



Mersey Rose Recreationals Cricket Club

Constitution

1. Name / Affiliations

- 1.1 The name of the Club is **Mersey Rose Recreationals Cricket Club**.
The address of the Club is 31 Cotswold Grove, St Helens, Merseyside, WA9 2JD

2. Aims and Objectives

- 2.1 The purposes of the Club are to promote inclusion and diversity, to foster participation in the sport of cricket within the community, and to provide opportunities for playing cricket, coaching and associated activity.
- 2.2 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 the Laws of Cricket.
- 2.3 The Club shall adopt and implement the ECB Safe Hands – Cricket's Policy for Safeguarding Children and any future versions of the policy
- 2.4 The Club shall adopt and implement the ECB Club Inclusion and Diversity Policy and any future versions of this policy.
- 2.5 To encourage all members to fully participate in the activities of the club.
- 2.6 To ensure a duty of care to all members.
- 2.7 To provide all of its services in a way that is fair to everyone.

3. Equity and Diversity

- 3.1 The Club respects the equal rights, dignity and worth of every person regardless of ability, sex, race, ethnicity, religion or belief, sexual orientation, gender identity, age, disability, socio-economic status or any other characteristic.
- 3.2 The Club will treat all persons equally and without discrimination on the basis of any of these characteristics except as is a necessary consequence of the requirements of running as a sport and to ensure inclusivity.
- 3.3 The Club will take all appropriate action in response to any incidence or allegation of discrimination, harassment or intimidation, in accordance with the Club's disciplinary procedures.
- 3.4 The Club is committed to ensuring that sports equity is incorporated across all aspects of its development. In doing so, the Club acknowledges and adopts the definition of "sports equity" used by Sport England: "Sports equity is about fairness in sport, equality of access, recognising inequalities and taking steps to address them. It is about changing the culture and structure of sport to ensure it becomes equally accessible to everyone in society."
- 3.5 All club members have a responsibility to oppose discriminatory behaviour and promote equality of opportunity.
- 3.6 The club has adopted the ECB's Anti-Discrimination Code and is committed to enforcing its provisions through the club's processes.

4. Permitted means of advancing the Aims and Objectives

The Management Committee has the power to:

- 4.1 Provide grounds, equipment, coaching, training and playing facilities, transport, medical and related facilities;
- 4.2 Provide coaching, training, medical treatment, related social and other facilities
- 4.3 Take out any insurance for club committee, employees, contractors, players, guests and third parties;
- 4.4 Raise funds by sponsorship, appeals, subscriptions, lottery, loans and charges;
- 4.5 Borrow money and give security for the same, and open bank accounts;
- 4.6 Buy, lease or licence property and sell, let or otherwise dispose of the same provided that no disposal of the Club can be made without the prior written approval of the members voting at a General Meeting;
- 4.7 Make grants and loans and give guarantees and provide other benefits;
- 4.8 Set aside or apply funds for special purposes or as reserves;
- 4.9 Deposit or invest funds in any lawful manner;

- 4.10 Employ and engage staff and others and provide services;
- 4.11 Co-operate with any organisation, club, sporting body, government or government-related agencies.
- 4.12 Do all other things reasonably necessary to advance the aims and objectives
- 4.13 **NONE** of the above powers may be used other than to advance the aims and objectives consistently with the Rules below and the general law.

5. Membership

- 5.1 With the exception of Honorary Members, the Club shall, as a condition of membership, require a membership fee to be paid. Application for membership of the Club shall be by completion of a membership application form.
 - 5.1.1 Membership of the Club shall be open to anyone interested in the sport on application regardless of sex, age, disability, ethnicity, religion or belief, nationality, sexual orientation, gender identity or socio-economic status. However, limitation of membership according to available facilities is allowable on a non discriminatory basis.
 - 5.1.2 The Club may have different categories of membership, subscription and/or match fees on a non-discriminatory and fair basis. The Club will have an equitable pricing policy and will keep subscriptions and/or match fees at levels that will not pose a significant obstacle to people participating.
- 5.2 The level of subscriptions and match fees will be decided by the Annual General Meeting from time to time and notified to all members.
- 5.3 The Club will have the following categories of membership:
 - 5.3.1 Full member – all playing members aged 18 and over.
 - 5.3.2 Social member - Non-playing
 - 5.3.3 Junior member (Under 18 years)
 - 5.3.4 Honorary Member – In recognition of extraordinary service, the AGM may confer Honorary Membership upon a Club Member (defined as President, Vice President and Life Members).
- 5.4 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 and/or match fees have been paid by the due date and/or membership has been agreed by the Management Committee.

