

HOUNSLOW & WHITTON CRICKET CLUB

CONSTITUTION

1.Name

The name of the Club was Chiswick & Latymer Cricket Club was adopted on its formation on 1 October 1999 arising from the merger of the Old Latymerian and Old Meadonian Cricket Clubs.

The name was changed to Chiswick & Whitton Cricket Club on 23rd November, 2014. Further amendments were made to this Constitution on 28th June 2016 and the name was changed to Hounslow & Whitton Cricket Club ('the Club') 31st of May 2019.

The Club colours shall be maroon and light blue and the Club crest shall be as incorporated in the header to this Constitution.

2.Club Purposes

The purposes of the Club are to foster and promote participation in the amateur sport of cricket within the community, providing facilities for playing cricket, opportunities for recreation, coaching and competition.

3.Affiliation

3.1 The Club is affiliated to the England and Wales Cricket Board through the Middlesex Cricket Board.

3.2 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 by the Laws of Cricket.

3.3 The Club shall adopt and implement the ECB Safe Hands – Cricket's Policy for Safeguarding Children and any future versions of the policy.

3.4 The Club shall adopt and implement the ECB Cricket Equity Policy and any future versions of this policy.

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4. Permitted means of advancing the Purposes

The Committee has the power to:

- 4.1 acquire and provide grounds, equipment, coaching, training and playing facilities, clubhouse, transport, medical and related facilities
- 4.2 provide coaching, training, medical treatment, and related social and other facilities
- 4.3 take out any insurance for members of the Club committee, employees, contractors, playing and non-playing members, guests and third parties
- 4.4 raise funds by sponsorship, appeals, subscriptions, loans and charges or any other legal fundraising
- 4.5 borrow money and give security for the same, and open and operate bank accounts
- 4.6 buy, lease or licence land, property and other assets and sell, let or otherwise dispose of the same provided that the disposal of all of the Club's assets cannot be made without the prior approval of the full 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 to provide services
- 4.11 co-operate with any organisation, club, sporting body, government or government-related agencies and
- 4.12 do all other things reasonably necessary to advance the purposes

NONE of the above powers may be used other than to advance the purposes consistently as set out in paragraphs 5 to 17 below and the general law.

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5. Membership

5.1 Membership of the Club shall be open to anyone interested in cricket on application, regardless of sex, age, disability, ethnicity, nationality, sexual orientation, religion, or other beliefs. However, membership will be limited on a non-discriminatory basis according to available facilities.

5.2 The Club may have different classes of membership, subscriptions and match fees on a non-discriminatory and fair basis. The Club will have an equitable pricing policy and will keep subscriptions at levels that will not pose a significant obstacle to people participating.

5.3 Subscriptions will be payable annually on the basis of a 'Subscription Year' which will run from each 1st April to the succeeding 31st March.

The level of subscriptions and match fees for each category of member and each Subscription Year will be decided by the Annual General Meeting of the Club immediately preceding the relevant Subscription Year and such rates may include reductions for members under the age of 23 and different rates for different age bands of Junior members

The Committee may also in its discretion waive part or all of the annual subscription of a member

5.4 The Club will have the following classes of membership with ages assessed as of 1 September prior to the current season:

5.4.1 Full playing member being one aged 17 or over on the 1st September immediately preceding the relevant Subscription Year

5.4.2 Full non-playing member to comprise the President and Vice Presidents and any elected Committee Member

5.4.3 Junior playing member (under the age set out for a full member in 5.4.1 above

5.4.4 Social member being either the parent or guardian of a junior playing member as set out in 5.4.3 above, or a friend of the Club

5.5 Application for membership of the Club shall be by completion of a membership application form.

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5.6 The Club shall elect a President at each Annual General Meeting, and any number of Life Vice Presidents

Elections will take place at an Annual General Meeting on the proposal of the club Committee and there is no restriction on the number of terms of office for which a candidate may be elected.

