who shall receive most votes shall be declared elected, and in the case of two or more candidates receiving an equal number of votes a second vote shall be taken.

10.8 Any officer or member of the Committee may at any time retire therefrom by giving to the Secretary notice in writing of his or her desire to do so.

10.9 Should any member of the Committee fail to attend for three consecutive meetings without a satisfactory explanation being given, the Committee shall have the power to declare that position vacant, and to elect any member of the club to fill such position.

10.10 The Committee shall have power to elect any member of the Club qualified to be a member of the Committee to fill any casual vacancy which may arise by death or resignation or by reason of any official or member of the Committee ceasing during his or her term of office to be a member of the Committee or of the Club.

10.11 A member so appointed to fill a casual vacancy shall serve on the Committee for the remainder of the term of office of the member whose place he fills.

10.12 No member shall be entitled to hold any official position until he or she shall have been a full financial member of the Club for at least one year.

10.13 The Committee may from time to time appoint from among their number such subCommittees as they may deem necessary or expedient and may depute or refer to them such powers and duties of the Committee as the Committee may determine.

10.14 Each sub-Committee shall report their proceedings to the Committee, and shall conduct their business in accordance their delegated responsibilities under the directions of the Committee.

## **11.0 BYE-LAWS**

11.1 The Committee shall have power to make, repeal, and amend from time to time all such byelaws and regulations as they shall think expedient for the internal management and well-being of the Club. **All such bye-laws shall be subject to approval by the trustees of the club.**

11.2 All bye-laws and regulations made by the Committee under this rule and approved by the trustees shall be binding upon the members until repealed by the Committee or set aside by a resolution of a General Meeting of the Club.

These new by laws shall be posted on the club noticeboard for 14 days after implementation

## **12.0 GENERAL MEETINGS**

12.1 The Annual General Meeting of the Club shall be held upon a day and at a time to be fixed by the Committee in the month of February in each year for the following purposes:

- (i) To receive a report and statement of accounts for the preceding year
- (ii) To elect or announce arrangements for the holding of elections of officers of the Club and all members of the Committee for the ensuing year.
- (iii) Except to elect the Captains and Vice Captains of Senior Cricket Teams, and Captains and Vice-Captains of Associated Sporting and Recreational Teams which shall be done during the previous November.
- (iv) To determine the annual subscriptions for the following year.
- (v) To decide upon any resolution, proposal or matter, and transact any other business which shall be duly submitted to the meeting.
- (vi) To consider any proposals for alterations to Rules of the Club

12.2 The Committee may at any time for any special purpose call a Special General Meeting, and they shall do so forthwith on a requisition in writing signed by thirty members entitled to attend and vote at a General Meeting or one fifth of the total number of members so entitled ( whichever is the least ) stating the purpose for which the meeting is required.

Upon receiving such a proposal the Secretary shall call a Special General Meeting within Eight weeks, and inform the members of any proposed alteration to rules giving at least Four weeks notice of the date of the Meeting.

Notice of such Special General Meeting and the purpose for which it is summoned shall be posted in the Club Fourteen days before the same is held.

The business to be transacted at such meeting shall be confined to the purposes named in the notice.

12.3 At the Annual General Meeting or Special General Meeting of the Club, the President or in his or her absence, a member selected by the Committee, shall take the chair.

12.4 Notice of the Annual General Meeting, and the business to be transacted there shall be posted on the notice board of the Club Fourteen days before the date for holding the same.

12.5 Any member desirous of moving a resolution or proposing any alteration to rules must have his or her resolution or proposal seconded by another member, and details must be received in writing by the Secretary at least 14 days prior to the date of the Annual General Meeting.

12.6 At the Annual General Meeting or Special ( Extraordinary ) General Meeting the decision of the meeting shall (except as provided by these rules) be ascertained by show of hands or by taking a division in such other manner as the Committee may deem most convenient. Except for the provision in 22.0 (Alteration of Rules)



12.7 Every full member not in arrears with his or her subscription shall be entitled to be present at such meeting and vote there at, and in the event of an equal vote, the Chairperson shall be entitled to a casting vote.

