



## **Alton Tennis Club**

### **Constitution**

#### **Defined terms**

In this document, unless the context requires otherwise, the following definitions are employed:

- “The Club” means Alton Tennis Club;
- “Community Amateur Sports Club” is a legal entity adhering to the following criteria:
  - open to the whole community
  - organised on an amateur basis
  - has as its main purpose the provision of facilities for, and the promotion of participation in, one or more eligible sports
  - not exceed the income limit set by HMRC
  - meet the management condition set by HMRC
  - meet the location condition set by HMRC;
- “LTA” means LTA CLG and its subsidiaries or such successor entity or entities as become(s) the governing body of the game of lawn tennis from time to time;
- “Member” means someone who has paid their subscription, upon demand, at the appropriate time, and who has undertaken to comply with the Club Rules in force at the time;
- “Club Rules” means the rules and policies adopted by the Committee from time to time;
- “Constitution” means the Constitution of the Club as set out in this document which shall be deemed to incorporate the Club Rules.
- “Disciplinary Code” means the disciplinary code of the LTA in force from time to time;
- “The Committee” means the Committee appointed by the Members to undertake the running of the Club as in Article 6.
- “Junior Member” means any Member of the Club who is less than 18 years of age.
- “Club Accounts” means the accounts of the Club prepared by the Treasurer for presentation to the Members at the AGM
- “AGM” means the Annual General Meeting of the Club referred to in Article 6
- “EGM” means any other general meeting of the Members of the Club other than the AGM
- “General Meeting” shall mean either an AGM or an EGM
- “Decision Panel” means the panel of Committee Members referred to in Article 5
- “Appeals Panel” means the panel of Committee Members appointed by the Committee to hear an Appeal under Article 5. The members of the Appeal Panel shall be different from those on the Decision Panel.

#### **1. Name**

The Club is named Alton Tennis Club. It’s legal status is that of Community Amateur Sports Club (“CASC”).

## **2. Objective**

The objective of the Club is to provide facilities for and promote participation of the local community in the sport of tennis. In so doing, the Club is committed to complying with LTA regulations, policies, and procedures.

## **3. Conditions of Membership**

- i. Membership of the Club shall be open to all persons irrespective of their ethnicity, nationality, sexual orientation, religion or beliefs; or of age, sex or disability except as a necessary consequence of the requirements of tennis as a particular sport.
- ii. Each Member agrees as a condition of membership to be bound by and subject to the Constitution. For the avoidance of doubt, it is not intended that any term of the Constitution be enforceable, by virtue of the Contracts (Rights of Third Parties) Act 1999, by any person other than a Member. A refusal or neglect to be bound by and subject to the Constitution shall render a Member liable to expulsion by the Committee provided that the Member has been given the opportunity to be heard by the Committee under Article 5, or of resigning from membership of the Club.

## **4. Admission to Club Premises**

In addition to the Members, the following shall be entitled to admission to the Club premises:

- i. The Club Coach (who is also a Member) and any coach appointed by the Club Coach to cover duties in his or her absence.
- ii. Visitors hosted by Members under the following conditions:
  - Members may introduce and host guests at the Club and there shall be kept on the Club premises a Visitors' Book which both the Member and the guest shall sign at the time of introduction of the guest.
  - No Member may introduce more than two guests in any one day, and no person may be allowed into the Club as a guest on more than 3 occasions during a Club year, unless approved by the Committee.
  - Any Member introducing a guest under this rule must pay the appropriate visitor's fee and accompany their guest whilst they are on the Club premises and shall be responsible for the guest's behaviour throughout the visit. The Member shall be responsible for ensuring that all such guests comply with the Club Rules whilst on the Club premises.
- iii. Members of the general public may attend the Club as Pay and Play visitors on an unlimited number of occasions. On each occasion, a Member must sign them in the Pay and Play file and ensure that monies are collected and a receipt given.
- iv. service personnel, match players from other tennis clubs and members of the general public who attend open days or other Club functions.