The Headmasters of Chiswick School and Latymer Upper School shall be elected Vice Presidents for the period of their office

The President and Life Vice-Presidents and Committee Members shall have full voting rights at all General Meeting without the payment of a subscription but are subject to the provisions of 5.7,5.8 and 11 below. The voting rights of a Committee member who does not otherwise enjoy voting rights under 5.4.1 or as a parent of a member under 5.4.3 shall cease on the earlier of resignation from post, the election of a successor or the nominated position being left vacant if the Committee member is not standing for re-election.

5.7 The Club Committee may refuse membership, or remove it, at their discretion but only for good cause such as conduct or character likely to bring the Club or cricket into disrepute and:

5.7.1 The Club 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 Club Committee to consider at the meeting. Appeal against a refusal of membership shall be to the Appeal Committee as detailed in paragraph 11.

5.7.2 The procedure for taking disciplinary action against a member, including removing membership, is dealt with in paragraph 11.

5.8 All members will be subject to this Constitution and by joining the Club will be deemed to accept this Constitution, any Club Regulations and any Codes of Conduct that the Club has adopted.

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A Code of Conduct for Members and Guests must be displayed prominently to ensure that all Club guests and non-member volunteers are aware of the code and the requirement to abide by it.

5.9 The Club Committee shall cause a register of members to be kept.

5.10 Membership is not transferable and shall cease if the relevant annual subscription is not paid in any subscription year or by removal under the provisions of paragraph 5.7, 10.7, and 11 or on death.

5.11 A member may resign by written notice to the Club, but the return of any subscription paid is at the discretion of the Club Committee.

5.12 Selection of senior teams is the responsibility of the Selection Committee. The membership of the Selection Committee shall be all team captains, the Membership Secretary and, if appointed, a Colts Transition Officer. The chairman of the Committee will be the Saturday 1st XI Captain. After 31 May each season, any existing playing member who has not paid full subscriptions or agreed a payment plan with the club committee, will not be selected if there are other paid up players available. However, each team will be permitted to play up to two potential new playing members ahead of existing paid up members so long as the potential member has not played more than two previous games for the club in that season.

6. All General Meetings

6.1 All members described in 5.4 above may attend all general meetings of the Club in person

6.2 A member eligible to vote shall be one described in 5.4.1, 5.4.2, and one parent or guardian of a junior member described in 5.4.3. whose appropriate annual subscription for the Subscription Year in which the meeting takes place shall have been paid prior to the date on which the notice of the meeting is given. All members eligible to vote shall have one vote.

6.3 Members must be given at least 21 clear days' notice of all general meetings the notice to include details of the business to be conducted

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6.4 The quorum for all general meetings is not less than 12 full members present and eligible to vote

If a quorum is not present within 30 minutes of the scheduled start of the meeting, the meeting may be adjourned to such other time and place as the Committee decide when seven full members eligible to vote attending the adjourned meeting will constitute a quorum.

6.5 The President or (in his or her absence) another member chosen at the meeting by the full members present and eligible to vote shall act as chairman of the meeting

6.6 Except as otherwise provided in this Constitution every resolution shall be decided by a simple majority of the votes cast on a show of hands except for contested positions for the Committee which may be decided by secret ballot.

In the event of an equality of votes the Chairman of the meeting shall have a casting vote

7. Annual General Meetings

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:

7.2 The Members will elect the Committee and the playing captains as described in para 10.3

7.3 The Treasurer will submit for approval accounts of the Club for the latest financial year

7.4 The financial year of the Club shall end on the thirtieth day of September in each year

7.5 Proper books of accounts shall be kept by the Treasurer and annual accounts shall be circulated with the Notice of the Annual General Meeting

7.6 The Committee will present a report on the Club's activities since the previous AGM

7.7 The members may appoint a suitable person to review the accounts

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7.8 The Members will discuss and vote on any resolution (whether about policy or to change the Rules) and deal with any other business included in the notice of the meeting

7.9 Notice of the Annual General Meeting shall include invitations for prospective committee members and other officers to inform the Secretary of their intentions to stand, at least 3 days prior to the Annual General meeting

8. Any member eligible to vote who wishes special business or resolutions to be discussed at an Annual General Meeting must inform the Secretary in writing with the precise wording at least fourteen days prior to the meeting.

