



WOKINGHAM CRICKET CLUB CONSTITUTION

1. Name

The club will be called Wokingham Cricket Club, hereinafter known as the “Club”.

The Club is affiliated to the Berkshire Cricket Board, the England and Wales Cricket Board and in addition those organisations considered by the Executive Committee to support the Aims and objectives of the Club.

2. Aims and Purposes

The purposes of the Club are to provide facilities for and to promote community participation in the amateur sport of cricket in Wokingham and surrounding districts.

The Club aims to provide the best possible opportunity for gifted young cricketers to progress through the teams and age groups up to first team level and beyond, while also being a place where keen but less talented cricketers of all ages can enjoy their sport. To this end, the Club has contributory objectives:

- To manage the Wokingham Cricket Club (at Sadler’s End, Wokingham, Berkshire, RG41 5AW, or at any other premises which the Club may acquire)
- To compete successfully in all relevant cricket competitions throughout the Club.
- To ensure that those representing the Club play within the spirit and the laws of the game.
- To ensure a duty of care to all Members of the Club.
- To provide all its services in a way that is fair to everyone.
- To ensure that all present and future Members receive fair and equal treatment.

The Club takes seriously its responsibilities to all Members, including the welfare of young club members. To this end, the Club fully endorses, as maybe amended, the ECB Club Inclusion & Diversity Policy and the ECB Safe Hands – Safeguarding Children and Child Protection Policy. The Club will adopt the systems and procedures as outlined in these policies and requires all Members to ensure that they are enforced.

The Club has created a sub-committee, known as the Junior Cricket Sub Committee, which is responsible for boys’ and girls’ cricket activities of the Club. Primary responsibility for those issues of relevance only to juniors has been delegated by the Club to this sub-committee. The activities provided by the Junior Cricket Sub Committee are governed by this constitution.

The Club has created a sub-committee, known as the Senior Cricket Sub Committee, which is responsible for senior men's cricket activities of the Club. Primary responsibility for those issues of relevance only to senior players has been delegated by the Club to this sub-committee. The activities provided by the Senior Cricket Sub Committee are governed by this constitution.

The Club has created a sub-committee, known as the Women's Cricket Sub Committee, which is responsible for senior women's cricket activities of the Club. Primary responsibility for those issues of relevance only to senior women players has been delegated by the Club to this sub-committee. The activities provided by the Women's Cricket Sub Committee are governed by this constitution.

3. Trustees

There shall not be less than two or more than four Trustees.

Where it is necessary for a new trustee or trustees to be appointed, the Executive Committee must nominate the person or persons to be appointed as the new Trustee or Trustees, subject to the approval in writing, of all of the continuing and retiring Trustees.

The Club's ground and land as defined in Schedule 2 of the trust deed dated 29th May 1947, and made between Reginald Howard Reed Palmer, Leslie Daniel Sears, Frank Stanley Perkins and John Campbell Thorowgood ("the Ground") and other property ("the Club Property") shall be vested in the Trustees.

The Trustees must deal with the Club Property as the Executive Committee directs from time to time or, in the event of dissolution of the Club, in accordance with Clause 14 below.

4. Membership

Membership of the Club, herein after known as "Members", shall be open to anyone interested in the sport on application regardless of sex, age, disability, ethnicity, nationality, sexual orientation, religion or other beliefs. However, limitation of membership according to available facilities is allowable on a non discriminatory basis.

All Members are subject to the regulations of the constitution and by joining the Club will be deemed to accept those regulations and codes of conduct that the Club has adopted.

Members, whether male or female, can be enrolled in one of the following categories:

- Ordinary Members consists of:
 - The President (elected at the A.G.M.),
 - Vice-Presidents (usually invited to join the Club),
 - Life Members (elected by the members in Annual General Meeting for long and meritorious service to the Club), and
 - Full Members either playing or non-playing.

- Junior Members: Are Members without voting rights (up to the age of 16).
- Social Members: Are Members without voting rights. (The total number of Social Members shall not exceed 49% of the total voting membership).
- Associate Members:
 - The non-playing family members of an Ordinary Member are considered Associate Members of the Club without payment of subscription and without voting rights.
 - The non-playing family members of a Junior Member are considered Associate Members of the Club without payment of subscription and without voting rights

There must be an interval of at least two calendar days between their application for membership, accompanied by the annual subscription, and their admission as a Member of the Club.

The Executive Committee may refuse membership, or remove it, only for good cause such as conduct or character likely to bring the Club or sport into disrepute. Appeal against refusal or removal may be made to the Members.

The maximum number of Members may be fixed from time to time by the Executive Committee. The names and addresses of Members and a record of subscriptions will be kept.