## 5. Conduct

- i. Members of the Club, applicants wishing to join the Club (“Applicants”) and Visitors (including Pay and Play, and temporary coaches) are required to conduct themselves in accordance with the Constitution, Club Rules and Disciplinary Code.
- ii. The Club may refuse membership or expel from membership only for good or sufficient cause, such as breach of Club Rules or other conduct or character likely to bring the Club or sport into disrepute, or persistent non-payment of fees. In so doing, the Club may refuse membership to or terminate the membership of any person, or impose any other sanction they determine to be appropriate, in connection with the breach of any condition of membership set out in this Constitution or in the Club Rules.
- iii. In cases of misconduct by an Applicant, a Member or Visitor (being conduct in breach of this Constitution, the Club Rules or conduct likely to offend another Member or guest) a sub-committee comprising three Committee Members will be appointed by the Committee “the Decision Panel” to decide (“the Decision”) whether or not to refuse membership to an Applicant or to withdraw any or all of the rights of the offending Member, Applicant or Visitor for as long as it sees fit
- iv. In any such event, the Committee shall notify the individual of the process to take place and may (should they deem fit) exclude the individual from the Club premises during the period of any deliberations under this Article 5
- v. The individual concerned shall have the right to make representations to the Decision Panel prior to any Decision being made.
- vi. Within 7 days of reaching the Decision the Decision Panel shall notify the individual in writing of the Decision together with their reasons therefor. The Decision shall be final and binding unless the individual makes an Appeal.
- vii. Individuals who are unsatisfied with the Decision may make an appeal (“the Appeal”) but must do so in writing to the Club Secretary not later than 14 days after receipt of the Decision.
- viii. The Appeals Panel shall meet with him or her within 28 days of receipt by the Club Secretary of the Appeal
- ix. At the Appeal any allegations against the suspended/refused individual shall be narrated together with the reasons for the Decision and he or she shall be afforded the opportunity of being heard in answer thereto. The suspended/refused individual may produce such witnesses and the Appeals Panel shall not unreasonably refuse any request by the suspended/refused individual for an adjournment of the proceedings to enable him or her to prepare his/her answer. After hearing all the evidence the Appeals Panel shall (if they so wish) retire to consider further action and/or to vote thereon.
- x. The decision of the Appeals Panel (“the Appeal Decision”) shall be communicated to the suspended/refused individual in writing within 3 days of conclusion of the Appeal. The Appeal Decision shall be final and binding.
- xi. Any person whose membership is terminated/refused under this Rule shall be immediately excluded from the Club premises and shall have no claim against the Club, the Committee or any Member thereof, except that in the case of Members, any unexpired portion of his or her membership subscription shall be refunded.

xii. It is the duty of any Member of the Club or Committee to take every available means for putting a stop to the offences in question and to report them forthwith to the Committee through the Club Secretary or the Welfare Officer (as appropriate).

## **6. Club Management**

i. The affairs of the Club shall be managed by a Committee of seven Members comprising:

- The Officers of the Club described in Article 6 ii; and
- 2 ordinary Committee members.

In addition, the Club Coach shall attend Committee meetings to advise on his or her coaching responsibilities.

ii. The Officers of the Club shall comprise the Chair, Secretary, Treasurer, Match Secretary and Membership Secretary. All members of the Committee may be allocated such further duties or otherwise as the Committee considers fit.

iii. The Committee shall be elected at the AGM and shall hold office for one year, or until the conclusion of the next AGM, whichever shall be the later.

iv. All Officers and Ordinary Committee members shall be eligible for re-election and re-appointment.

v. The election process shall be as follows:

- 21 days before the date of the AGM the Club Secretary will notify Members of the meeting date, and invite nominations;
- Deadline for nominations shall be 8 days before the date of the AGM;
- No late nominations shall be accepted, unless no nominations for a post have been received by that time and the position would otherwise remain unfilled;
- In the event that there is more than one nomination for any position on the Committee, the Secretary shall ask the affected nominees to provide a short written statement of any matters that they consider to be relevant to their nomination "Nominee Statement"; all Nominee Statements must be received by the Secretary at least 6 days prior to the AGM.
- 5 days before the AGM the Club Secretary will notify Members of the nominations and circulate any relevant Nominee Statements.
- at the AGM, if the number of candidates properly proposed and seconded exceeds the number of vacancies for any post, the election for such post shall be by ballot.

vi. The quorum of the Committee is four of whom at least two must be Officers of the Club.

vii. All decisions of the Committee shall be by majority decision, each elected Committee member having one vote each.

viii. If a Committee Member has not attended for three consecutive meetings the Member may be deemed by the Committee to have resigned.

ix. The Committee shall be the sole authority for the interpretation of this Constitution and Club Rules and the decision of the Committee upon any matter affecting the Club and not provided for by the Constitution or Rules shall be final and binding on the Members.

x. If a casual vacancy on the Committee occurs by resignation, death or otherwise, the Committee may co-opt a Member to fill the vacancy until the next General Meeting. For the avoidance of doubt the replacement shall have the right to vote on all matters as if elected as a Committee member at a General Meeting.

xi. If the Committee considers it appropriate, it may co-opt on to the Committee additional Members provided that no such additional person may have a vote in connection with any Committee decision.

xii. Every member of the Committee shall be indemnified by the Club and the Club shall pay all costs, losses and expenses which any such Member of the Committee may incur for which they may become liable by reason of any contract entered into or act or thing done by them in good faith as such Member of the Committee.