### **13.0 FINANCIAL YEAR**

13.1 The Financial Year of the Club shall end on the THIRTY FIRST day of DECEMBER in each year, to which day the accounts of the Club shall be balanced.

### **14.0 PROFITS OF THE CLUB**

14.1 The money or property of the Club or any gain arising from the carrying on of the Club may be applied in any of the following ways.

- For the benefit of the Club as a whole – premises and assets management and maintenance, cricket and recreation development, ground maintenance
- For distribution for charitable purposes
- To provide for all costs incurred during the execution of the club's obligations under the terms of its lease with regard to rental and maintenance of trust property .
- To provide for costs incurred while undertaking the club's responsibilities acting as the agent for the delivery of the Barlow Trust's ( Reg Charity 521333) recreational objectives and obligations.
- To provide the Club with the services of a professional cricketer, qualified coaches for the junior cricket section (Clubmark) and for other recreational activities as required, and a bar manager and bar staff.
- To cover such personal expenses as may arise during the execution of the voluntary duties undertaken by Premises and Assets Manager, Membership Secretary, Social Secretary, Cricket and Recreation Development Officer, League Representative, Club Secretary and Treasurer or any members of their elected sub-committees.

### **15.0 AUDITORS**

15.1 At every Annual General Meeting an Auditor or Auditors shall be appointed to audit the accounts of the Club.

15.2 The persons appointed shall be either a professional accountant or accountants, or TWO members of the Club not being members of the Committee, and he, she or they, as the case may be, shall serve for one year.

15.3 The accounts of the Club shall be audited not less than Fourteen days before the Annual General Meeting.

15.4 For this purpose the Auditor or Auditors shall have access to all the books, deeds, documents, and accounts of the Club, and shall examine the general statement and accounts of receipts and expenditure, funds, and effects of the Club, and verify the same with the books,

deeds, documents, accounts, and vouchers relating thereto, and shall either sign the same as found by him, her or them to be correct, duly vouched, and in accordance with the law, or shall specially report to the Club in what respects they are found to be incorrect, unvouched, or not in accordance with law, and a copy, with the report of the Auditor or Auditors, if any, shall be posted in the Club at least Two days before the Annual General Meeting.

15.5 A vacancy occurring in the office of the Auditor during the year may be filled according to rule 15.2

## **16.0 HOURS OF OPENING AND CLOSING**

16.1. The Club shall be opened and closed at such hours as from time to time be fixed by the Committee and posted in the Club.

16.2 The Committee have decided that the Club may be open for use of members at any time between 9am and 3am the following day, save that any member requiring the premises be open after 12:00 midnight must make application to the Committee at least 28 days prior to said use.

## **17.0 PERMITTED HOURS FOR SUPPLY OF INTOXICANTS**

17.1 The Committee shall have the power to fix permitted hours for the supply of intoxicants in the Club within the terms of the current licence agreement, and from time to time to alter the hours so fixed, provided that the hours shall not on any day be longer, nor begin earlier or end later, than the hours for the time being in force under the current licence agreement.

17.2 Notice of these hours is to be posted in the Clubhouse.

## **18.0 INTOXICATING LIQUORS**

18.1 Intoxicating liquors shall not be supplied to any member or guest or associate on the Club premises otherwise than by or on behalf of the Club, and shall not be supplied for consumption off the premises except to a member in person.

18.2 The Committee (which shall have sole management of the purchase for the Club and the supply by the Club of intoxicating liquor) shall enter into or cause or permit the trustees to enter into any bond covenant or other agreement or arrangement restricting the Club's purchase of intoxicating liquor.

18.3 No arrangements shall be made by the Committee for any person to receive at the expense of the Club any commission, percentage, or similar payment on or with reference to purchases of intoxicating liquor by the Club, or for any person directly or indirectly to derive any pecuniary benefit from the supply of intoxicating liquor by or on behalf of the Club to members and guests, apart from 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.

