



BERKHAMSTED LAWN TENNIS AND SQUASH RACKETS CLUB CONSTITUTION

NAME

1. The name of the Club shall be "The Berkhamsted Lawn Tennis and Squash Rackets Club".

OBJECTIVES

- 2.1 The Objectives of the Club shall be to provide facilities for the playing of tennis and squash and for social activities, and to provide such other amenities as may be decided from time to time.
- 2.2 The Club shall at all times preserve and promote the interests of both tennis and squash players and ensure the continued development of both sports. The existing playing facilities for tennis and squash shall not be altered materially without the approval of two thirds of the voting Members of the Club present at a General Meeting of which due notice has been given of the proposed change.
- 2.3 The Club is a non-profit making organisation. All profit and surpluses will be used to maintain or improve the Club's facilities.
- 2.4 On winding up or dissolution of the Club, no profit or surplus will be distributed other than to the Berkhamsted Sports Ground Charitable Association provided it is then a registered charity and in default to a sporting or charitable purpose.

MANAGEMENT

- 3.1 There shall be a President. A Vice-President may also be elected. A proposal for the election of a President or a Vice-President shall be submitted to a General Meeting. Once elected they shall remain in Office until either resignation or removal from Office by resolution submitted to, and approved by, a General Meeting.
- 3.2 The Officers of the Club shall be:
Club Chairman
Secretary
Treasurer
and shall be elected annually at the Annual General Meeting.
The Treasurer may appoint such unpaid assistants as required but remains responsible to the Club for any of their actions in respect of Club funds.
- 3.3.1 The Club shall be managed by a Council and by the following main committees, namely:
the Tennis Committee
the Squash Committee
the Social Committee
the Bar Committee.
The Council has a general duty to manage the Club and to provide forward plans and budgets as required.
The Council shall consist of the following representatives:
The Officers of the Club
The Chairmen of the Tennis and Squash Committees and one additional Member selected from, and by, each of the Tennis and Squash Committees
Bar Committee Representative
Social Committee Representative
- 3.3.2 The Council may appoint such other committees, as it considers appropriate.
- 3.3.3 A Committee Chairman may stand for election as an Officer of the Club and, if successful, may retain both responsibilities but only exercise one vote. In this event, in order to maintain the same total number of members on the Council, the Committee concerned shall then appoint another Member to the Council.
- 3.3.4 As far as practical an overall balanced representation of the Tennis and Squash Playing Sections shall be maintained on the Council.
- 3.3.5 Any agreement or contract entered into and which is legally binding on the Club must be approved by the Council and signed by the Chairman and one other Club Officer.
- 3.4 The Tennis and Squash Committees shall each consist of:
Chairman
Secretary
and such additional members, not fewer than two, as may be decided upon by each Playing Section. Elections shall be held annually at a Section General Meeting, the timing of which, subject to clause 7.6, is to be at the discretion of the respective Sections, with a view to the Meetings being held at the time most suitable to their seasonal activities. Subject to the general management of the Council, the Tennis and Squash Committees are responsible for supervising and directing their respective games.
They are required to maintain and display Playing Rules relating to their respective games.

- 3.5 The Social Committee shall consist of:
Chairman
Secretary
and such additional members, not fewer than two, all of whom shall be elected annually at the Club's Annual General Meeting.
- 3.6 The Bar Committee shall consist of:
Chairman
Secretary
Bar Treasurer
and a representative from, and appointed by, each of the Tennis, Squash and Social Committees.
The above officers, except the Committee appointees, shall be elected annually at the Club's Annual General Meeting.
The Bar Committee will solely be responsible for the supply, sale and purchase of intoxicating liquor on Club premises.
The Bar Committee will, subject to clause 11, determine all matters relating to the sale of intoxicating liquor and any other beverages and determine the staffing of the bar at the appointed hours. Any change to the general level of prices in the bar will, however, require to be notified to Council for endorsement. The Bar Treasurer will maintain accounts relating to the bar transactions and, in conjunction with the Treasurer, will be responsible for presenting these for audit each year.
- 3.7 The number of voting members specified in each case shall be considered to form a quorum:-
- | | |
|----------------------------|----|
| Council Meetings | 4 |
| Playing Committee Meetings | 4 |
| Bar Committee Meetings | 3 |
| Social Committee Meetings | 3 |
| Club General Meetings | 25 |
| Tennis General Meetings | 15 |
| Squash General Meetings | 10 |
- In the absence of the elected Chairman at any committee or General Meeting, and where a quorum is reached, that meeting will elect a temporary chairman who shall have a casting vote as set out in clause 8.3.
- 3.8 The Council shall have power to co-opt Ordinary members to fill any vacancy in the Officers of the Club; each Committee shall have like power to fill any vacancy on its Committee. The term of office shall expire at the next Annual General Meeting of the Club or Annual Meeting of the Section as the case may be.
- 3.9 The services of a Club Manager may be contracted for by the Council. A temporary or permanent appointment can be made; any agreement between the Club and the appointed Club Manager must include the provision that the Club can dismiss the Club Manager provided one months notice is given by the Council.
The Council will maintain a detailed job description for the duties required of the Club Manager; this will be reviewed/updated annually by Council as part of the annual Club Manager job appraisal.
The Club Manager will be responsible to the Council for the performance of these duties.
- 3.10 The Council shall have power to determine any matter not provided for in the Constitution.
In addition General Bye-laws shall be maintained by the Council.

