

CONSTITUTION OF HIGHWORTH TENNIS CLUB

Last revision: November 2015

1. NAME AND OBJECTS

The club shall be named 'The Highworth Tennis Club' and shall have for its objects the provision of tennis and social facilities for its members and the promotion of participation in lawn tennis.

2. CONSTITUTION

The club is constituted by the Constitution as a non-profit making members club. In no circumstances during the continuation of the club, nor at, nor after its dissolution shall any assets or surplus funds be distributed to any member or other person nor to any organisation which is not itself constituted either as non-profit making or a charity.

3. POLICIES & AFFILIATION TO THE LTA

The club shall seek affiliation to the LTA & will adopt all relevant policies relating to the Clubmark accreditation to guide the committee. The Policy & Procedures commitment form, duly signed by relevant Officers of the club, will be placed on the club notice board. The relevant policies will also be displayed on the club notice board.

4. LEASE

The tennis courts are leased from the Highworth Town Council and a rent is payable on 1st January and 1st July and payment must be received not less than 21 days from the due date. The first payment to be made 1st January 1994 and the lease to run for 21 years. A new lease is a work in progress with the Highworth Town Council as of 1st January 2015.

5. TRUSTEES

a) The Trustees appointed by the club under the terms of the lease with Highworth Town Council dated 1st January 1994 are:

Mr R.J. Rose, Mr P. Robson and Mr M.D. Taylor.

- b) The club shall be bound by obligations of trustees as stated in the lease dated 1st January 1994 and listed below, and that the obligations take precedence over any other rule or interpretation of any rule.

Obligations of Trustees:

- i) To pay the reserved rent at the times and in manner aforesaid.
- ii) To discharge all existing and future rates, taxes, assessments and outgoings whatsoever imposed on or payable by the owner or occupier of the demised premises in respect thereof.
- iii) To keep all the fences and gates upon the demised premises always in good repair and condition and the gates always locked when the demised premises are not in actual use.
- iv) To make such alterations and no others in the character and general arrangements of the demised premises as may be necessary or desirable for laying out and maintaining the same as a proper tennis ground.
- v) Not to assign, underlet or part with the possession of the demised premises or any part thereof except for the purpose of vesting the term created hereby in the trustees for the time being of the club.
- vi) To ensure that tennis playing facilities shall be made available by the club to any members of the public reasonably requesting the same and by prior arrangement with the club with or without the imposition of a reasonable charge, the provision of such facilities not to be unreasonably withheld.
- vii) To use the demised premises and such buildings (if any) as may be erected thereon pursuant to paragraph 10 hereof as a tennis ground and club pavilion only or for such other games or recreations (if any) as may be sanctioned or approved from time to time in writing by the landlord.
- viii) Not to erect any building or other structure on the demised premises except such club pavilion or shed as shall be approved as to site dimensions and otherwise by the landlord with the trustees of the proposed plans and elevations thereof.
- ix) To permit the landlord and his duly authorized agents at all reasonable times to enter the demised premises to inspect the condition thereof and for all other reasonable purposes.
- x) If the trustees shall be entitled to remove all or any buildings or structures erected on the demised premises to pull down and remove the same in a workmanlike manner so as not to cause damage to the demised premises and forthwith after such removal restore the site thereof as far as possible to its present condition and to pay the landlord proper and

adequate compensation for any damage caused by or resulting from such removal.

- xi) To deliver up the demised premises at the termination of the term in a condition consistent with the foregoing provisions.

- c) The trustees shall serve as standing members of any general committee for the period of the lease.
- d) The trustees of the club shall be treated as honorary members for the period of their trusteeship under rule 6.
- e) The sum of not less than £700 shall be deposited by the club into the 'Rent Reserve Account' every year until 2004 and the signatories of this account will include at least one trustee.
- f) There shall be no amendments passed by any general meeting to rule 5 during the term of the lease unless by deed of appointment, except that rule 5e may be amended as long as the 'Rent Reserve Account' balance be sufficient to repay all outstanding rent for the period of the lease, and that the balance shall not be procured for any other business.