## **7. Sub-Committees**

The Committee may appoint sub-committees as and when it deems necessary. At least one Member of any such sub-committee shall be appointed from the members of the main Committee.

## **8. Club Year**

The Club Year commences on the 1st April each year.

## **9. Subscription**

Subscriptions will be due at the commencement of the Club Year or at such other times and at such levels as shall be determined from time to time by the Committee.

## **10. Club Funds**

i. The financial affairs of the Club shall be wholly managed by the Committee with due diligence in the best interests of the Club.

ii. The Treasurer shall be responsible for keeping a complete and accurate account of the Club's finances, and for presenting a financial report to the Committee and/or the Club when called upon.

iii. An Auditor, who shall not be a member of the Committee, shall be appointed from time to time by the Committee to audit the Club Accounts on an annual basis. If the appointee becomes unable or unwilling to carry out the audit, the Committee shall appoint a substitute.

iv. The Treasurer shall present the Club Accounts to the Auditor in a timely manner. If, in the opinion of the Auditor, significant changes to the Club Accounts are required which affect the financial results of the Club, an EGM will be called in order to present the revised Club Accounts.

v. If at any time the Club in General Meeting shall pass a resolution authorising the Committee to borrow money, the Committee shall thereupon be empowered to borrow for the purposes of the Club such amount of money either at one time or from time to time at such rate of interest and in such form and manner and upon such security as shall be specified in such resolution. All Members of the Club, whether voting on such resolution or not, and all persons becoming Members of the Club after the passing of such resolution, shall be deemed to have assented to the same as if they had voted in favour of such resolution.

vi. To ensure that the Club is not run for profit, the income and property of the Club shall be applied solely towards promoting the Club's objects as set forth in this Constitution and no portion thereof shall be paid or transferred, directly or indirectly to Members.

## **11. General Meetings**

i. The AGM shall be held in October or November each year.

ii. EGMs may be called either by the Committee or by written application signed by at least 30% of the adult Members to cause the Club Secretary to summon by notice an EGM.

iii. The Club Secretary shall give notice of the intended date ("the Meeting Date") of any General Meeting at least 21 days before the Meeting Date giving details of the business to be conducted.

iv. All General Meetings will normally be chaired by the Chair of the Club. In the event that the Chair is unavailable on the Meeting Date then the AGM or EGM may be chaired by a Committee member appointed by the current Committee or (if the Committee considers it more appropriate) the meeting may be postponed to a later date which (in the case of the AGM) shall include moving the Meeting Date beyond the month of November

v. Subject to the provisions for proxy voting in vi below, at the AGM or EGM of the Club, each Member present shall be entitled to one vote except for Junior Members who do not have a right to vote. In the case of an equality of votes, the Chairman shall have a second or casting vote.

vi. Proxy voting may be permitted at General Meetings where Members are unable to attend the General Meeting in person only in the following circumstances:

- on certain matters where the Committee determines in advance of the General Meeting that Members will be able to make an informed decision on any motion without recourse to discussion at the General Meeting; and/or
- on the appointment of a nominee to the position of Committee Member where there is more than one nominee for a particular post and where nominee statements for those affected nominees have been circulated to Members in advance of the General Meeting in accordance with Article 6 v.

vii. The procedure for proxy voting permitted at any General Meeting shall be determined by the Committee prior to the General Meeting and shall be notified to Members by the Secretary with the 5 day notice referred to in Article 6v above. In the event that the Committee considers (in its sole opinion) that the use of Proxy Voting has been or is likely to be subject to abuse then the Committee shall be entitled to suspend Proxy Voting with immediate effect (including the nullification of the result of any motion upon which they have grounds to suspect that any such abuse has occurred).

## **12. Register of Members**

The Membership Secretary shall maintain a register of Members. The Committee is responsible for ensuring that the register conforms to current Data Protection legislation.

## **13. Club Rules**

The Committee shall have the power to deal with all matters not provided for in this Constitution and to adopt rules and bye-laws for the operation of the Club provided that such rules and bye-laws shall not be inconsistent with any provisions of this Constitution. In the event of any inconsistency this Constitution shall prevail.

#### **14. Alteration of Constitution**

This Constitution may be added to, amended or replaced by a resolution of a two-thirds majority of those present and voting at a General Meeting of the Club.

#### **15. Winding Up the Club**

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. 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 to one or more of the following:

- to another club with similar sports purposes which is a registered charity and/or
- to another club with similar sports purposes which is a registered CASC and/or
- to the Club's governing body for use by them for related community sports.

Agreed & adopted at AGM 17.11.2022