- 5.5 The Management Committee may refuse membership, or remove it, at its discretion but only for good cause such as conduct or character likely to bring the Club or cricket into disrepute and:
- 5.5.1 The Management 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 Management Committee to consider at the meeting. Appeal against a refusal of membership shall be to the Disciplinary Sub Committee.
- 5.5.2 The procedure for taking disciplinary action against a member, including removing membership, is dealt with in more detail in section 11.
- 5.6 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 will be published on the club website and in club printed publications to ensure that all Club guests and non-member volunteers are aware of the code and the requirement to abide by it.
- 5.7 The Club Secretary will keep a register of members.
- 5.8 Membership is not transferable and shall cease on death.
- 5.9 A member may resign by written notice to the Club, but the return of any subscription paid is at the discretion of the Management Committee.

6. All General Meetings (AGM/EGM)

- 6.1 All members may attend all General Meetings of the Club in person.
- 6.2 All full members and honorary members have one vote.
- 6.3 Members must be given at least 14 clear days notice of all general meetings.
- 6.4 The quorum for all General Meetings is 12 members.
- 6.5 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 Management Committee decide and any voting members attending the adjourned meeting will constitute a quorum.
- 6.6 The Chair or (in their absence) another member chosen at the meeting by the members shall preside.
- 6.7 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.
- 6.8 Formalities in connection with General Meetings (such as how to put down resolutions) shall be decided by the Management Committee in Club Regulations and publicised to Club members.

7. Annual General Meetings (AGM)

- 7.1 The Club will hold an AGM once in every calendar year and not more than 15 months after the last AGM. At every AGM:
- 7.1.1 the Full Members will elect a full Management Committee including a Chair, Treasurer and Secretary to serve until the next AGM. Any full or honorary member can stand for election.
 - 7.1.2 the Treasurer will produce accounts of the Club for the latest financial year audited as the Management Committee shall decide;
 - 7.1.3 the Management Committee will present a report on the Club's activities since the previous AGM, and seek members views on the report and future priorities;
 - 7.1.4 the Members will appoint a suitable person to audit the accounts as required;
 - 7.1.5 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.

8. Extraordinary General Meetings (EGM)

- 8.1 An EGM shall be called by the Secretary within 14 days of a request to that effect from the Management Committee or on the request of not less than 12 members signed by them. Such EGM shall be held on not less than 10 nor more than 14 days' notice at a place decided upon by the Management Committee or in default by the Chair. If the Management Committee fails to call a meeting within 14 days of receiving a valid request from the members then the person(s) may themselves call a meeting, the costs of which will be reimbursed by the Club.

9. The Management Committee

9.1 Role

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

9.2 Property, etc.

- 9.2.1 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.
- 9.2.2 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 of Community Amateur Sports Clubs as provided for in the Corporation Tax Act 2010.
- 9.2.3 The Club may also in connection with the sports purposes of the Club:
 - (a) sell and supply food, drink and related sports clothing and equipment.
 - (b) employ members and remunerate them for playing, providing goods and services, on fair terms set by the Management Committee without the

person concerned being present.

- (c) pay for reasonable hospitality for visiting teams and guests.
- (d) indemnify the Management Committee and members acting properly during the running of the Club against any liability incurred in the proper running of the Club (but only to the extent of its assets).

9.2.4 The Management Committee will have due regard to Equality Act 2010 and the safeguarding of children and vulnerable adults.

9.3 Composition, etc

9.3.1 The Club will be managed by the Management Committee consisting of at least 8 members including a Chair, Secretary and Treasurer. All serving officers will have a right to vote at meetings of the Management Committee. The Chair will have the casting vote

9.3.2 The Management Committee members may co-opt club members to serve until the end of the next AGM.

9.3.3 Any Management Committee member may be re-elected or re-co-opted without limit.

9.3.4 A Management Committee member ceases to be such if that person:

- (a) Ceases to be a member of the Club; or
- (b) Resigns by written notice to the Club; or
- (c) Is removed by the Management Committee in accordance with the relevant clauses.

9.3.5 The Management Committee shall periodically consider the diversity and skills of the Committee's Composition.

9.4 Management Committee Meetings

9.4.1 Meetings

The Management Committee will be convened by the Secretary of the Club and meetings held no less than 4 per year.

9.4.2 Captains and vice-captains of senior teams shall be appointed by the Management Committee

9.5 Disciplinary Hearings

9.5.1 The Management Committee will be responsible for disciplinary hearings of members who infringe the Club rules/regulations/constitution. The Management Committee will be responsible for taking any action of suspension or discipline following such hearings.

9.6 Whenever a Management Committee member has a personal interest in a matter to be discussed the member 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.

9.7 The Management Committee may decide its own way of operating. Unless it otherwise resolves the following rules apply:

- (a) At least four Management Committee members must be present for the meeting to be valid;
- (b) Management Committee meetings may be held either in person or by telephone, televisual or other electronic or virtual means agreed by the Management Committee in which all participants may communicate simultaneously with all other participants;
- (c) Decisions shall be by simple majority of those voting;
- (d) A resolution in writing or e mail from five of the Management Committee members shall be valid without a meeting; and
- (e) The Chair of the meeting shall have a casting vote.