9. Extraordinary General Meetings (EGM)

An EGM shall be called by the Secretary within 21 days of a request to that effect from the Committee or on the written request of not less than 6 members entitled to vote and signed by each of them.

Such EGM shall be held on not less than 21 nor more than 28 days' notice at a place decided upon by the Committee or in default by the Chairman of the Committee

If the Committee fails to call a meeting within 21 days of receiving a valid request from the members then the those who made the request, may themselves call a meeting, the costs of which will be reimbursed by the Club.

The nature of the proposed business must be stated clearly by the applicants in writing and only such business may be considered by the meeting

The procedures shall, wherever possible, be as for an Annual General Meeting.

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10. The Committee

10.1 Role: Subject to this Constitution the Committee shall have responsibility for the management of the Club, its funds, property and affairs.

10.2 Property, etc.

10.2.1 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 Constitution and all surplus income or profits are to be re-invested in the Club. No surpluses or assets will be distributed to members or third parties.

10.2.2 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

10.2.3 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 (though not for playing) and remunerate them for providing goods and services, on fair terms set by the Committee without the person concerned being present

(c) pay for reasonable hospitality for visiting teams and guests, and

(d) indemnify the Committee and members acting properly in the course of the running of the Club against any liability incurred in the proper running of the Club (but only to the extent of its assets).

10.2.4 The Committee will have due regard to the law on disability discrimination and the safeguarding of children and vulnerable adults.

10.3 Composition, etc.

10.3.1 The Committee shall consist of seven members fulfilling the roles set out below who shall be elected at the Annual General meeting

10.3.2 Club Chairman, Secretary, Treasurer, Fixtures & Facilities Secretary, Club Captain, (who will be the Saturday 1st XI captain) Membership Secretary and Colts Development Manager

The Committee may co-opt up to four additional members annually which shall include the Child Welfare Officer

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10.3.3 All other playing captains shall be elected by the AGM

10.3.4 All Committee members shall retire each year at the Annual General Meeting, but shall be eligible for re- election or co-option without limit

10.4 Committee Meetings

10.4.1 Whenever a Committee member has a personal interest in a matter to be discussed he/she 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.

10.4.2 The Committee may decide its own way of operating. Unless it otherwise resolves the following rules apply: (a) at least 3 Committee members must be present for the meeting to be valid

(b) committee meetings may be held either in person or by telephone, televisual or other electronic or virtual means agreed by the Committee in which all participants may communicate simultaneously with all other participants

(c) the Club Chairman or whoever else those present choose shall chair meetings

(d) decisions shall be by simple majority of those voting

(e) a resolution in writing signed by every Committee member shall be valid without a meeting and

(f) the chair of the meeting shall have a casting vote

10.5 The Committee shall appoint a Club Welfare Officer to ensure compliance with safeguarding legislation and the ECB Safe Hands policy.

The Club Welfare Officer shall report to relevant Committee meetings and the reports, together with any action taken, must be minuted

10.6 The Committee shall meet as and when required, by at least seven days' notice, for the purpose of conducting the affairs of the Club.

10.7 The Committee shall have the power to suspend or expel any member from playing membership for discreditable conduct or persistent breach of the Club Constitution.

10.8 The Committee shall be empowered to deal with any matter arising in connection with the Club not provided for in the Constitution.

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10.9 The Committee shall have the power to appoint such sub- committees as it considers appropriate and shall be responsible for the determination of the responsibilities of those sub-committees and the appointment of the Chairs of those sub-committees.

The Committee may wind up any sub-committee at any time or change its mandate and operating terms.

10.10 Bank Accounts

Any bank accounts in which any part of the Club's funds is deposited shall be operated by the Committee and shall be held in the name of the Club.

