



# DARWEN CRICKET CLUB

## Constitution



### 1. NAME

The Club shall be called Darwen Cricket and will be affiliated to the England and Wales Cricket Board through the Lancashire Cricket Board.

### 2. AIMS AND OBJECTIVES

The Aims and Objectives of the Club are:-

- To provide facilities for and promote participation of the whole community in the sport of cricket.
- To offer coaching and competitive opportunities in cricket
- To manage the Club and its facilities
- To ensure that all members abide by the ECB Code of Conduct, which incorporates the Spirit of Cricket, and by the Laws of Cricket
- To ensure a duty of care to all Members of the Club by:
  - 1, Adopting and implementing the ECB's Safe Hands policy for Safeguarding Children and any future versions of the policy
  - 2, Adopting and implementing the ECB Club Inclusion and Diversity Policy and any future versions of the Policy
- 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
- To play such other forms of sport and recreation as may from time to time be determined by the Club

### 3. MEMBERSHIP

The Club shall consist of a President, a maximum of three Vice Presidents, a maximum of eight Life Members and other playing and general Members. The Management Team shall have the power to sub-divide Members and Playing Members according to age and sex, as they shall from time determine. All Members will be subject to the regulations of the constitution and by joining the Club will be deemed to accept these regulations and codes of conduct that the Club has adopted.

Membership shall be open to all, irrespective of age, gender, disability, race, ethnic origin, creed, social status and sexual orientation.

### 4. OFFICERS

- a) The Officers of the Club shall be a President, Hon. Secretary and Hon. Treasurer. They shall be elected by a ballot at each Annual General Meeting (AGM) and shall hold office until the next AGM when they shall retire, but shall be eligible for re-election from year to year.
- b) Nominations for election of Officers must be received in writing by the Hon. Secretary by the 31<sup>st</sup> October each year. Such nominations to be signed by a Proposer and Seconder.

- c) Any nominee must have been a Member of the Club in any category during the preceding season ending 31<sup>st</sup> March, and during the season of nomination, except that this requirement shall not apply to a nomination for President where the existing President is not seeking re-election.
- d) Every member present entitled to vote shall have one vote on every motion and, in the case of equality of votes, the Chairman of the meeting shall have a second or casting vote.
- e) All the Membership who attained the age of 18 years on or before 1<sup>st</sup> April prior to the AGM shall be entitled to vote.

## 5. HON SECRETARY

The Hon, Secretary shall conduct the correspondence of the Club and shall have custody of all documents belonging to the Club. He shall keep full and correct minutes of all proceedings of the Club and a register of the names and addresses of the Membership.

## 6. HON TREASURER

The Hon. Treasurer shall keep the accounts of the Club, and shall make up the annual statement of accounts and balance sheet of the Club to 30<sup>th</sup> September in each year, which shall, after audit, be made available to all the Membership when notice of the AGM is given. The Hon. Treasurer shall submit a financial statement to the General Committee at each meeting.

## 7. MANAGEMENT TEAM

The management of the Club shall be vested in the Management Team, which shall comprise the Chairman, Vice Chairman, Secretary, Treasurer, and Chairs of Cricket, Commercial and Ground Committee's. Three Members of the Management Team shall form a quorum and the Management Team shall meet at such times and at such places as it shall decide. The Management Team will also be responsible for appointing a Club Welfare Officer and deputy if required.

## 8. SUB COMMITTEES

- a) The Ground Committee shall consist of six persons and three persons shall form a quorum.
- b) The Commercial Committee shall consist of six persons and three persons shall form a Quorum. The Hon. Treasurer shall deal with all financial matters.
- c) The Cricket Committee shall consist of the Captains of the senior sides, a representative of the Junior Section and five persons shall form a quorum.
- d) Each Sub-Committee shall elect a Chairman and Secretary at their first meeting after the AGM. Each Sub-Committee shall meet at such times and at such places as it shall decide, and minutes shall be taken of the proceedings and sent to the Chairman and Hon. Secretary of the Management Team and the Chairman of the Sub-Committees at least 72 hours prior to the Management Team meeting following the Sub-Committee meeting.
- e) Each Sub-Committee shall have power to co-opt anyone in the Membership onto their Sub-Committee provided consent of the Management Team has first been obtained.
- f) The Chairman, Hon. Secretary, and Hon. Treasurer of the Management Team shall be ex-officio Members of each Sub-Committee and entitled to vote thereon.