9.8 The Management Committee shall appoint a Club Safeguarding Officer to ensure compliance with safeguarding legislation and the ECB Safe Hands policy. The Club Safeguarding Officer shall report to relevant Management Committee meetings and the reports, together with any action taken, must be in the minutes.

9.9 Sub-committees

9.9.1 The Management Committee may appoint sub-committees of such size and composition as it deems fit to assist in carrying out specific duties.

9.10 Bank Account

9.10.1 Any bank account in which any part of the Club's funds is deposited shall be operated by the Treasurer and shall be held in the name of the Club. Cheques and orders for payment of money from such accounts will be authorised and signed by the Treasurer for amounts up to and including £250, or by the Treasurer and another appointed Management Committee member for amounts greater than £250.

9.11 Delegation, etc.

9.11.1 The Management Committee may delegate any of their functions to sub-committees which must be chaired by a member of the Management Committee 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 Management Committee. The Management Committee may wind up any sub-committee at any time or change its mandate and operating terms.

9.12 Disclosure

9.12.1 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 Management Committee member.

10. Finance

- 10.1 The club shall be a community voluntary organisation and as such will be not-for-profit.
- 10.2 The Management Committee shall assist the Treasurer in planning and executing the Club budget.
- 10.3 All decisions shall be reported to the Management Committee and shall be made by majority decisions.
- 10.4 All Club monies will be banked in an account held in the name of the Club.
- 10.5 The Club Treasurer will be responsible for the finances of the Club.
- 10.6 The financial year of the Club will end on 31st October.
- 10.7 A statement of annual accounts will be presented by the Treasurer at the Annual General Meeting and audited as considered appropriate
- 10.8 Any cheques drawn against Club funds should hold the signature of the Treasurer for amounts up to and including £250, and of the Treasurer and one other appointed Management Committee member for amounts above that level..
- 10.9 Should a Member's Subscription and/or match fees be in arrears he/she shall cease to be a member and forfeit any privileges of membership until the subscription/ fee is paid.

11. Removal of Membership, Discipline and Appeals

- 11.1 Any complaints regarding the behaviour of members, guests or volunteers should be lodged in writing with the Secretary.
- 11.2 All concerns, allegations or reports of poor practice/abuse relating to the welfare of children and young people will be recorded and responded to swiftly and appropriately in accordance with the club's child protection policy and procedures. The Club Safeguarding Officer is the lead contact for all members in the event of any child protection concerns.
- 11.3 Any person who 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.
- 11.4 The Management Committee shall appoint a Disciplinary Sub-committee (three Management Committee members including the Chair or a nominated representative), who will meet to hear complaints within 5 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 Management Committee, including the termination of membership and/or exclusion from Club premises.

11.5 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 3 days following the hearing.

11.6 There shall be a right of appeal to the Management Committee (three new Management Committee members, not involved in the Disciplinary Sub Committee Hearing) within 5 days of receipt of the disciplinary decision or decision to refuse membership:

11.6.1 against the Disciplinary Sub-Committee's findings or the sanction imposed or both; and

11.6.2 against the Management Committee's refusal to admit a new member.

12. Club Regulations

12.1 The Management Committee may make Club Regulations consistent with these Rules and will publicise these to the members.

13. Notices

13.1 Notices to be sent out in accordance with these Rules may be sent by hand, by post or by e mail and will be treated as being received:

13.1.1 Twenty-four hours after being sent by electronic means or delivered by hand to the relevant address.

13.1.2 Two clear days after being sent by first class post.

13.2 Notice of all general meetings must also be put on the Club's notice board(s) and website.

13.3 A technical defect in the giving of notice of which the members or the Management Committee are unaware at the time does not invalidate decisions taken at a meeting.

14 Amendments to the Constitution

14.1 These Rules may be amended at an AGM/SGM by resolution passed by two-thirds of the votes cast.

15 Winding Up the Club

15.1 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

AGM/ SGM.

- 15.2 The Management Committee will then be responsible for the orderly winding up of the Club's affairs.
- 15.3 After settling all liabilities of the Club, the Management Committee shall dispose of the net assets remaining to one or more of the following:
- 15.3.1 to another Club with similar sports purposes which is a charity; and/or
- 15.3.2 to another Club with similar sports purposes which is a registered CASC; and/or
- 15.3.3 to the Club's national governing body for use by them for related community sports.

16 Declaration

- 16.1 The Club adopts and accepts this constitution as a current operating guide regulating the actions of all members

Declaration

Name Joseph David Crossley

Signature Joseph D Crossley

[Name and signature of the chair of the meeting]

Date 20th March '24

Witnessed

Name Andrew Page

Address 31 Cotswold Grove

..... St Helen WA9 2TD

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Date 20.3.24

Approved
20.3.24