



Kings Newton Bowls Club Constitution

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Section 1: Name and Objectives

- 1.1 The name of the Club shall be Kings Newton Bowls Club (hereinafter referred to within this constitution as the 'Club').
- 1.2 The Club shall be affiliated to the British Crown Green Bowls Association and the South Derbyshire Crown Green Bowls Association.
- 1.3 The objectives of the Club are to provide facilities for, and to promote participation in, the amateur sport of outdoor crown green bowls in South Derbyshire.
- 1.4 The Club shall adopt and conform to the British Crown Green Bowls Association and to the South Derbyshire Bowls Association rules and regulations.
- 1.5 The Clubroom and headquarters premises shall be at Packhorse Road, Kings Newton.

Section 2: Officers of the Club (the Committee)

- 2.1 The Officers of the Club shall be Full / ordinary members of the Club and shall consist of:
 - Chair / President
 - Club Secretary
 - Treasurer
 - Fixture Secretary
 - Competitions Secretary
 - Green and Gardens Secretary
 - Buildings Secretary
 - Development and Events Secretary
 - Press Officer
 - Bar Manager
 - Team Representatives (appropriate number to be agreed by other officers and to be based on the number of teams running each season)

Officers shall be elected at the Annual General Meeting and shall hold office for the period of election, retiring at the end of the period of election. All Officers of the Club shall be eligible for re-election to the same office or another office at the end of their current period of election.

The roles of each Officer of the Club are described but not limited by Appendix A.

Section 3: Membership

3.1 Categories and votes of Membership.

3.1.1 The club may have different classes of membership and subscription on a non-discriminatory and fair basis.

There shall be the following categories of membership with power to vote at all relevant meetings of the Club as indicated hereunder.

- (a) A FULL / ORDINARY MEMBER – being a person who, at the date of election, shall have attained the age of eighteen years shall have one vote.
 - The first full / ordinary members (those members that joined when the club was first established in 1982) shall be known as founder members.
- (b) A JUNIOR MEMBER – being a person who, at the date of election, is under the age of eighteen shall have no vote. Such a member shall be one who at the commencement of the subscription year joins the Club other than as a full / ordinary member.
- (c) A SOCIAL MEMBER / NON-PLAYING MEMBER – have equal rights to playing members, except, they may not be elected to the committee or hold office as Chair, Club Secretary or Treasurer. They may attend and speak at general meetings including AGM's but will only be allowed to vote on constitutional matters relating to rule alterations.

3.2 Rights and privileges of members

3.2.1 The rights and privileges of each category of membership shall be as follows:-

- (a) A FULL / ORDINARY MEMBER shall have the full use of all Club facilities. Affiliation Fees shall be payable to the South Derbyshire Crown Green Bowls Association and the British Crown Green Bowls Association.
- (b) A JUNIOR MEMBER shall have the full use of all Club facilities subject only to 8.11 and 8.6 of this Constitution. Affiliation Fees shall be payable to the South Derbyshire Crown Green Bowls Association and the British Crown Green Bowls Association.
- (c) A SOCIAL MEMBER / NON-PLAYING MEMBER shall have the full use of the Club-house facilities.

3.2.2 Candidates for membership shall have no privileges whatsoever in relation to the use of the Club or premises until they have become a member.

3.3 Membership Joining Fee & Subscription Fee

3.3.1 The rate of Subscription Fee for each category of Membership shall be proposed by the Committee to the members at the Annual General Meeting in each year. Any proposed changes shall be approved by a majority of those present and entitled to vote and shall become operative from February. The current rate of Subscription Fee shall be prominently displayed in the Club premises.