5. Membership Fees

Annual Membership fees are as determined at the Annual General Meeting and the Club's subscription year shall commence following the AGM from 1 January to 31 December. Members who are 16 years of age as of the 1 September of the subscription year will need to subscribe as an Ordinary Member. Only Members whose subscriptions are paid in full are eligible to take part in the activities of the Club.

The Club will keep subscriptions at levels that will not pose a significant obstacle to people participating.

6. Officers of the Club

The Officers of the Club are:

- Chairman
- Vice Chairman
- Honorary Secretary
- Honorary Treasurer

The Officials of the Club are:

- The President
- Honorary Media Secretary
- Honorary Facility Secretary
- Club Captain (Seniors)
- Women's Club Captain
- Junior's Club Captain
- Ex-officio positions {Maximum of four}

Officers and Officials are elected annually through a fair and open process at the Wokingham Cricket Club AGM. All Officers and Officials retire each year but are eligible for re-election.

The Executive Committee shall appoint a Child Welfare Officer, to whom all child protection concerns should be initially addressed. The Child Welfare Officer will report directly to the Executive Committee. This is a formal position, to comply with ECB child protection policies and guidelines and is not subject to election by the membership. The Child Welfare Officer may, however, simultaneously hold an elected post.

The elected Officers of the Wokingham Cricket Club cannot also be paid employees of the Club. The Officers of the Club are responsible for making all financial decisions regarding any paid employee of the Club. At least three Officers must agree any such financial decisions. The Officers of the Club will have final approval on all issues relating to employees or the recruitment of new employees.

7. The Executive Committee

The Club will be managed through the Executive Committee ("the Executive Committee") consisting of the Officers and Officials of the Club. Subject to Clause 13, only the Officers and Officials of the Club have the right to vote at meetings of the Executive Committee. The President may attend Executive Committee Meetings but without voting powers.

All Officers and Officials of the Executive Committee will be Ordinary Members of the Club and over eighteen (18) years of age when elected or appointed.

Subject to Clause 13, **five** voting Officers or Officials of the Executive Committee form a quorum.

The Club Captain (Senior's) shall also chair the Senior Cricket Sub-Committee and act as their representative on the Executive Committee.

The Women's Club Captain shall also chair the Women's Cricket Sub-Committee and act as their representative on the Executive Committee.

The Junior's Club Captain shall also chair the Junior Cricket Sub-Committee and act as their representative on the Executive Committee.

The Executive Committee is empowered to co-opt a Member to fill a casual vacancy during the tenure of its office.

The Executive Committee is responsible for disciplinary hearings of Members who infringe the Club rules/regulations/constitution and for taking any action of suspension or discipline, following such hearings.

The Executive Committee has powers to appoint sub-committees as necessary and appoint advisers to the Executive Committee as necessary to fulfil its business.

The Executive Committee will have due regard to the law on disability discrimination and child protection.

8. Trading Company

The Executive Committee has created a subsidiary Trading Company (Wokingham Cricket Club Trading Company Limited with Company Number 9744541), for the purpose of delegated management of the bar and associated use of the facility.

The Trading Company shall be managed by not less than two or more than four Directors. Directors will be elected and retire each year, but are eligible for re-election. A Company Secretary shall also be elected.

For a new Director to be appointed, or a Director to be eligible for re-election, the Executive Committee must nominate the person or persons to be appointed to ensure that they meet the Fit and Proper criteria to be a Director of a Company, and also be subject to the approval from the Trustees.

The Trading Company's Accounts will be presented at the AGM. Should the Trading Company report a profit then an allowable donation to the Cricket Club shall be made.

The Trading Company shall be managed by the Directors in accordance with its Articles of Association and as maybe otherwise directed by instruction from the Executive Committee.

9. Finance

All Club monies will be banked in accounts held in the name of Wokingham Cricket Club.

The Honorary Treasurer will be responsible for reporting on the finances of the Club.

The financial year of the Club will end on 31st August.

The Executive Committee are responsible for making all financial decisions. No financial decisions can be made or agreed by any individual or separate sub-committee on behalf of the Club. The Executive Committee may however choose to delegate responsibility where it

deems necessary, but will provide prior written Executive Committee approval to the individual or sub-committee for that specific purpose.

Any cheques drawn against the Club's funds should hold the signature of at least two Officers (or other Member as appropriate) of the Club nominated and approved by the Executive Committee. Any money transferred electronically, shall also require the same level of approval.