6. MEMBERSHIP

- a) Senior membership shall consist of all members aged 18 years or over. Senior citizens may be offered membership at a reduced rate.
- b) Junior membership shall consist of two groups:-
 - i) 12 years and over and under 18 years.
 - ii) 11 years and under.
- c) Honorary membership shall include trustees and any person who in the opinion of a general meeting shall be rewarded for special services to the club.
- d) The subscription year shall run from 1st March to 28th Feb and all age limits in rule 6a) and rule 6b) shall be taken from 1st March.
- e) The amount of subscription shall be determined at the prior general meeting.
- f) A member whose subscription is unpaid by the 30th April (31st March as from 2014) will not be entitled to the privileges of membership and may be required to seek re-election to the club.
- g) A new member applying to join the club after August 31st (July 31st as from 2014) may, at the discretion of the committee, pay a proportionally reduced subscription to the club.
- h) The retained club head coach shall be automatically afforded an honorary membership for the duration of his/her time as head coach and may also be elected or co-opted to the committee. Other club coaches may also be offered

honorary membership to be decided only by voting at an Annual General Meeting.

7. ACCOUNTANCY YEAR

Except for the purpose of subscription (see rule 6f), the club's financial year shall run from 1st October to 30th September and the accounts submitted to the annual general meeting shall be prepared accordingly.

8. ELECTION OF MEMBERS

Once a membership form has been received by the treasurer or any committee member, along with appropriate remuneration, the person applying will be considered to be a member. The committee shall have the power to limit the number of members in respective classes if they consider this necessary but any limitation will only come into force 7 days after the committee ruling.

9. SUSPENSION, EXPULSION AND RESIGNATION

The committee shall have the power to terminate or suspend membership of any member or to exclude any member or visitor whom it considers guilty of a breach of these rules or of misconduct or offensive behaviour that may bring the club into disrepute. The committee will follow the appropriate policies of the club relating to behaviour i.e. the complaints or child protection policies, before taking further action. Changes of membership rights can only be made through appropriate representation at a general meeting and by simple majority of those present and voting.

A member has the right to resign their membership from the club and must do so in writing to the committee. They will not be entitled to receive a refund of any membership fees unless agreed by simple majority of the committee.

10. INJURY, LOSS OF PROPERTY ETC

Members or visitors leaving unattended vehicles, racquets, clothing or other property at the club do so at their own risk and the club shall not be responsible for any loss, damage or injury resulting from this or any other cause. The club will carry out an appropriate risk management assessment annually in line with the recommendations of the LTA.

11. VISITORS

- a) Visitors may be introduced by members of the club. Before a visitor plays the member introducing him/her must make an appropriate entry in the Visitors book and be responsible for the payment of the current fee.
- b) Visitors may only visit a maximum of three times a year as a member's guest; thereafter they shall be required to pay the normal fee as a member of the public.
- c) Members will be responsible for the implementation of items 11 a) & 11 b) and failure to do so will be considered a serious breach of this Constitution and their membership would be reviewed under item 9.
- d) Every member of a visiting team shall be an Honorary member for the day as shall every competitor in an open tournament at the club.
- e) In the case of a junior competition or match the parents or guardian of any competitor shall be an Honorary member for the period of the tournament or match.
- f) Every person taking part in training or coaching courses or open days being run with the intention to attract new members shall be an honorary member for that day subject to the payment of any fees as decided in advance by the committee. There will be no fees payable for any general open days.

12. JUNIORS

There shall be a minimum of one supervised session per week set aside for junior members during the playing season.

13. MANAGEMENT

- a) The management of the club shall be the responsibility of a committee consisting of a Chairman, Vice-Chairman, Secretary, Treasurer, Ladies Captain, Ladies Vice Captain, Men's Captain, Men's Vice Captain, Social Secretary, Membership Secretary and three Trustees (rule 5c). In addition there should be up to five other senior members and two junior members aged 14 years or over on 31st December following an AGM. The committee shall have the power to co-opt additional members if required and shall meet at regular intervals.