TRUSTEES

- 4.0 There shall be not more than four Trustees of the Club nor fewer than two.
The first Trustees shall be appointed by the Council and the property of the Club (other than cash which shall be under the control of the Treasurer) shall be vested in them, to be dealt with by them as the Council shall from time to time direct by resolution (of which an entry in the minutes shall be conclusive evidence). The Trustees shall, subject to clause 5.9, be indemnified against risk and expense out of the Club property. The Trustees shall hold office until death or resignation or until removed from office by a resolution of the Council who may for any reason which may seem sufficient to a majority of them present and voting at any meeting remove any Trustee or Trustees from the office of trustee. Where by reason of any such death, resignation or removal it shall appear necessary to the Council that a new Trustee or Trustees shall be appointed or if the Council shall deem it expedient to appoint an additional Trustee or additional Trustees, the Council shall by resolution nominate the person or persons to be appointed the new Trustee or Trustees. For the purpose of giving effect to such nomination the President is hereby nominated as the person to appoint new Trustees of the Club within the meaning of section 36 of the Trustee Act 1925 and he shall by deed duly appoint the person or persons so nominated by the Council as the new Trustee or Trustees of the Club and the provisions of the Trustee Act 1925 shall apply to any such appointment. Any statement of fact in any such deed of appointment shall in favour of a person dealing bona fide and for value with the Club or the Council be conclusive evidence of the fact so stated.

MEMBERSHIP

- 5.1.1 The Club shall consist of Ordinary, Student, Junior and Temporary members or as may be amended by Council in the future.
Ordinary members shall consist of the following:-
Playing members: Tennis and Squash members
Tennis members
Squash members
Social members
Life members
- 5.1.2 Playing membership shall also be available to Beginners, Student, Junior, Junior Summer and Temporary members.

- 5.2 The club has an open/non discriminatory access policy for new members -anyone is eligible to join irrespective of playing standard, sex, age, colour, creed or disability. Only Ordinary members shall be entitled to hold office or to exercise the power of voting. Persons below the age of 18 on 1st January in any subscription year shall be eligible for junior membership. Persons not below the age of 18 on 1st January in any subscription year but in full time education shall be eligible for student membership.
- 5.3 Any person wishing to become a Member shall apply to the Club Manager. The Club Manager will enrol the new Member and obtain the appropriate membership fee. A majority of the Council shall have full discretion to require the Club Manager to refuse an application for membership without having to give any reason for so doing. The Club Manager will arrange for any new Senior Tennis Member, who is not joining as a Beginner, to attend a playing in session conducted by a member of the Tennis Committee.
- 5.4 The Council may elect, as Life members of the Club, without any subscription being payable, past or present members who have rendered outstanding service to the Club. Notice of such election shall be given at the next Annual General Meeting of the Club.
- 5.5 The Council shall have power to expel any Member who shall offend against the Constitution of the Club or the General Bye-laws or Playing Rules made thereunder or whose conduct in the opinion of the Council renders the Member unfit for membership of the Club. Before any such Member is expelled the Secretary shall give the Member twenty-one days written notice to attend a meeting of the Council and shall inform the Member of the complaints made against the Member. No Member shall be expelled without first having an opportunity of appearing before the Council and answering the complaint made against the Member, nor unless at least two thirds of the Council then present vote in favour of the Member's expulsion. No Member whose membership has been terminated under this Rule, or who owes money to the Club, shall be introduced by another Member as a visitor to any part of the Club premises.
- 5.6 Any Member whose subscriptions are unpaid on the following dates shall be deemed to have resigned and shall no longer be entitled to the privileges of membership:-
Junior tennis playing members - 1st April
All other members - 1st May
Any membership renewals after the above dates shall be subject to the payment of a further Club entrance subscription (as per 6.2.2).
- 5.7 All members must carry a valid membership card, when on the Club premises, to be produced on request.
- 5.8 All members shall be deemed to have accepted and to be bound by the Club's Constitution, General Bye-laws and Playing Rules for the time being in force. Copies of the Club's Constitution, General Bye-laws and Playing Rules will be set out in the Club Handbook, a copy of which will be provided to each Ordinary Member. The Club Handbook will also be available in the Clubhouse.
- 5.9 The members of the Club shall indemnify the Council and any Officer or other Member of the Club and the Trustees and the Club Manager, whether acting on the authority of the Council or under powers delegated by it, against any loss or liability whatsoever or howsoever caused provided that the members shall in no circumstances indemnify the Council or any Officer or Member of the Club or Trustee or Club Manager against any loss or liability arising from his or their wilful misconduct or from activities not reasonably in the interests of the Club, or to the furtherance of its Objectives.