The Executive Committee shall be empowered to borrow or raise money in such manner as the Executive Committee shall think fit up to 70% of the balance on the Accumulated Members Fund at the preceding balance sheet date. A level of borrowings in excess of 70% of the balance on the fund shall require the approval of 75% of the members in General Meeting. The effect of a change in accounting policy adopted in the preparation of the Balance Sheet on which the borrowing level is determined or, if occurring in the previous five years, shall be disregarded, if producing a higher level of accumulated funds, for the purpose of establishing the borrowing powers of the Executive Committee except in the event of the change of policy being advised to the General Meeting as sound practice by an independent firm of Chartered Accountants.

All surplus income or profits are to be reinvested in the Club. No surpluses or assets will be distributed to Members or third parties.

If the Club has any income, profits, gains or other funds which the Executive Committee considers not to be needed to meet expenditure in the short term but are required to meet the financial needs of providing facilities and promoting participation in the long term, then the Treasurer may deposit or invest those funds, but only after taking advice from a financial expert (being an individual company or firm who or which is authorised to give investment advice under the Financial Services and Markets Act 2000) and having due regard to the suitability of investments and the need for diversification.

The Treasurer may delegate the management of any investments to the financial expert from whom or which he takes advice but only on the basis that:

- The investment policy of the Club, which shall be agreed by the Executive Committee in the light of the Clubs' short and long term needs following recommendation by the Treasurer (and reviewed at least annually) is set down in writing and made available to the financial expert (who shall not advise or implement any investment which is not in accordance with the policy)
- The financial expert promptly reports all transactions to the Treasurer
- The performance of the investments is reviewed regularly by the Treasurer and the financial expert, and the Treasurer then reports on those reviews to the Executive Committee
- Payments due to the financial expert are set at a level or on a scale agreed in advance

The property and funds of the Club cannot be used for the direct or indirect private benefit of members other than as reasonably allowed by this constitution.

The Club may provide sporting and related social facilities, sporting equipment, coaching, courses, insurance cover, medical treatment, away-match expenses, post match refreshments and other ordinary benefits of Community Amateur Sports Clubs as provided for in the Corporation Tax Act 2010 and the Finance Act 2010.

The Club may also in connection with the sports purposes of the Club:

- sell and supply food, drink and related sports clothing and equipment;
- employ members and remunerate them for providing goods and services, on fair terms set by the Executive Committee without the person concerned being present;
- pay for reasonable hospitality for visiting teams and guests;
- indemnify the Trustees, the Executive Committee and members acting properly in the course of the running of the Club against any liability incurred in the proper running of the Club (but only to the extent of its assets).

10. Annual General Meetings

The Annual General Meeting (“AGM”) is held in either October or November of each year when:

- All club officers and team captains are elected through a fair and open process
- The Honorary Secretary's report and Auditor's report are presented.
- The Hon Treasurer's Statements of Accounts for the previous year to 31st August are presented for adoption. A copy of the Treasurer's Report is available to each Member present.

The meeting is called by giving **fourteen** calendar days clear notice to the appropriate Club Members.

At the AGM a resolution put to the vote of the meeting is decided on a show of hands unless a ballot is demanded either by:

- the Chairman of the meeting, or
- at least three Ordinary Members present in person.

Any business, other than the election of officers and presentation of reports as described above, is considered Special Business, which must be advised to Members with the notice of the AGM in the form of a resolution with the name of the Proposer and Seconder. For Special Business to be carried, a **two-thirds** majority of the votes cast by the Members present, and entitled to vote, is required.

A minimum of **five** Ordinary Members form a quorum.

Only Ordinary Members have voting rights at an AGM or an Extraordinary General Meeting. Each Ordinary Member can cast one vote in any election or motion.

11. Extraordinary General Meetings

The Executive Committee may call an Extraordinary General Meeting (“EGM”) of the Club by giving notice to Members at least **fourteen** clear days before the date of such a meeting.

Any Member entitled to attend and vote at an EGM may call such a meeting by giving the Honorary Secretary **twenty-one** calendar days’ notice in writing supported by the signatures of **eight** other Members entitled to vote at such a meeting. The notice must specify the business of the meeting and the discussion is restricted to that business.

12. Discipline and Appeals

All complaints regarding the behaviour of Members of the Club should be submitted in writing to the Honorary Secretary or the Chairman.

The written complaint will then be passed to the Executive Committee, of whom a minimum of 3 persons will convene a hearing to investigate the complaint within **seven** calendar days of a complaint being lodged.

The outcome of a disciplinary hearing is notified in writing to the person who lodged the complaint and the Member against whom the complaint was made within **fourteen** calendar days of the hearing.