- (a) Membership of the Club shall be open to anyone interested in the sport of outdoor crown green bowls on application regardless of sex, age, disability, ethnicity, nationality, sexual orientation, religion or other beliefs. Membership may however be limited according to available facilities on a non-discriminatory basis.
- (b) Membership subscriptions will be kept at levels that will not pose a significant obstacle to people participating.
- (c) The Club Committee may refuse membership or, subject to point 3.6.2 of this constitution, remove it, only for good cause such as conduct likely to bring the Club or sport into disrepute. Appeal against refusal or removal may be made to the members.
- (d) Social Members / Non-playing Members will be limited so as not to exceed 50% of the total Club Membership.

3.3.2 All members shall pay their first annual subscription fee upon election to the Club and thereafter by the end of February each year.

3.4 Members' duty to provide contact details

3.4.1 Every member shall furnish the Club Secretary with up-to-date contact details that shall be recorded in the Register of Members and any notice sent to such address/es either by post or electronically shall be deemed to have been duly delivered.

3.5 Election and retirement of members

3.5.1 Application for membership

- (a) An application for membership shall be in the form prescribed by the Committee and shall include the name, address and contact details of the candidate.

3.5.2 Election of Members

- (a) Upon receipt of an application for membership, at the next scheduled meeting of the Committee applications for membership shall be considered. The election of all classes of members is vested in the Committee and shall be a simple majority vote of those of the Committee. The Committee may refuse applications only for good cause such as conduct likely to bring the Club into disrepute. The Club Secretary shall inform each candidate in writing of the candidate's election or non-election. The Club Secretary shall furnish an elected candidate with a copy of the Rules and Byelaws of the Club and make request for such payments as are necessary. In the case of non-election the Committee are not obliged to provide reasons for non-election.

3.5.3 Payment of Fees upon Election

- (a) Upon the applicant's receipt of notice of election, a candidate shall pay, within one calendar month, fees as shall be requested. In default of such payment, the election shall be void unless sufficient cause for delay is shown.

3.5.4 Retirement of a member

- (a) A member wishing to resign their membership shall give notice in writing to the Club Secretary before the end of February and shall not then be liable to pay the subscription for the following year.
- (b) A member who retires in accordance with this Rule shall not be entitled to have any part of the annual membership fee or any other fees refunded.
- (c) Any past member of Kings Newton Bowls Club who wishes to re-join the club after a break in membership must apply through the membership application process described in section 3.5 of this constitution.

3.5.5 Arrears of Subscription

- (a) The Committee may cancel, without notice being given, the membership of any member whose annual subscription is unpaid by March 31st provided that the Committee may, at its absolute discretion, re-instate such member upon payment of arrears. No member whose annual payment is in arrears (not paid by March 31st) may use the Club premises or vote at any meeting.
- (b) At the discretion of the Committee a Full / Ordinary Member may be permitted to pay a reduced subscription for any period less than one year.

3.6 Conduct of Members

3.6.1 Under-taking by members to comply with rules

- (a) Every member, upon election and thereafter, is deemed to have notice of, and undertakes to comply with, the Club Rules and any Byelaws and Regulations of the Club.

3.6.2 Disciplinary action against members

- (a) All disciplinary matters will be dealt with in accordance with the Club Disciplinary Policy.
- (b) Should any member be expelled, the former member shall not be entitled to have any part of the annual membership fee refunded and must return any property belonging to the Club.

3.6.3 Complaints

- (a) Complaints of any nature shall be addressed in writing to the Club Secretary.

3.7 Limitation of Club liability

3.7.1 All references to the Club in this Section shall mean each and every individual member of the Club from time to time.

3.7.2 Members are bound by the following Rule which shall also be exhibited in a prominent place within the Club premises:

“Members of the Club may use the Club premises, and any other facilities of the Club, entirely at their own risk and impliedly accept:

(a) The Club will not accept any liability for any damage to or loss of property belonging to members.

(b) The Club will not accept any liability for personal injury arising out of the use of the Club premises, any other facilities of the Club either sustained by members or caused by the said members whether or not such damage or injury could have been attributed to or was occasioned by the neglect, default or negligence of any of them, the Officers/ Committee, Trustees or Servants of the Club.”