All cheques and orders for payment of money from such accounts must be signed or authorised by at least two members of the Committee, except for transfers between the Club's bank accounts which may be authorised by one Committee member

10.11 Disclosure

Annual club reports and statements of account must be made available for inspection by any full member and all club records may be inspected by any Committee member, upon reasonable notice being given to the Secretary

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 Any person that 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.

11.3 The Committee shall appoint a Disciplinary Sub-Committee who will meet to hear complaints within 21 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.

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The Disciplinary Sub-Committee has the power to take appropriate disciplinary action on behalf of the Committee, including the termination of membership or exclusion from Club premises.

11.4 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 14 days following the hearing.

11.5 There shall be a right of appeal within 14 days of receipt of the disciplinary decision or decision to refuse membership:

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

11.5.2 against the Committee's refusal to admit a new member

In either case, the Committee shall appoint an Appeals Committee which shall have a maximum of three members but shall not include members involved with the initial disciplinary hearing but may include non-members of the Club. The Appeals Committee shall consider the appeal within 21 days of the Secretary receiving the appeal. The individual who submitted the appeal shall be entitled to be accompanied by a friend or other representative and to call witnesses. The decision of the Appeals Committee shall be final and binding on all parties.

12. Property Nominees

12.1 Any property or assets of the Club may be vested in between two and four nominees who shall hold the same for and on behalf of the members of the Club.

12.2 The Committee shall have power by notice in writing to appoint such nominees from the membership of the Club, and may remove them at any time, by resolution of the Committee.

12.3 The nominees shall deal with the Club's property and assets as directed by the Committee from time to time.

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12.4 The nominees shall be entitled to be indemnified against any cost or expense properly incurred in dealing with the property or the assets out of the Club's funds.

13. Club Regulations

The Committee may make Club Regulations consistent with this Constitution and will publicise these to the members.

14. Notices

14.1 Notices to be sent out in accordance with this Constitution may be sent by hand, by post or by suitable electronic means and will be treated as being received.

14.1.1 24 hours after being sent by electronic means or delivered by hand to the relevant address.

14.1.2 Two clear days after being sent by first class post, or

14.1.3 Three clear days after being sent by second class post.

14.2 Notice of all general meetings must also be put on the Club's notice boards and website

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

15. Amendments

15.1 This Constitution may be amended at a general meeting by resolution passed by two-thirds of the votes cast but not in any event to alter its purposes (unless the procedure set out in

15.2 has been followed) or winding up provisions.

15.3 The Club Purposes may be changed to include another eligible sport if approved by a 75% majority of votes cast at a General Meeting

16. Winding Up or merging of the Club

16.1 The members may vote to wind up the Club or to merge it with another club with similar purposes if not less than three quarters of those present and voting support that proposal at a properly convened general meeting.

16.2 The Committee will then be responsible for the orderly winding up of the Club's affairs.

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16.3 After settling all liabilities of the Club, the Committee shall dispose of the net assets remaining to one or more of the following:

16.3.1 to another Club with similar sports purposes, including the new club formed from a merger; and/or

16.3.2 to another Club with similar sports purposes which is a registered Charity or CASC; and/or

16.3.3 to the Middlesex County Cricket Club Centenary Youth Trust, a registered charity; and/or

16.3.4 to the Club's national governing body for use by them for related community sports.

17 AVAILABILITY

A member may obtain a copy of the Club Constitution by application to the Secretary

18 The attached documents or their amended versions form an integral part of this Constitution, namely: -

ECB Code of Conduct, which incorporates the Spirit of Cricket and the Laws of Cricket

ECB Cricket Equity Policy

ECB Safe Hands - Cricket's Policy for Safeguarding Children

Adopted at a meeting held

at The Clubhouse, 190 Wills Crescent, Hounslow Middlesex, TW3 2JD on 28 June 2016 and amended on 31st May 2019 at the same venue.

Signed: