**BROOMFIELD CRICKET CLUB CONSTITUTION**

1. **Name**

The club shall be known as, ‘Broomfield Cricket Club’ with Headquarters and Clubhouse at the Pavilion, Mill Lane, Broomfield.

1. **Club Purposes**

The Objects of the Club are to promote the game of Cricket and other such Sports and Games as a General Meeting of Members shall decide.

1. **Affiliation**
	1. The Club is affiliated to the England and Wales Cricket Board through the Essex Cricket Board.
	2. The Club and its members shall ensure that members, playing and non-playing, abide by the ECB Code of Conduct which incorporates the Spirit of Cricket and by the Laws of Cricket.
	3. The Club shall adopt and implement the ECB Safe Hands – Cricket’s Policy for Safeguarding Children and any future versions of the policy. The Club will have a separate club safeguarding Policy Statement, as required by the ECB.
	4. The Club shall adopt and implement the ECB Anti-Discrimination Code of Conduct and any future versions of this policy.
2. **Permitted means of advancing the Purposes**

The Committee has the power to:

* 1. acquire and provide grounds, equipment, coaching, training and playing facilities, clubhouse, transport, medical and related facilities;
	2. provide coaching, training, medical treatment, and related social and other facilities;
	3. take out any insurance for the Committee, employees, contractors, players, guests and third parties;
	4. raise funds by appeals, subscriptions, loans and charges;
	5. borrow money and give security for the same, and open bank accounts;
	6. buy, lease or licence property and sell, let or otherwise dispose of the same provided that no disposal of Broomfield Cricket Club can be made without the prior written approval of the members voting at a general meeting;
	7. make grants and loans and give guarantees and provide other benefits;
	8. set aside or apply funds for special purposes or as reserves;
	9. deposit or invest funds in any lawful manner;
	10. employ and engage staff and others and provide services;
	11. co-operate with any organisation, club, sporting body, government or government-related agencies; and
	12. do all other things reasonably necessary to advance the purposes.

NONE of the above powers may be used other than to advance the purposes consistently with the Rules below and the general law.

1. **Membership**
	1. Membership of the Club shall be open to anyone interested in the sport on application regardless of sex, age, disability, ethnicity, nationality, sexual orientation, religion or other beliefs, except as a necessary consequence of the requirements of cricket.
	2. The Club may have different classes of membership and subscription on a non discriminatory and fair basis. The Club will have an equitable pricing policy and will keep subscriptions at levels that will not pose a significant obstacle to people participating.
	3. The level of subscriptions will be decided by the Committee from time to time and notified to the members.
	4. The Club will have the following classes of membership:
		1. Playing Members
		2. Non-Playing Members
		3. Junior member (under the age of 18).
		4. Honorary Members including Vice-Presidents
	5. Application for membership of the Club shall be by completion of a membership application form. Applications for membership shall be proposed and seconded by members and be submitted to the Executive Committee for approval, The name and address of any person proposed for election, shall, for not less than seven days before election, be prominently displayed in the Club premises in a part frequented by Club members.
	6. No person shall be eligible to take part in the business of the Club, vote at general meetings or be eligible for selection for any Club team unless the applicable subscription has been paid by the due date and/or membership has been agreed by the Committee
	7. The Committee may refuse membership, or remove it, at their discretion but only for good cause such as conduct or character likely to bring the Club or cricket into disrepute and:
		1. The Committee may only refuse to admit a new member if a resolution is passed at a meeting where the person in question has been notified in writing in advance and been given 14 days to submit written representations for the Committee to consider at the meeting. Appeal against a refusal of membership shall be to the Appeal Committee as detailed below.
		2. The procedure for taking disciplinary action against a member, including removing membership, is dealt with in more detail below.
	8. All members will be subject to these Rules and by joining the Club will be deemed to accept these Rules, any Club Regulations and any Codes of Conduct that the Club has adopted. A Code of Conduct for Members and Guests must be displayed prominently to ensure that all Club guests and non-member volunteers are aware of the code and the requirement to abide by it.
	9. The Hon. Secretary will keep a register of members.
	10. Membership is not transferable and shall cease on death.
	11. A member may resign by written notice to the Club, but the return of any subscription paid is at the discretion of the Committee.
	12. The members of visiting teams shall be Honorary Members of the Club for the day, subject to provision of Rule 5.5 and 16.5.
	13. Every member shall have the privilege of introducing not more than three guests on any one day and for whose conduct they shall be responsible.
	14. Any member misconducting himself themselves within the precincts of the Club Grounds or Buildings, or failing to conform to the Rules, shall be liable to exclusion, suspension or loss of membership at the discretion of the Executive Committee.
2. **All General Meetings**
	1. All members may attend all general meetings of the Club in person.
	2. All members over the age of 18 have one vote. At a General Meeting the voting must be confined to members and all members entitled to use the Club premises must be entitled to vote and to have equal voting rights except that no member under 18 years of age may vote on any matter relating to the Bar of purchase and sale of alcoholic refreshments.
	3. Members must be given at least 7 clear days written notice of all general meetings.
	4. The quorum for all general meetings is eight members present
	5. If a quorum is not present within 15 minutes of the start of the meeting, the meeting will be adjourned to the following week at the same time and place or such other time and place as the Committee decide and any voting members attending the adjourned meeting will constitute a quorum.
	6. The Chair or (in their absence) another member chosen at the meeting by the members shall preside.
	7. Except as otherwise provided in these Rules or in Club Regulations every resolution shall be decided by a simple majority of the votes cast on a show of hands.
	8. Formalities in connection with general meetings (such as how to put down resolutions and nominate candidates for election to the Committee) shall be decided by the Committee in Club Regulations and publicised to Club members.
3. **Annual General Meetings**