- b) A Selection Committee consisting of the Club Chairperson, the Ladies Captain & Vice Captain and the Men's Captain & Vice Captain shall select the teams for all league and representative matches. Each person will have one vote. In the case of the Club Chairman being also a Captain or Vice Captain then the Club Management Committee should agree on a suitable club member to be the Chair of this Selection Committee.
- c) The quorum at any committee meeting shall be five senior committee members and in the event of equality of voting the Chairman shall have a second or casting vote. Junior members of the committee shall have the same voting rights as senior members. In the event of a quorum not being attained the meeting must be adjourned and a new date set for a date within the following 10 days. No meeting of any kind will take place without the required quorum.
- d) The committee may delegate any part of its duties to one or more subcommittees which may be composed of any members of the club. Any recommendations by a sub-committee must be approved by the committee prior to instigation. The team selection committee will be considered to be an exception to this rule in so far as any decisions taken do not need to be referred to the main committee.
- e) (i) Minutes of the committee meeting shall be placed within the club records file in the club house within 14 days of the meeting after approval of a majority of the committee. Minutes of General Meetings will be made available to members at the time of issue of the notice of the next General Meeting. Approved minutes must indicate how any amendments differ from the original minutes. (ii) The club records file shall remain in the club house at all times.
- f) Committee meetings can be called by either a minute from the previous meeting or by seven days' notice before the proposed date to all committee members by (i) the Chairman or (ii) by no less than five committee members jointly.
- g) Committee members must declare any instance of conflict of interest before a vote.
- h) A member of the committee may be asked to vacate their office under certain circumstances i.e. failure to attend meetings on a regular basis or mental incapacity. There must be a majority vote of all other committee members.
- i) A Child Protection officer should be appointed and in the absence of a suitable member, a non member can be appointed and afforded honorary non-playing membership for the duration of the appointment. The child protection officer will not be appointed to the committee but may be called to a committee meeting when appropriate to report on any relevant matter.

14. GENERAL MEETINGS

- a) An Annual General Meeting shall be held each year between 1st October and 30th November.
- b) The Honorary Secretary will send out a notice of the Annual General Meeting no less than four weeks prior to the date set by the committee. Any member wishing to propose either a rule change or a nomination to the committee must send a copy thereof to reach the Honorary Secretary not less than two weeks before the date of the Annual General Meeting so that provisions may be made on the agenda.
- c) All proposals should preferably be by email from both the proposer and seconder to the Honorary Secretary. Both proposer and seconder should attend the General Meeting. The Honorary Secretary shall send to every senior member a copy of the agenda with at least seven days' notice. A copy of the agenda must be displayed on the club notice board.
- d) The business of the Annual General Meeting shall be the confirmation of the minutes of the previous Annual General Meeting and of any subsequent extraordinary general meetings, the consideration of the Chairman's report and the Honorary Treasurer's accounts for the year, the election of officers and committee for the ensuing year, the appointment of an Honorary Auditor and any item of which notice has been given and details included in the agenda. The Honorary Secretary will, in conjunction with the Chairman, decide upon the running order for the Annual General Meeting, taking into consideration any proposals which may affect nominations.
- e) At any Annual General Meeting further business may be accepted at the discretion of the Chairman provided that it does not call for an alteration of the rules, the winding up of the club, the transfer of any of the club's assets, the borrowing of money, or any expenditure not within the immediate financial resources of the club.
- f) The committee shall call an extraordinary meeting at their discretion or within 30 days of the receipt by the Honorary Secretary of a request signed by 20 senior members or, if total senior membership is less than 100, by one fifth of the senior members stating the business proposed to be transacted.
- g) The business of an extraordinary general meeting shall be in accordance with the requisition under which it was summoned and the agenda issued with at least 7 days notice.
- h) There can be no "any other business" at an extraordinary meeting and voting can only take place on matters on the agenda issued as in item 14 g)
- i) Every member shall be entitled to be present and to speak at any general meeting and, if aged 18 years or over, to vote thereat (with the exception of

adult supervisors who have no voting rights). In the event of equality of votes the Chairman shall have a second or casting vote.

- j) Regarding the election of junior committee members, all junior members may vote at committee meetings.
- k) At any general meeting the quorum shall be 20 senior members or 15% of the senior membership, whichever is least.
- l) At any general meeting, an item will be passed by simple majority.
- m) For proposals or nominations of any kind for a general meeting, these must be in writing to the Honorary Secretary, preferably by e-mail and the Honorary Secretary must acknowledge receipt of same as soon as possible but within 3 days.

15 RULES AND REGULATIONS

A copy of the rules (constitution) and the rules & regulations made by the committee under rule 1 shall be prominently displayed at all times on the club notice board and all members shall be deemed conversant therewith. The constitution shall not be altered except at a general meeting after due notice, and then by the majority stated in item 14l. The regulations shall be made and periodically revised by the committee.

16. DISSOLUTION

The club shall be dissolved on the passing of a resolution to that effect at a general meeting after due notice. A quorum of 51% of senior members must be present. If a quorum of 51% is not present, the meeting shall be adjourned. A further meeting will be called at which rule 14h will apply. Such a meeting shall appoint a committee to wind up the affairs of the club and shall give general directions as to the disposal of any assets, within the scope of rule 2 and rule 5.