3.7.3 Membership of the Club and acceptance of these Rules by the member will be deemed to constitute consent to the holding of relevant personal data for the purposes of the Data Protection Act.

Section 4: Management Committee

4.1 Composition of Committee

- 4.1.1 The Committee shall consist of not less than 9 nor more than 15 full / ordinary members (who have attained the age of eighteen years), elected at the Annual General Meeting to hold office for the term of their elected period.
- 4.1.2 Candidates for election to the Committee shall be those members of the retiring Committee eligible to offer themselves for re-election and such other full / ordinary members whose nominations (duly proposed and seconded in writing by full / ordinary members of the Club) with their consent shall have been received by the Club Secretary at least twenty eight days before the date of the Annual General Meeting in each year. Such nominations, together with the names of the Proposer and Secunder shall be posted to the Club premises at least fourteen days prior to the date of the Annual General Meeting.
- 4.1.3 If the number of candidates for election is greater than the number of vacancies to be filled then there shall be a ballot of those members present and entitled to vote at the Annual General Meeting.
- 4.1.4 If the number of candidates for election is equal to or less than the number of vacancies to be filled then all candidates shall be deemed to be elected if majority of those present at the Annual General Meeting, and entitled to vote, vote in favour of such election.
- 4.1.5 In the event of the ballot failing to determine the members of the Committee because of an equality of votes the candidate or candidates to be elected from those having an equal number of votes shall be determined by lot or previously nominated person.
- 4.1.6 If, for any reason, a casual vacancy shall occur, the Committee may co-opt another person to fill such a vacancy until the next following Annual General Meeting. Co-opted Members will be entitled to vote.

4.2 Committee Meetings

- 4.2.1 The Committee shall endeavour to meet twice per calendar month making such arrangements as to the conduct, place of assembly and holding of such meetings as it may wish.
- 4.2.2 Voting shall be by show of hands. In the case of equality of votes the Chair (or other nominated person) shall be entitled to a second and casting vote.
- 4.2.3 Five members personally present shall form a quorum at a meeting of the Committee.
- 4.2.4 Any conflict of interest must be declared to the Chair (or other nominated person) prior to the start of the meeting. The Chair (or other nominated person) will determine if the person may remain in the meeting and/or vote when the item is discussed.

4.3 Powers of the Committee

4.3.1 The Committee shall manage the affairs of the Club according to the Rules and shall cause the funds of the Club to be applied solely to the objects of the Club.

4.3.2 In particular the Committee shall ensure that the property and funds of the Club will not be used for the direct or indirect private benefit of Members other than as reasonably allowed by the Rules. No surpluses or assets will be distributed to members or third parties and all surplus income or profits will be re-invested in the Club.

4.4 Appointment of Sub-Committees

4.4.1 The Committee may appoint such sub-committees as it may deem necessary and may delegate such of its powers as it may think fit upon such terms and conditions as shall be deemed expedient and/or required by the law.

4.4.2 Two members personally present shall form a quorum at a meeting of a Sub-Committee.

4.5 Disclosure of Interest to Third Parties

4.5.1 A member of the Committee, of a sub-committee or any member of the Club, in transacting business for the Club, shall disclose to third parties that they are so acting.

4.6 Limitation of Committee's authority

4.6.1 The Committee, or any person or sub-committee delegated by the Committee to act as agent for the Club or its members, shall enter into contracts only as far as expressly authorised, or authorised by implication, by the Committee. No one shall, without the express authority of the Committee, borrow money or incur debts on behalf of the Club or its membership.

4.7 Members' indemnification of Committee

4.7.1 In pursuance of the authority vested in the Committee by members of the Club, members of the Committee are entitled to be indemnified by the members of the Club against any liabilities properly incurred by them or any one of them on behalf of the Club wherever the contract is of a duly authorised nature or could be assumed to be of a duly authorised nature and entered into on behalf of the Club.