## 9. POWERS OF THE MANAGEMENT TEAM

- a) The Management Team shall have full power to do all things necessary to carry on the Club, including the election of Vice Presidents, Members, or Playing Members or their expulsion.
- b) The Management Team shall have full power to deal with anyone in the Membership who shall offend against the rules of the Club, or whose conduct shall, in its opinion, render him unfit for Membership of the Club in accordance with the Disciplinary Code for the Membership devised by the Management Team.
- c) The Management Team shall have power to recommend to the AGM that any of the Membership be elected as a Life Member, and any member so elected shall be entitled to all privileges of the Club without further payment of subscriptions.
- d) The Management Team is empowered to make, repeal and amend such byelaws as it may from time to time consider necessary for the well being of the Club, which byelaws, repeals and amendments shall have effect until otherwise determined by the Management Team or a General Meeting. But no such byelaws shall conflict with these rules. The Management Team shall decide all questions arising out of the interpretation of such byelaws.
- e) Moveable chattels which shall include monies at the bank, furniture and fittings, plant machinery and equipment and all personal chattels belonging to the Club shall be vested in the Management Team.

## 10. POWERS OF THE SUB-COMMITTEE

### a) The CRICKET COMMITTEE shall -

- i. Elect the Selection Committee and Professional Committee and such other Committees as it seems necessary. It shall have the power to determine voting rights of Members of the Selection Committee.
- ii. Receive and discuss team and league reports.
- iii. Discuss all matters referred to it by the Management Team.
- iv. Discuss all correspondence referred to it by the Hon. Secretary.
- v. Make and implement all decisions delegated to it by the General Committee, and seek ratification by the Management Team of all other decisions.
- vi. Administer, in conjunction with the Commercial Committee, all fundraising events organised by the Club.
- vii. Any other relevant business raised at a meeting.

### b) The COMMERCIAL COMMITTEE shall -

- i. Make and implement all decisions delegated to it by the Management Team and seek ratification by the Management Team of all other decisions.
- ii. Administer, in conjunction with the Cricket Committee, all fundraising events organised by the Club.
- iii. Control the purchase for and supply the Club of intoxicating liquor.
- iv. Facilitate the arrangements to provide food for all cricket matches including players, officials and sponsors.

- v. To arrange sponsorship and promote the club through a Communications/Publicity Officer.
- vi. Administer the Clubhouse.
- vii. Provide updates to the Management Team on the 500 Club.
- viii. Deal with any other relevant business raised at a meeting.

c) The GROUND COMMITTEE shall -

- i. Administer and maintain the ground and all its buildings thereon except the Clubhouse.
- ii. Instruct the groundsmen in their duties and ensure such duties are performed.
- iii. Make and implement all decisions delegated to it by the Management Team and seek ratification by the Management Team of all other decisions.
- iv. Deal with any other relevant business raised at a meeting.

d) All SUB COMMITTEES

- i. The Management Team shall decide from time to time the maximum any Sub-Committee can spend in between Management Team meetings without Management Team approval, and subject thereto no money shall be spent by any Sub-Committee without Management Team approval, providing always that, in case of emergency, and with consent of the Chairman and either the Hon. Treasurer or Hon. Secretary, such maximum amount can be exceeded.

## 11. MANAGEMENT TEAM AND SUB-COMMITTEE PROCEDURE

- a) Each Committee Member present shall have one vote upon every motion and, in case of equality of votes, the Chairman of the Committee shall have a second or casting vote, provided always that the Cricket Committee shall have power to vary the voting rights of Members of the Selection Committee.
- b) On the written requisitions of three Members of any Committee, the Secretary of such Committee will convene a special meeting of such Committee within seven days of receiving such requisition.
- c) The Secretary of any Committee shall give at least three days notice of any Committee meeting, except in the case of an emergency when the Chairman and Secretary of the Committee shall have power to convene an immediate meeting of the Committee.