The Club will hold an AGM once in every calendar year and not more than 15 months after the last AGM.

The Financial Year of the Club shall end on 30 September.

The Annual General Meeting shall be held as soon as practicable after the close of the Financial Year and not later than 31 December and seven days’ notice shall be given to all members.

At every AGM:

* + 1. the members will elect a Committee including a Chair, Vice Chair, Treasurer, Secretary and Club Captain (“the Officers”) to serve until the next AGM;
		2. the Hon. Treasurer, prior to the Annual General Meeting, shall submit the books of the Club together with an Income and Expenditure Account and Balance Sheet to the Hon. Accountant for checking. The Hon. Accountant shall be appointed by the Club at the Annual General Meeting.
		3. the Hon. Treasurer, at the Annual General Meeting, shall present the books of the Club together with an Income and Expenditure Account and Balance Sheet. All accounts shall be submitted to the Executive Committee for approval, together with other such information and documents as the Committee shall decide.;
		4. the Committee will present a report on the Club's activities since the previous AGM;
		5. the members will appoint a suitable person to audit the accounts; and
		6. the members will discuss and vote on any resolution (whether about policy or to change the Rules) and deal with any other business put to the meeting.
		7. the Rules may be altered by a simple majority at an Annual General Meeting or at a Special General Meeting called for this purpose. Notice in writing is to be given to the Hon. Secretary not less than fourteen days before the Meeting with details of the proposed alterations.
		8. Honorary Life Membership may be conferred by the members at an Annual General Meeting as an award for services to the Club.
		9. The Annual Subscription shall be paid by 30 June and shall be fixed annually by the members at the Annual General Meeting.
		10. The Club shall elect annually at the Annual General Meeting a House Committee consisting of three members who shall be responsible for the control and sale of excisable articles and who shall from time to time, as required by the Executive Committee, produce such book and information as may be required. All accounts shall be submitted to the Executive Committee for approval.
1. **Extraordinary General Meetings (EGM)**

An ExtraordinaryGeneral Meeting may be called by the Executive Committee or by written request to the Hon. Secretary by more than eight members who shall give fourteen days’ notice stating the purpose of the Meeting and appending the signatures of the Members. Eight members shall constitute a quorum for a Special General Meeting.

1. **The Committee**
	1. Role

Subject to these Rules the Committee shall have responsibility for the management of the Club, its funds, property and affairs.