(a) Indemnity Clause - Each member of the Club shall (to the extent that such person is not entitled to recover under any policy of insurance) be entitled to be indemnified out of all funds available to the Club which may lawfully be so applied against all costs, expenses and liabilities whatsoever [reasonably] incurred by such person in the proper execution and discharge of duties undertaken on behalf of the Club arising there from, or incurred in good faith in the purported discharge of such duties.

(b) Save in any such case where any such costs, expenses and liabilities arise in connection with any negligence, default, breach of duty or breach of trust.

- (c) Provided that any such member so indemnified has been properly authorised in relation to the duties undertaken on behalf of the Club by the General Committee.

4.7.2 The limit of any individual member's indemnity in this respect shall be a sum equal to one year's subscription at the then current rate of that category of membership unless the Committee has been authorised to exceed such limit by a General Meeting of the Club.

4.8 Contractual Liability

4.8.1 The Committee shall endeavour to ensure that the following clause is incorporated in every contract, lease, licence or other agreement entered into by the Committee and/or Trustees of the Club, as appropriate.

“The liability of the [Committee/Trustees] for the performance of any contractual or other obligation undertaken by them on behalf of the Club shall be limited to the assets of the Club from time to time.”

4.9 Honorary Members

4.9.1 There shall be no honorary members as agreed by the Club Committee.

Section 5: Trustees

5.1 There shall be 3 trustees of the Club who must be resident within the boundary of the Parish of Melbourne and Kings Newton and who shall be appointed from time to time as necessary by the Club in general meeting from residents who are willing to be so appointed. A trustee shall hold office during his life or until a resolution removing him from office shall be passed at a general meeting of the club by a majority comprising 2/3 of the members present and entitled to vote.

5.3 All property of the Club, including land and investments, shall be held by the trustees for the time being in their own names as far as is necessary and practicable for the use and benefit of the club. On the death, resignation or removal of a trustee, the general committee shall take steps to procure the appointment by the club in general meeting of a new trustee in his place and shall as soon as possible thereafter take all lawful and practicable steps to procure the vesting of all club property into the names of the trustees as constituted after the said appointment. The trustees shall in all respects act in regard to any property of the club held by them in accordance with the directions of the general committee of the club. The committee may act in matters of property only after a resolution approved by a properly constituted general meeting of the club. The trustees, following such a resolution by general meeting, shall have power to sell, lease, mortgage or pledge the property of the club for the purpose of raising or borrowing money for the benefit of the club in compliance with the committee's directions.

Section 6: Annual General Meeting

- 6.1 An annual meeting of the club shall be held in February in each year. Notice of the day and time of the annual general meeting shall be notified to each member in writing for a period of at least 14 days before such a meeting.
- 6.2 A general meeting of the club may be summoned at any time by the general committee and shall be so summoned immediately upon 8 ordinary members delivering to the general committee a written request on their behalf. A general meeting shall be summoned by causing a notice to be posted in the Club premises for a period of at least 14 days immediately before the day appointed for the meeting but this period may be abridged at the discretion of the general committee.
- 6.3 At every general meeting of the club, every member of the club shall be entitled to be present and every ordinary member shall be entitled to one vote upon every question raised. In the case of equality of voting, Chairman of the meeting (who shall normally be the Chairman of the general committee of the club) shall have a second or casting vote. If the Chairman of the committee is not available, the Chairman of the meeting shall be a member elected for the occasion by the meeting before any other business is opened. The secretary shall take minutes of the proceedings at all general meetings of the Club.
- 6.10 On any resolution properly put to a meeting of the Club relating to the creation, repeal or amendment of any Rule, Byelaw or Regulation of the Club such Rule, Byelaw or Regulation shall not be created, repealed or amended except by a majority vote of at least two-thirds of those present and entitled to vote.
[Provided that no such change shall jeopardise the Club's status as a Community Amateur Sports Club within the meaning of the Finance Acts, or in any event alter its objects or winding-up provisions].