## 12. RESTRICTIONS ON NEW MEMBERS

- a) No new Playing Members will be allowed to play if the Club he has previously played with another club that has indicated that he has outstanding obligations towards that Club, provided the Management Team finds such claim correct and fair and reasonable.
- b) No person is eligible for Membership of any Sub-Committee unless he has been a Member of the Club since prior to 1<sup>st</sup> May preceding the AGM.

## 13. NEW MEMBERS

- a) The following categories of membership shall be available and will be reviewed by the Management Team annually:
- |                             |  |
|-----------------------------|--|
| Senior Player               | - Full member and Voting Rights at the AGM |
| Senior Player (Sunday Only) | - As above                                 |
| Senior Non Playing Member   | - As above                                 |
| Lady Member                 | - As above                                 |
| Senior Citizen              | - As above                                 |
| Students Yr 12              | - As above                                 |
| Community Member            | - No Voting Rights                         |
| Secondary School upto Yr 11 | - No Voting Rights                         |
| Primary School              | - No Voting Rights                         |
| Affiliated Member           | - No Voting Rights                         |
- (The latter being in accordance with ECB Clubmark Guidance)
- b) All new members shall be elected by the Management Team. The Management Team may delegate to an officer the right to elect a candidate, but shall have the power to revoke the Membership of such candidate at its next meeting after election, subject to the provisions of clause 13(c). Any such member whose election is so revoked shall have his or her subscription returned to him or her.
- c) The club may refuse membership or expel from membership only for good and sufficient cause, such as conduct or character likely to bring the Club or sport into disrepute. Appeal against such a decision may be made to the Club's members and decided by a majority vote.
- d) No candidate who has been refused Membership shall be proposed for election again within a period of twelve months.
- e) Following election, a new member shall be notified by the Secretary in writing of his or her election and he or she shall be given access to a copy of the Constitution and asked to pay his or her first subscription to the Treasurer. Any new Member not making payment within fourteen days from the date of the Secretary's notice shall cease to be a Member, unless sufficient cause is shown to the Management Team to extend such period.
- f) No newly elected Member shall be entitled to the privileges of Membership until payment of appropriate subscription.

#### 14. GUESTS

Any Member shall be entitled to introduce guests to the Club, provided that no person whose application for Membership has been declined or who has been expelled from the Club shall be introduced as a guest. The Member, who at the time is introducing the guest, shall enter the name and address of the guest, together with member's own name, in a book which shall be kept for the purpose at the Clubhouse. The General Committee at all times reserve the right to levy a charge on guests using the facilities of the Club. If, at any time, the majority of the Management Team are of the opinion that any member is introducing guests at such times, or in such numbers, as to be detrimental to the interest of the Members, as a whole the Management Team may restrict introduction of guests by such Member in any way they shall deem proper.

#### 15. INTOXICATING LIQUOR

- a) No person shall at any time be entitled to receive, at the expense of the Club or any member thereof, any commission, percentage, or similar payment on or with reference to purchases of intoxicating liquor by the Club, nor shall any person directly or indirectly derive any pecuniary benefit from the supply of intoxicating liquor by or on behalf of the Club to Members or guests apart from any benefit accruing to the Club as a whole and apart also from any benefit which a person derives indirectly by reason of the supply giving rise to or contributing to a general gain from the carrying on of the Club.
- b) The purchase for the Club and the supply of intoxicating liquor shall be in the absolute discretion of the Commercial Committee. Subject to all proper directions by the Management Team, such Sub-Committee shall in no way be restricted in freedom or purchase.

## 16. HOURS OF OPENING

- a) The Club may be open between the hours of 11.00 am and 11 pm on each weekday between Monday and Thursday. 11.00 am and midnight on each Friday and Saturday. 12 noon and midnight each Sunday, as per the Licensing Act 2003, in agreement with Blackburn with Darwen Borough Council Licensing Committee.
- b) The club will be able to play live and recorded music, entertain dance and indoor sports events, as per the Licensing Act 2003, in agreement with Blackburn with Darwen Borough Council Licensing Committee.

## 17. SPECIAL FUNCTIONS

Notwithstanding anything hereinbefore mentioned, intoxicating liquors may be supplied to Members and Non-Members of the Club attending at the Clubhouse when functions are authorised by the Commercial Committee, provided always that such functions:-

- i) Is a function organised by the Management Team or any Sub-Committee, or
- ii) Is permitted by and the responsibility of a member of the Club who is present at the function, or
- iii) Hereof limited to 12 functions in any one year.