SUBSCRIPTIONS AND FINANCE

- 6.1 The financial and subscription years shall be from 1st April to 31st March.
- 6.2.1 All Ordinary, Beginner, Student and Junior members shall pay a Club membership subscription. In addition a Playing Member shall pay an additional subscription (or subscriptions) and playing fees, which shall take into account special circumstances relating to the sports concerned as well as more general considerations. Subscriptions shall be determined by a General Meeting of the Club. Playing fees shall be determined at the Annual General Meeting preceding each subscription year.
- The Club may offer a discount for the prompt payment of subscriptions; any discount shall be determined at the Annual General Meeting preceding each subscription year.
- 6.2.2 Entrance fees shall be payable by all new members (with the exception of Student, Junior, Junior Summer and Temporary members) with the first subscription on joining the Club. The entrance fees shall be determined by a General Meeting of the Club.
- 6.2.3 Providing at least one member of a family pays a senior playing subscription, then for all playing members of that family, residing at the same address, there shall be a Family Reduction of an amount per Member which shall be determined at a General Meeting of the Club.
- 6.2.4 The subscriptions of Temporary Playing members and visitors fees shall be determined by the Section Committees and approved by the Council.
- 6.3 The Council may authorise expenditure on behalf of members within the following limits:-
1) New purchases of equipment etc. up to a value of 10% of the current net membership subscription income in any year on any item.

- 2) Replacement of existing equipment etc. up to a value of 20% of the current net membership subscription income in any year on any item.
- 3) Total expenditure as above shall not exceed the net income of the Club in any year, unless previously agreed by a General Meeting.

Any expenditure above these limits shall be subject to prior approval at a General Meeting.

- 6.4 The Council has the express power to enter into financial loans on behalf of members within the following limits:
- 1) The total value of all loans initiated does not exceed the current net membership subscription income in that year, unless previously agreed by a General Meeting.
 - 2) The total payment on all outstanding loans within that year, when added to any expenditure (detailed in 6.3) must not exceed the net income of the Club in that year, unless previously agreed by a General Meeting.

GENERAL MEETINGS

7.1 The Annual General Meeting of the Club shall be held in February in every year to transact the following business:

- a) to receive and, if approved, to adopt a statement of the Club's accounts to the end of the previous financial year.
- b) to consider and, if approved, sanction any duly made alterations to the Constitution.
- c) to appoint the Officers of the Club and members of Committees (other than the Tennis and Squash Committees)
- d) to appoint an auditor or auditors
- e) to receive reports covering the past year's activities from the Club Chairman, Chairmen of the Committees and the Club Manager.
- f) to deal with any motions, details of which shall have been given in the notice convening the Meeting.
- g) to receive suggestions from members for consideration by the Council.

Notice of any motion to be discussed at an Annual General Meeting shall be given to the Secretary in writing, signed by two Ordinary members of the Club as proposer and seconder, not later than 15th December except for any motion for the nomination of Officers and members of Committees where notice shall be given to the Secretary as above at least 14 days prior to the date of the Meeting.

The Chairman of the Meeting shall have absolute discretion to accept or reject motions of which proper notice has not been given.