## **19.0 SOCIAL VISITORS TO CLUB PREMISES**

19.1 Any Social visitor can enter and use the club premises except for the consumption of alcohol subject to such regulations or bye-laws as shall be made from time to time by the Committee.



19.2 Use of the Club for charitable purposes by an individual or organisation is not subject to membership restrictions, except where alcoholic beverages are served during the execution of the purpose.

19.3 A Social visitor can only be served alcohol on the premises if introduced by a Full member and subject to such regulations or bye-laws as shall be made from time to time by the Committee, provided that

- no person shall be introduced as a social visitor in the Club who shall have been suspended or expelled from membership
- each visitor and the member or associate introducing him or her must sign a visitor registration book provided for the purpose – no visitor may use the club premises for the consumption of alcohol on more than three occasions during a membership year.
- no visitors shall be refused on any grounds of physical or mental disability, gender, race, religion, age or sexual orientation

19.4 In the event of misconduct on the part of the visitor, he or she shall at once be removed from the Club premises, and the member introducing such visitor shall be reported to the Committee, and on the facts being provided shall be liable, in the case of a member, for suspension or expulsion, or to be debarred in the case of the social visitor.

19.5 An Affiliated “Visitor” Member (see 8.0) is **not** entitled to introduce a guest onto the premises for the purpose of consumption of alcoholic beverage.

## **20.0 HIRING OF PREMISES AND BAR FACILITIES**

20.1 Club premises may be hired for private functions. However if bar facilities and catering facilities are required, they can be made available provided that:

- Permitted hours of opening are as stated in the above (17.0)
- The hirer is a Full member of the club
- Visitors are allowed pursuant to the above (19.0)
- The hirer has entered into the appropriate agreement procedure as laid down by the Social Secretary

20.2 If bar facilities are not required the club can be hired or used by any individual, charitable organisation or group for any activity or purpose without the need for membership. However if during that purpose or activity the consumption of alcohol is intended or expected, normal membership rules will apply.

## **21.0 DISSOLUTION OF THE CLUB**

21.1 The members may vote to wind up the club if not less than 80% of those present and voting support the proposal at a properly convened general meeting.

An 80% vote is also required to change the cricket playing status of the club i.e. in the provision of a cricket professional, maintenance of the square and ground in line with primary objective 2.1.

21.2 The committee will then be responsible for the orderly winding up of the club's affairs

21.3 After settling all liabilities of the club, and in accordance with the contracts duly signed and agreed with grant awarding bodies, the committee will dispose of the club's remaining net assets to one or more of the following:

- to another club with similar sports and recreation purposes which is a registered charity and/or
- to another club with similar sports and recreation purposes which is a registered CASC and/or
- to the Barlow Trust for use by them for related community sports and recreation

## 22.0 ALTERATION OF RULES

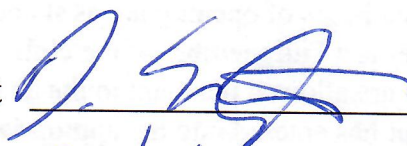
22.1 These rules may be added to, repealed or amended by resolution at any Annual General Meeting or Special General Meeting provided that no such resolution shall be deemed to have been passed unless carried by a majority of at least two-thirds of the members voting thereat and that such repeal, addition or amendment has been given the full approval of the club trustees.

## 23.0 INTERPRETATION

23.1 The Committee and trustees shall be the sole authority for the interpretation of these rules, and bye-laws and regulations made thereunder. Any 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 the bye-laws and regulations made thereunder shall be final and binding on the members.

Signed

David Enright



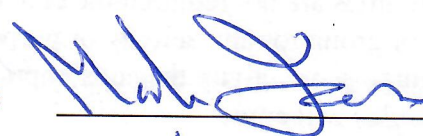
Position Chairman

Date

27/6/22

Signed

Mark James



Position Treasurer

Date

27/6/22