## 18. SPECIAL ADMISSION PRICES

The Commercial Committee or any Sub-Committee at all times reserve the right to levy an admission charge on both Members and their guests on those occasions upon which special entertainment is to be provided.

## 19. VISITORS

Bona fide Members of cricket clubs and league and match officials visiting for cricket matches may be admitted to the Clubhouse and intoxicating liquor may be sold to them by or on behalf of the Club for consumption on the premises.

## 20. TRUSTEES

The real property and investments of the Club shall be vested in not more than six and not less than four Trustees, who shall be appointed by the Management Team and the property of the Club shall be invested in them to be dealt with by them as the Management Team may from time to time direct by resolution (of which any entry in the minute book shall be conclusive evidence). The Trustees shall be indemnified against risk and expense out of the Club property. The Trustees shall hold office until death or resignation, or until removed from office by the Management Team. Where by reason of such death, resignation or removal it is necessary that a new Trustee or Trustees be appointed, the Management Team shall nominate the person or persons to be appointed the new Trustee or Trustees.

The Trustees shall have the power to invest the Club's money in any security either Trustee or otherwise, including land, whether freehold or leasehold tenure, subject to approval of the Management Team

For current list of Trustees see Appendix 1

## 21. ELECTION OF SUB-COMMITTEES

- a) Nominations for Membership or the Cricket, Ground and Commercial Committees must be received in writing, to the Hon. Secretary by the 31<sup>st</sup> October, such nominations to be signed by a Proposer and a Seconder.
- b) Nominees must have attained the age of eighteen years by the date of the AGM.
- c) Persons can be nominated for and be elected to more than one Sub-Committee.
- d) Every Member present entitled to a vote shall have one vote on every motion and in case of equality of votes, the Chairman of the meeting shall have a second or casting vote.
- e) All the Membership who attained the age of eighteen years on or before 1<sup>st</sup> April prior to the AGM shall be entitled to vote.

## 22. ELECTION OF CAPTAINS

- a) Nominations for Captains of the Senior teams must be received in writing by the Hon. Secretary by the 31<sup>st</sup> October; such nominations to be signed by a Proposer or Seconder.
- b) Every Member present entitled to vote, shall have one vote on every motion, and in the case of equality of votes the Chairman of the meeting shall have a second or casting vote.
- c) All Playing Members who attained the age of eighteen years on or before 1<sup>st</sup> April prior to the AGM, Life Members, Members of the Management Team and Members of the retiring and newly elected Sub-Committees shall be entitled to vote, and no person shall have more than one vote.
- d) Vice-Captains shall be appointed by the Cricket Committee.
- e) In the event of a Member being elected onto the Cricket Committee, and subsequently being elected Captain, the unsuccessful candidate with the highest number of votes shall take his place on the Cricket Committee for one of the elected positions.

## 23. GENERAL MEETINGS

- a) The AGM of Members shall be held between 30<sup>th</sup> November of one year and 31<sup>st</sup> January of the following year.
- b) The following business shall be transacted at the AGM:
  - To receive and adopt the minutes of the last AGM.
  - To receive and adopt the Hon. Treasurer's statement of accounts.
  - To receive the Chairman's report.
  - To receive and adopt the Hon. Secretary's report.
  - To elect the officers of the Club, the three Sub-Committees, Captains and the Hon. Auditor.
  - Resolutions.
- c) At least fourteen clear days before an AGM or special general meeting, a printed notice of the meeting and of the business to be transacted shall be sent to every member entitled to vote at such meeting, and no business other than that of which notice has been given shall be discussed.
- d) Except as herein provided, all the Membership who attained the age of eighteen years on or before 1<sup>st</sup> April prior to the AGM shall be entitled to propose a resolution at such meeting and to vote thereon. Notice of any resolution must be given in writing to the Hon. Secretary by 31<sup>st</sup> October, signed by the Proposer and Seconder. Amendments to resolutions must be given in writing to the Hon. Secretary at least seven clear days before the AGM, signed by two persons entitled to vote at the meeting.
- e) The Management Team may at any time, and of any purpose, call a special meeting.

