

# CONSTITUTION OF HIGHWORTH TENNIS CLUB

**Last revision: November 2018**

## **1. NAME AND OBJECTS**

- 1.1 The Club shall be named 'The Highworth Tennis Club' [the Club] and shall have for its objects the provision of tennis, netball and social facilities for its members and the promotion of participation in tennis and netball.

## **2. CONSTITUTION**

- 2.1 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 AND AFFILIATION TO THE LTA**

- 3.1 The Club shall seek affiliation to the LTA and will adopt all policies relating to the LTA Minimum Standards Requirements for registration. The relevant LTA Policies and Club Rules will be displayed on the Club notice board, in the member handbook and on the Club website.

## **4. LEASE**

- 4.1 The tennis courts are leased from 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 01 January 2018 and the lease to run for 21 years.

## **5. TRUSTEES**

- 5.1 The Trustees appointed by the Club under the terms of the lease with Highworth Town Council dated 20 December 2017 are:

Ms Tracey Collen and Ms Deborah Glock. The third Trustee position remains vacant as at November 2018.

- 5.2 The Club shall be bound by obligations of trustees as stated in the lease dated 20 December 2017 and listed below, and that the obligations take precedence over any other rule or interpretation of any rule.

### 5.3 Obligations of Trustees:

- 5.3.1 To pay the reserved rent at the times and in manner aforesaid.
- 5.3.2 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.
- 5.3.3 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.
- 5.3.4 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.
- 5.3.5 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.
- 5.3.6 To ensure that tennis and netball 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.
- 5.3.7 To use the demised premises and such buildings (if any) as may be erected thereon pursuant to paragraph 5.3.10) hereof as a tennis and netball 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.
- 5.3.8 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.
- 5.3.9 To permit the landlord and his duly authorised agents at all reasonable times to enter the demised premises to inspect the condition thereof and for all other reasonable purposes.
- 5.3.10 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.

- 5.3.11 To deliver up the demised premises at the termination of the term in a condition consistent with the foregoing provisions.
- 5.4 The trustees shall serve as standing members of any general committee for the period of the lease.
- 5.5 The trustees of the Club shall be treated as honorary members for the period of their trusteeship under rule 6.
- 5.6 The sum of not less than £1,000 shall be deposited by the Club into the 'Rent Reserve Account' every year until 2030 and the signatories of this account will include at least one trustee.
- 5.7 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 5.6 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**

- 6.1 Categories of membership are:
- Adult - members aged 18 years or over
  - Retired adult claiming a state pension may be offered membership at a reduced rate
  - Junior membership shall consist of two groups:
    - 12 years and over and under 18 years
    - 11 years and under
  - Family/Couple
  - Adult Supervisor \*
  - Netball

\* This is a non-voting membership and holds no constitutional voting rights. It is solely for parents who wish to play with their Junior II children at designated Junior II playing times.

- 6.2 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.
- 6.3 The subscription year shall run from 01 March to 28 February and all age limits in 6.1 shall be taken from 01 March.
- 6.4 The amount of subscription shall be determined at the prior general meeting.
- 6.5 A member whose subscription is unpaid by the 30 April (31 March as from 2014) will not be entitled to the privileges of membership and may be required to reapply to the Club.
- 6.6 A new member applying to join the Club after August 31 (July 31 as from 2014) may, at the discretion of the committee, pay a proportionally reduced subscription to the Club.
- 6.7 The retained Club head coach shall be automatically afforded an honorary membership for the duration of his/her time as head coach.
- 6.8 Other club coaches may also be offered honorary membership to be decided only by voting at a General Meeting.
- 6.9 Committee members attending 75% of committee meetings in one calendar year will receive a 25% discount on the price of the standard membership rate that applied to them eg. adult/standard adult, senior/standard senior, irrespective of the membership category they purchased, given as a reduction on the following year's membership rate (or as a refund if no longer continuing as a Club member).

## **7. ACCOUNTANCY YEAR**

- 7.1 Except for the purpose of subscription (see rule 6f), the Club's financial year shall run from 01 October to 30 September and the accounts submitted to the annual general meeting shall be prepared accordingly.

## **8. ELECTION OF MEMBERS**

- 8.1 Once a membership form and appropriate remuneration has been received by a committee member, the applicant 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 seven days after the committee ruling.

## **9. SUSPENSION, EXPULSION AND RESIGNATION**

9.1 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 LTA Policies
- breach of Club Rules
- misconduct or offensive behaviour that may bring the Club into disrepute.

9.2 The committee will follow the appropriate LTA Policies and Club Rules relating to behaviour (eg. complaints or safeguarding policies), before taking further action.

9.3 Changes of membership rights can only be made through appropriate representation at a general meeting and by simple majority of those present and voting.

9.4 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**

10.1 Members or visitors leaving unattended vehicles, racquets, clothing or other personal 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.

10.2 The Club will carry out an appropriate risk assessment and management plan annually in line with LTA requirements.

10.3 The Club will carry out an appropriate risk assessment and management plan relating to the provision of netball on the premises, which will be shared with third parties hiring the netball courts.

## **11. VISITORS**

11.1 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.

- 11.2 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.
- 11.3 Members will be responsible for the implementation of items 11.1 and 11.2 and failure to do so will be considered a serious breach of this Constitution and their membership would be reviewed under item 9.
- 11.4 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.
- 11.5 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.
- 11.6 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**

- 12.1 During the playing season there shall be a minimum of one supervised session per month set aside for junior members, with supervision provided by a qualified coach.
- 12.2 There shall be provision of club tournaments throughout the year to aid the development of junior players.

## **13. MANAGEMENT**

- 13.1 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, Welfare Officer, Junior/Parent Representative\*, Communications and Marketing Officer\*, Club Head Coach and a maximum of three Trustees (rule 5.1).

\*These are discretionary committee positions and the committee may function without them.

- 13.2 In addition there should be up to two other senior members and two junior members aged 14 years or over on 31 December following an AGM.
- 13.3 The retained Club head coach is required to be part of the committee.
- 13.4 The committee shall have the power to co-opt additional members if required and shall meet at regular intervals.
- 13.5 A Selection Committee consisting of the Club Chairperson, the Ladies' Captain and Vice-Captain\* and the Men's Captain and 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's Management Committee should agree on a suitable Club member to be the Chair of this Selection Committee.
- 13.6 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.
- 13.7 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.
- 13.8 Minutes of the committee meeting shall be placed within the Club records file in the Club house within seven weeks of the meeting after approval of a majority of the committee.
- 13.9 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.
- 13.10 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.
- 13.11 Committee members must declare any instance of conflict of interest before a vote.

- 13.12 A member of the committee may be asked to vacate their office under certain circumstances, eg. failure to attend meetings on a regular basis or mental incapacity. There must be a majority vote of all other committee members.

## **14. GENERAL MEETINGS**

- 14.1 An Annual General Meeting shall be held each year between 01 October and 30 November.
- 14.2 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.
- 14.3 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.
- 14.4 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.
- 14.5 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.
- 14.6 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.



- 14.7 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 seven days' notice.
- 14.8 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 14.7.
- 14.9 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.
- 14.10 Regarding the election of junior committee members, all junior members may vote at committee meetings.
- 14.11 At any general meeting the quorum shall be 20 senior members or 15% of the senior membership, whichever is least.
- 14.12 At any general meeting, an item will be passed by simple majority.
- 14.13 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**

- 15.1 A copy of the Constitution, LTA Policies and the Club Rules made 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 paragraph 14.12. The Club Rules shall be periodically revised by the committee in line with LTA requirements and new or amended LTA Policies enforced when necessary.

## **16. DISSOLUTION**

- 16.1 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 14.8 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.