Section 7: Dissolution of the Club

- 7.1 If, at any General Meeting of the Club, a resolution be passed calling for the dissolution of the Club, the Secretary shall immediately convene a Special General Meeting to be held not less than one month thereafter to discuss and vote on the resolution.
- 7.2 If, at that Special General Meeting, the resolution is carried by at least two-thirds of the Members present, the Committee shall thereupon, or at such date as shall have been specified in the resolution, proceed to realise the assets of the Club and discharge all debts and liabilities of the Club.
- 7.3 If, upon the winding up or dissolution of the Club, there remains after the satisfaction of all its debts and liabilities any property whatsoever, the same shall not be paid to or distributed amongst the members of the Club.
- 7.4 Upon dissolution of the Club the Committee shall give or transfer the net assets remaining to one or more of the following:
- (a) to another Club with similar sports purposes which is a charity and/or
 - (b) to another Club with similar sports purposes which is a registered CASC and/or
 - (c) to the British Crown Green Bowls Association for use by them in related community sports.

Section 8: Miscellaneous

- 8.10 Opening of Club Premises
The Club premises shall be open to members at such times as the Committee shall direct.
- 8.11 Licensing
The club shall adhere to the requirements of the Licensing Act (or any subsequent Act) with regard to the purchase and supply of excisable goods. See Appendix B.
- 8.20 Safeguarding
The club shall adhere to the Safeguarding Policy of the British Crown Green Bowls Association and will ensure that all the contents are communicated to members and clearly displayed within the club premises for Members and Visitors. The Clubs Child Protection Policy details how the Club will meet its Safeguarding responsibility.
- 8.21 Equalities
The club shall adhere to the Equality Policy of the British Crown Green Bowls Association. The Clubs Equal Opportunities Policy details how the Club will meet its Equality responsibility.
- 8.50 The Members acknowledge this document constitutes a legally binding contract to regulate the relationship of the members with each other and the Club.
- 8.60 Junior Members
- a. Will not be allowed a key to the Club-house.
 - b. Will not be permitted visitors under the age of 18 unless a Full / Ordinary member is present during the visit.
 - c. Applications for Junior Membership must be signed by a parent or guardian as well as the applicant.
 - d. Club woods available for juniors for a returnable deposit of £20 at the end of the season.
- 8.8 No lottery shall be promoted by any member or officer on behalf of or in any way connected with the club or with any entertainment or event held by or in connection with the club without the previous written authority of the general committee. Gaming shall be permitted in the club but not in contravention of the provisions of any statute for the time being in force.

Appendix A: Officers of the Club (the Committee)

Committee roles are not limited by the descriptions below.

Chair / President

- To Chair all relevant meetings of the Club;
- To have the casting vote at all relevant meetings of the Club in the event of equality;
- To represent the Club on match days and other special events;

Club Secretary

- To keep a register of Club members' contact details;
- To conduct the correspondence of the Club;
- To keep custody of all Club documents;
- To keep full minutes of all meetings of the Club, the Committee and Sub-Committees;
- To administer such insurance policy or policies as may be needed to fully protect the interests of the Club, its Officers and its members;

Treasurer

- To collect all relevant fees from Club members;
- To make all relevant payments on behalf of the Club;
- To prepare Annual Balance Sheet for examination;
- To present Accounts for approval at the Annual General Meeting
- To deal with all matters relating to the Club's CASC status (if relevant).

Fixture Secretary

- To arrange matches as relevant with other clubs

Competitions Secretary

- To arrange internal competitions for Club members to participate in

Green and Gardens Secretary

- To oversee the maintenance of the playing surface
- To oversee the upkeep of the Club grounds

Development and Events Secretary

- To recruit and retain members to the Club
- Organise community and Club events that promote the use of the Club

Press Officer

- To publicise the Club in local media, website and social media as relevant

Bar Manager

- To maintain stock levels for the bar
- To organise a rota that ensures that the bar is properly staffed when it is required
- To ensure that licencing conditions are met by the Club
- The purchase, sale and stock of all excisable and/or alcoholic refreshments shall be the responsibility of the General Committee, who shall appoint a Bar Manager. The committee may appoint a club member (or members to act as Bar Steward(s). In addition to the Bar Manager, Bar Steward(s) shall be the only persons authorised to sell excisable refreshments. The names of all authorised persons shall be displayed at the Bar.