- f) The Management Team shall call a special general meeting upon a request in writing of not less than twenty Members stating the reason for which the meeting is required.
- g) At all general meetings, the President or Chairman of the Management Team or a Vice-President shall take the chair.
- h) Every Member present entitled to vote shall have one vote on every motion and in case of equality of votes, the Chairman of the meeting shall have a second or casting vote.
- i) Twenty Members shall form a quorum at all general meetings.
- j) If the Management Team deems it to be expedient, a brief summary of any resolution to be proposed at a general meeting can be sent to Members, provided always that the full text is posted in the Clubhouse for at least fourteen days prior to such meetings, and that the full text is made available to Members who request it at least seven days prior to such meeting.

## 24. FINANCIAL YEAR AND ANNUAL REPORT

The financial report of the Club shall end of 30<sup>th</sup> September in each year, to which date the accounts of the Club shall be balanced. Those accounts shall be audited by the Hon. Auditor. The accounts shall be sent to all Members with the notice convening the AGM.

## 25. CHEQUES

The power of signing cheques on behalf of the Club shall be vested in any two of the Management Team.

## 26. RESIGNATIONS

Resignations from Membership shall be notified in writing to the Hon. Secretary, and any Member not having sent in his resignation before 1<sup>st</sup> April, of each year shall be deemed to be a Member for the current year and liable for his/her subscriptions accordingly.

## 27. SUBSCRIPTIONS

- a) Subscriptions for Membership shall be fixed by the Management Team and reviewed by it annually.
- b) The annual subscription shall be due on 1<sup>st</sup> April in each year, and if not paid by 1<sup>st</sup> June the privileges of Membership shall automatically be forfeited and any Membership card issued returned immediately to the Hon. Secretary.
- c) No Playing Member shall be eligible for selection for any team to play on or after 14<sup>th</sup> May if he has not paid his subscription by the time of the Selection Committee meeting prior to such date until such time as such subscription is paid.

## 28. CONSTITUTION

- a) A copy of the constitution shall be made available to Members on request or otherwise brought to their attention. It will also be placed on the club website.
- b) No rule in the constitution shall be repealed or altered, and no rule shall be made save by a two-thirds majority of the Members present and voting at a general meeting, and in the case of a special general meeting at least one calendar month's notice of the intention to propose any new rule or alteration shall be given to the Hon. Secretary.
- c) Notice of any proposal to alter the constitution shall be given in writing to the Hon. Secretary signed by the Proposer and Seconder, in the case of a proposal for the AGM by 31<sup>st</sup> October, and for a special general meeting in accordance with sub-clause b) thereof.
- d) All the Membership who attained the age of eighteen years on or before 1<sup>st</sup> April prior to the meeting shall be entitled to vote.



- e) The income and Property of the Club shall be applied solely towards promoting the club's objectives as set forth in this constitution and no portion thereof shall be transferred, directly or indirectly, to Members of the Club.

## 29. NOTICES

Every Member shall from time to time communicate to the Hon. Secretary his address which shall be inserted in the register of Members and all notices sent by post to such address shall be deemed to have been delivered at the time the notice would have been delivered in the ordinary course of post.

## 30. DISSOLUTION

A resolution to dissolve the Club can only be passed at an AGM or special general meeting through a majority vote of the Membership in the event of dissolution, any assets of the Club that remain will become the property of the Lancashire Cricket Board for use by them in community related sport.

Constitution as approved at the AGM held on 4th December 2017

Signed Hon Secretary \_\_\_\_\_

Print Name Andrew Cook



## **CONSTITUTION**

### **Appendix 1 TRUSTEES**

**1) Name: Andrew Cook (Hon Secretary)**

**Address: 6 Derby Close, Darwen BB3 2EJ**

**2) Name: Graham Ainslie (Chairman)**

**Address: 23 Clayton Way, Fernhurst Farm, Blackburn,  
BB2 4FZ**

**3) Name: Geoff Thompson (President)**

**Address: 15 Knowsley Meadows, Darwen, BB3 2UP**

**4) Name: Lee Thompson**

**Address: 26 Peregrine Drive, Darwen, BB3 0JL**

**Trustees correct as of 4<sup>th</sup> December 2017 (AGM)**

**Signed Hon Secretary \_\_\_\_\_**

**Print Name      ANDREW COOK**