* 1. Property, etc.
		1. 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 the Rules
		2. 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
		3. The Club may also in connection with the sports purposes of the Club:
			1. sell and supply food, drink and related sports clothing and equipment;
			2. employ members and remunerate them for providing goods and services, on fair terms set by the Committee without the person concerned being present;
			3. pay for reasonable hospitality for visiting teams and guests; and
			4. indemnify the 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).
		4. The Committee shall ensure that they take practical steps to comply with legislation relating to both The Equality Act 2010 and the safeguarding of children and vulnerable adults.
	2. Composition, etc.
		1. The Officers shall consist of President, Chairman, Vice-Chairman, Hon. Secretary, Hon. Treasurer and the Club Captain
		2. At least three of the Committee must be unrelated to each other and not co-habiting.
		3. The Club shall be managed by an Executive Committee consisting of the Officers, Club Welfare Officer, 1st and 2nd X1 Captains and three additional members, all of whom are to be elected annually at the Annual General Meeting as detailed in clause 7.
		4. The Committee members shall consider skills needed and diversity on the Committee.
		5. The Executive Committee shall have the power to appoint Sub-Committees; to co-opt for special purposes and to fill casual vacancies. Four members shall form an Executive Committee quorum.
		6. Any Committee member may be re-elected or re-co-opted without limit. The Committee may agree a process, set out in Club Regulations for nominating and electing Committee members at the AGM.
		7. A Committee member ceases to be such if they:
			1. cease to be a member of the Club; or
			2. resign by written notice to the Club; or
			3. is removed by the Committee in accordance with clause 5.7 and 10.
	3. Committee Meetings
		1. Whenever a Committee member has a personal interest in a matter to be discussed they must declare it, withdraw from that part of the meeting (unless asked to stay), not be counted in the quorum for that agenda item and withdraw during the vote and have no vote on the matter concerned. Conflicts of Interest must be recorded and minuted.
		2. The Committee shall meet at least four times each year. The Committee may decide its own way of operating. Unless it otherwise resolves the following rules apply:
			1. at least 4 Committee members must be present for the meeting to be valid;
			2. Committee meetings may be held either in person or by telephone, televisual or other electronic or virtual means agreed by the Committee in which all participants may communicate simultaneously with all other participants;
			3. the Chair or whoever else those present choose shall chair meetings;
			4. decisions shall be by simple majority of those voting;
			5. a resolution in writing signed by every Committee member shall be valid without a meeting; and
			6. the chair of the meeting shall not have a casting vote.
		3. The Committee shall appoint a Club Welfare Officer to ensure compliance with safeguarding legislation and the ECB Safe Hands policy. The Club Welfare Office shall be a Committee member and report to relevant Committee meetings and the reports, together with any action taken, must be minuted.
	4. Bank Account

Any bank account in which any part of the Club’s funds are deposited shall be operated by the Committee and shall be held in the name of the Club. Unless regulations state otherwise, all cheques and orders for payment of money from such accounts must be signed by at least two people authorised by the Committee, including at least one Committee member.

* 1. Delegation, etc.

The Committee may delegate any of their functions to sub-committees but must specify the scope of its activity and powers; the extent to which it can commit the funds of the Club; its membership; its duty to report back to the Committee. The Committee may wind up any sub-committee at any time or change its mandate and operating terms.

* 1. Disclosure

Annual Club reports and statements of account must be made available for inspection by any member and all club records may be inspected by any Committee member.

1. **Removal of Membership, Discipline and Appeals**
	1. Any complaints regarding the behavior of members, guests or volunteers should be lodged in writing with the Secretary.
	2. Any person that is the subject of a written complaint or appeal shall be notified of the procedures to be followed by the relevant committee in reasonable time to prepare for any hearing.
	3. The Committee shall appoint a disciplinary sub-committee (Disciplinary Sub-Committee) who will meet to hear complaints within 21 days of a complaint being lodged. Any person requested to attend a Disciplinary Sub-Committee shall be entitled to be accompanied by a friend or other representative and to call witnesses. The Disciplinary Sub-Committee has the power to take appropriate disciplinary action on behalf of the Committee, including the termination of membership or exclusion from Club premises.
	4. The outcome of the disciplinary hearing shall be put in writing to the person who lodged the complaint and the person against whom the complaint was made within 14 days following the hearing.
	5. There shall be a right of appeal within 14 days of receipt of the disciplinary decision or decision to refuse membership:
		1. against the Disciplinary Sub-Committee’s findings or the sanction imposed or both; and
		2. against the Committee’s refusal to admit a new member

in either case, the Committee shall appoint an appeals committee (“Appeals Committee”). The Appeals Committee shall have a maximum of three members which shall not include members involved with the initial disciplinary hearing but may include non-members of the Club. The Appeals Committee shall consider the appeal within 21 days of the Secretary receiving the appeal. The individual who submitted the appeal shall be entitled to be accompanied by a friend or other representative and to call witnesses. The decision of the Appeals Committee shall be final and binding on all parties.