7.2 A Special General Meeting may be convened at any time by the Council and shall be convened within one month from the receipt of a requisition in writing signed by not less than ten Ordinary members of the Club specifying the object of the Meeting for any of the following purposes:-

- a) to consider and, if approved, sanction any duly made alteration to the Constitution.
- b) to deal with any special matter which the Council may wish to place before members.
- c) to receive the resignation of the Council or to remove any member or members thereof from office and to fill any vacancy or vacancies caused thereby.
- d) to deal with any special matter which the members requiring the Meeting may wish to place before the Club.

No matters shall be considered at a Special General Meeting other than those included in the notice convening the Meeting.

7.3 All Ordinary members shall be notified of any General Meeting by poster in the Clubhouse or by circular not less than 21 days before the meeting and this shall specify the matters to be dealt with.

7.4 On motions submitted at General Meetings which, in the opinion of the Chairman, are within the province of a single Playing Section, only voting members of that Playing Section shall be entitled to vote.

7.5 Non-voting members may attend General Meetings.

7.6 The matters and timings relative to the Annual General Meeting given in this Section of the Constitution shall, in so far as applicable and not covered specifically elsewhere, apply to the meetings of the Tennis and Squash Playing Sections. In Rule 7.1 the reference to the 15th December shall be read as 15th September and 15th January for the meetings of the Tennis and of the Squash Playing Sections, respectively.

COUNCIL AND COMMITTEE PROCEDURE

8.1 Meetings of the Council shall be called by the Secretary. They shall be called not less frequently than every second month. In addition, any two Council members may, in writing, require the Secretary to call a meeting to be held within 14 days of such request.

8.2 Meetings of the Committees shall be arranged on a regular basis or as required by the Council. Chairmen are responsible for ensuring that copies of minutes are circulated to Committee members, and also to each Council Member, within fourteen days of each Meeting. Chairmen are also required to provide reports for each Council Meeting.

8.3 At a Council Meeting, Committee Meeting or General Meeting the person in the chair shall have a normal vote; in the event of an equality of votes the motion fails.

8.4 The draft minutes of all General Meetings, Council meetings and Tennis, Squash, Bar or Social Committee meetings will be displayed on the Club notice boards.

VISITORS

9. Ordinary members may introduce playing visitors. Such visitors will become Temporary members and shall be subject to the Constitution and appropriate General Bye-laws and Playing Rules of the Club. The names of Temporary members must be recorded in the appropriate book. Temporary members shall pay the appropriate visitors fee. Guests, visiting teams and their friends, properly introduced, shall be elected Honorary Temporary members for the day.

COURTS

10. The Club Manager or any member of the Council shall have the power to close any tennis or squash court, if deemed advisable.

BAR

- 11.1 The sale of intoxicating liquor on Club premises shall be strictly in accordance with current licensing laws, and shall be confined to the licensing permitted hours applicable in the Dacorum Division, details of which shall be displayed.
- 11.2 The purchase of intoxicating liquor for, and supply by, the Club shall be in the discretion of the Council.
- 11.3 All intoxicating liquor consumed on Club premises must be purchased from the Club bar.
- 11.4 No Member shall at any time be entitled to receive at the expense of the Club or of any Member thereof any commission percentage or similar payment on or with reference to purchases of intoxicating liquor by the Club. No Member shall directly or indirectly derive any pecuniary benefit from the supply of intoxicating liquor by or on behalf of the Club to members or visitors apart from any benefit accruing to the Club as a whole and apart also from any benefit which a person derives indirectly by reason of the supply giving rise to or contributing to a general gain from the carrying on of the Club.
- 11.5 No Member shall be permitted to purchase or consume intoxicating liquor on the Club premises when under the age of 18 years.
- 11.6 There may be admitted to the Club premises persons other than members or their visitors who shall be classed as Temporary members and intoxicating liquor may be sold to such persons by or on behalf of the Club for consumption on the premises and not elsewhere.

CLUB STAFF

12. Club employees and contractors shall be under the orders of the Council or relevant Committee only, and no Member shall reprimand such a person. If a Member has any cause for complaint he shall bring the same before the Council in writing.

NOTICES

13. No paper, notice or placard shall be exhibited, put in the Clubhouse, or in any way brought to the notice of members, without the sanction of either an Officer of the Club, a Committee Member or the Club Manager.

ALTERATIONS

14. The Constitution may be altered only by a majority comprising two-thirds or more of the members present and entitled to vote at a General Meeting of the Club of which notice has been duly given specifying the proposed alteration.