There is a right of appeal to the Executive Committee following issuance of the original hearing outcome being announced. A written appeal will be reviewed by the Executive Committee, of whom a minimum of 3 persons will convene an appeal hearing to investigate within **seven** calendar days of receipt of the written appeal by the Honorary Secretary or Chairman. The outcome of the appeal will be announced within **fourteen** calendar days of the appeal hearing.

As part of their responsibilities, the Wokingham Cricket Club Juniors Sub-Committee will have the power to request that the Executive Committee immediately suspend the membership of any member of the Club believed to have violated the Club’s Child Protection Policy, pending investigation.

13. The Ground

The Executive Committee shall pay for the maintenance of the Ground (including premiums on any fire insurance taken out in respect of the Ground) out of Club Property and shall indemnify the Trustees out of Club Property in respect of any expenses payments and outgoings made by the Trustees in respect of the Ground.

Where it is proposed (by whatever means) to sell the Ground, the Executive Committee shall call a meeting of the Executive Committee and the Trustees, to consider and if thought fit

approve the sale of the Ground. The quorum for such meeting shall require all of the Trustees to be present in person or by a duly authorised representative. The deed of Trust sets out the conditions and responsibilities in such an event but, in principle:

- Any such resolution to sell the Ground shall only be effective if passed by a majority of the members of the Executive Committee, and approved by a majority of the Trustees.
- The Executive Committee shall account to the Trustees for the proceeds of any sale of the Ground, and the Trustees shall, as soon as practicable, use those proceeds to purchase and equip a replacement ground for the benefit of the inhabitants of Wokingham and its surrounding districts.

14. Dissolution

This clause is subject to the provisions of Clause 13 above.

A resolution to dissolve the Club can only be passed at a Wokingham Cricket Club EGM by a **75% majority** vote of those Ordinary Members present per Clause 11.

If the Ordinary Members resolve to dissolve the Club the members of the Executive Committee will remain in office and be responsible for winding up the affairs of the Club in accordance with this clause.

The Executive Committee on behalf of the Club must collect in all the Club Property and must distribute accordingly to meet all the liabilities of the Club, provided that the Executive Committee members should not be liable for any of the debts of the club.

After settling all liabilities of the Club, in accordance with the deed of Trust, the Executive Committee shall dispose of the remaining Club Property exclusively for the purpose of playing cricket, tennis or other organised outdoor games, for the benefit of the inhabitants of Wokingham and its surrounding districts, to one or more of the following:

- (i) to another Club with similar sports purposes which is a registered charity and/or
- (ii) to another Club with similar sports purposes which is a registered Community Amateur Sports Club (CASC) and/or
- (iii) to the Sport's governing body for use by them for related community sports.

The Ordinary Members may pass a resolution before or at the same time as the resolution to dissolve the Club specifying the manner in which the Executive Committee are to apply the remaining Club Property, in accordance with the clause above, and the Executive Committee must comply with the resolution.

15. Amendments to the Constitution

The constitution will only be changed through agreement by a **75% majority** vote by Ordinary Members at a Wokingham Cricket Club AGM or EGM.

16. General

Complaints or recommendations in respect of the operations of the Club are to be made in writing to the Honorary Secretary or Chairman, who submits the notification to the Executive Committee whose collective decision in the matter will be final. Any Member losing or wilfully damaging the property of the Club shall restore the property, which is at the discretion of the Executive Committee.

In the event of anything arising not covered by the preceding rules, the Executive Committee shall deal with the matter and their decision shall be final.

17. Declaration

Wokingham Cricket Club hereby adopts and accepts this constitution as a current operating guide regulating the actions of Members.

Signed:

Chairman: Mr Paul Hayter

Signed:

Honorary Secretary: Mr Raj Acharya

Version History

| Effective Date | Description |
|--------------------------------|--|
| 11 th March 2006 | Original Version created from previous Club Rules |
| 27 th January 2010 | Amendment to Clauses 1, 2, 3, 4, 5, 6 & 8. |
| 14 th July 2010 | Amendment to Clause 13 |
| 1 st September 2010 | Amendment to Clauses 2, 4, 7 & 8 |
| 26 th January 2011 | Amendment to Clause 13 (iii) |
| 30 th January 2013 | New Logo, Amendment to Clauses 2, 4, 6, 7 & 8 |
| 2 nd July 2013 | Amendment to Clauses 2, 5, 6, 7, 8, 9, 11 & 15 |
| 27 th October 2014 | Amendment to Clause 2 |
| 21 st October 2015 | Amendment to Clause 9 |
| 3 rd November 2016 | Amendment to existing clauses 4, 5, 6, 7, 8 & 9. Addition of New Clause 8 (& re-numbered accordingly). |