1. **Property Trustees**
	1. The Ground and all that stands on it shall always be vested in not less than four Trustees and on the death or retirement of the Trustee the vacancy shall be filled by a member of the Club who shall be nominated and approved at the General Meeting.
	2. The Committee shall have power by notice in writing to appoint such trustees from the membership of the Club, and may remove them at any time, by resolution of the Committee.
	3. The trustees shall deal with the Club’s property and assets as directed by the Committee from time to time.
	4. The trustees shall be entitled to be indemnified against any cost or expense properly incurred in dealing with the property or the assets out of the Club’s funds.
2. **Club Regulations**

A copy of the Rules shall be given to each Member on election and a copy shall be displayed on the Notice Board in the Club House.

1. **Notices**
	1. Notices to be sent out in accordance with these Rules may be sent by hand, by post or by suitable electronic means and will be treated as being received:
		1. 24 hours after being sent by electronic means or delivered by hand to the relevant address;
		2. Two clear days after being sent by first class post; or
		3. Three clear days after being sent by second class post.
	2. Notice of all general meetings must also be put on the Club’s notice board(s) and website
	3. A technical defect in the giving of notice of which the members or the Committee are unaware at the time does not invalidate decisions taken at a meeting.
2. **Amendments**
	1. These Rules may be amended at a general meeting by resolution passed by a majority of the votes cast
	2. The Club Purposes may be changed to include another eligible sport if the Committee unanimously agree and the members also agreed the change by a 75% majority of votes cast.
	3. Any matter not provided for in the foregoing Rules shall be decided by the Executive Committee with the guidance, where appropriate, of the rules of the Marylebone Cricket Club
3. **Winding Up the Club**
	1. The members may vote to wind up the Club if not less than three quarters of those present and voting support that proposal at a properly convened general meeting.
	2. The Committee will then be responsible for the orderly winding up of the Club’s affairs.

 After settling all liabilities of the Club, the Committee shall dispose of the net assets remaining by dividing them equally between those members entitled to vote at general meetings of the Club on the date the resolution to wind up the Club was passed.

1. **General Regulations**
	1. All matches shall be arranged by the Hon Team Secretary and approved by the Executive Committee. Teams are to be selected by a Selection Sub-Committee appointed annually by the Executive Secretary, consisting of the captains and the Hon. Team Secretary and other such persons as the Executive Committee shall decide.
	2. Saturdays, Sundays and Public Holidays are Match Days. Subject to the approval of the Executive Committee, Matches may be arranged on other days. Cricket Practice is permitted on the Club Ground on days decided by the Executive Committee. Supervised cricket by Junior Members is permitted on Mondays.
	3. On Practice Nights, a member may introduce a guest, subject to the approval of those present.
	4. Members at all times are required to observe the wishes of the Captains and Vice-Captains on the Ground.
	5. No guests of the Club, unless residing more than five miles from Broomfield, shall be introduced more than once a week. No excisable article shall be supplied to a guest unless it has been ordered and paid for by a member of the Club. Persons visiting the Club for the purpose of taking part in Matches, Competitions, Games and the like, may be permitted to enter the Club premises and the Club may sell intoxicating liquor for consumption on the premises to such Visitors.
	6. The Club House shall be open on Match Days from 10.00 a.m. until 11.00 p.m. The Executive Committee shall have the power to open the Club House on days other than Match Days
	7. The permitted hours for the supply of intoxicating liquor shall be fixed and may be varied from time to time by the Executive Committee and House Committee in accordance with the statutory provisions for the time being in force and until otherwise so fixed by the Executive Committee and House Committee shall be as follows:

Monday to Saturday 11.00 am to 11.00 pm

Sunday, Christmas Day and Good Friday 12 noon to 10.30 pm (except where Christmas Day falls on a Sunday – 12 noon to 3 pm, 7 pm to 10.30 pm)

**Adopted at a meeting held**

at [Place]

on [Date]

**Signed**

Name ……………………………………

Signature ……………………………………

[Name and signature of chair of meeting]

Witnessed ……………………………………

Name ……………………………………

Address ……………………………………………………………………………

Occupation ……………………………………………………………………………

Signature ……………………………………

[Name, address, occupation and signature of witness]