Team Representatives

- To raise team member questions and/or concerns with the Committee
- To act as a communications channel between Committee and Team Captains / Team Members

Appendix B: Licensing Act

Purchase and supply of excisable goods

1. The purchase for the Club of excisable goods and the supply of the same upon Club premises shall be exclusively and solely under the control of the Committee, or of a special sub-committee appointed by the Committee.
2. Intoxicating liquor may only be sold for consumption on the Club premises to persons over the age of eighteen who are entitled to the use of the Club premises in pursuance of the Rules, Byelaws and Regulations for the time being in force. No Junior Member under the age of eighteen may purchase or attempt to purchase intoxicating liquor within the Club premises nor may a Junior Member under the legal age purchase or attempt to purchase tobacco or cigarettes within the Club premises.
3. The Committee shall cause the Club bar to be opened (subject to terms of the Club premises certificate) at convenient times (and such times shall be prominently exhibited in the Club premises) for the sale of excisable goods to persons who are entitled to the use of the premises of the Club in pursuance of these Rules (except Junior Members as aforesaid) PROVIDED THAT visitors' names and addresses and the name of their introducer shall have been entered in the Visitor's Book upon entry to Club premises.
4. No person shall take a commission, percentage or other such payment in connection with the purchase of excisable goods for the Club. Any profit deriving from the supply of such goods shall (after deduction of the costs of providing such goods for the benefit of the Club) be applied to the provision of additional amenities or the purchase of property to be held in trust for the benefit of the Club.
5. Proper accounts of all purchases and receipts from excisable goods shall be kept and presented at the Annual General Meeting in each year and such information as the Club Secretary or Committee appointed Auditors may require shall be furnished to enable any statutory return or statement and the payment of excise or other duty or tax to be made.

Appendix C: Club Rules

Guests in the Club

A member may introduce and entertain up to three guests at the club on any one day, and there shall be kept at the club a visitor's book which both the member and his guest shall sign. The member introducing a guest shall be responsible not only for all paying fees on behalf of the guest, but also for his guest strictly observing these rules and the club byelaws, and shall not leave the club premises or area before his guest. Such guests are permitted to purchase excisable refreshments, as are visitors, visiting teams and partners of members.

Damage to Club property

A member shall not knowingly remove, injure, destroy or damage any property of the Club and shall make restitution for the same if called upon to do so by the Committee or by the Club Secretary upon the instructions of the Committee.

Exhibiting of notices

A member shall not cause any communication in whatever form to be exhibited on Club notice boards or premises without prior written permission of the Club Secretary.

Bar Opening Times

The permitted hours for the supply of intoxicating liquor will be posted on the club notice board and the bar will be open at these hours or at such other hours as may be decided by the Committee subject to any restrictions imposed from time to time by the Licensing Authority.

Settlement of Accounts

A member shall settle any indebtedness for refreshment or otherwise before leaving the Club premises, or in accordance with any byelaw relating to the settlement of such indebtedness.

Suggestions

All suggestions shall be entered in the Suggestion Book and signed by the Member.

Bylaws

The Club may adopt such Bylaws or Regulations as it considers appropriate for the good management of the Club and its facilities.

Alterations of Rules

These rules may be revoked, added to or altered by a majority comprising two thirds or more of the ordinary members present and entitled to vote at any general meeting of the club of which notice has been duly given under Rules 6.1 and 6.2, specifying the intention to propose the revocation, addition, or alteration together with full particulars thereof. In the case of Rule 5.3, in matters of property, where the trustees will be required to act on behalf of the club, a majority of 90% or more will be required.