

# CONSTITUTION

## Matlock & Cromford Meadows Cricket Club

### 1. Who we are

The club shall be known as **Matlock and Cromford Meadows Cricket Club** and shall comprise of both senior and junior players, officials and non-playing members. The club will be affiliated to both the England and Wales Cricket Board and the Derbyshire Cricket Board.

### 2. Aims and Objectives.

The main objective of the club is to provide, for the whole community, facilities to promote and opportunities to participate in, the recreational sport of cricket.

The club will encourage and allow use of its grounds and/or facilities for both cricket and other social activities by other appropriate local organisations, community groups, residents, Derbyshire schools, and other club representative teams. The Executive Management Committee (or facilities sub-committee) will agree a scale of charges to other users annually and when these charges will be applied.

### 3. Organisation

#### 3.1 Members

Membership of the club shall be open to all, irrespective of ethnicity, nationality, sexual orientation, religion or beliefs, age, sex or disability.

The club and its members shall ensure that members (playing and non-playing) abide by both the ECB "Code of Conduct" which incorporates the Spirit of Cricket and the Laws of Cricket.

The club may have different classes of membership and subscription, both based upon a non-discriminatory and fair basis. The club will have an equitable pricing policy and keep subscriptions at levels that will not pose a significant obstacle to people participating.

The club will have the following classes of membership:-

- a) Full membership – playing (adult and employed)
- b) Full membership – Playing (adult not employed or student)
- c) Junior membership (under 18 yrs.)
- d) Full membership – non playing
- e) Family membership – A family with up to 2 Adult playing members and unlimited junior membership living at the same address

The club may refuse membership only for good and sufficient cause, such as conduct or character likely to bring the club or sport into disrepute. Appeal

against refusal of membership may be made to the club's members and decided by a majority vote (see separate disciplinary procedure for details).

### **3.2 Officials**

The club shall appoint the following officials:-

- President
- Chair \*
- Vice-Chair \*
- Secretary \*
- Fixture secretary
- Treasurer\*
- Membership Secretary \*
- 1<sup>st</sup> XI Captain
- 1<sup>st</sup> XI Vice-Captain
- 2<sup>nd</sup> XI Captain
- 2<sup>nd</sup> XI Vice-Captain
- 3<sup>rd</sup> XI Captain
- 3<sup>rd</sup> XI Vice-Captain
- Ladies hardball captain
- Ladies softball captain
- Ladies Vice-captains
- Mid-week/Friendly Captain
- Junior cricket Co-ordinator
- Junior team managers (as appropriate)
- Safeguarding Officer \*
- Safeguarding officer deputies
- Matlock and Cromford Meadows Groundsman
- Communications lead
- Events Manager
- Development lead

The club shall be governed by a committee comprising of members taken from the above list of club officials elected at the Annual General Meeting. The term of office for post holders (excluding the President and honorary life Vice-presidents), shall expire at the AGM. Officers may be reappointed at the club's subsequent AGM.

### **3.3 Annual General Meeting (AGM)**

#### **3.3.1 Eligibility for AGM**

The AGM shall be held within November of each year, only those existing members whose subscriptions are paid in full by May 31st will be entitled to attend, participate, vote or stand for election or appointment to office within the club.

### **3.3.2 Additional eligibility for AGM**

The only exceptions to rule 3.3.1 will be:-

- a) The Club President
- b) Club Honorary Life Vice Presidents
- c) New members who have joined during the season but whose subscriptions were proportionally paid in full before the end of the senior playing season.
- d) One parent of each junior playing member not covered above. (NB if a junior playing member and their parent both attend an AGM they will only be entitled to one vote between them).

### **3.3.3 Organisation of AGM**

Fourteen days written notification of the AGM will be given to all current members, together with an Agenda for the meeting and details of any resolutions or rule changes proposed by the Management Committee. Any other propositions may be submitted for consideration at the AGM and given to the Hon Secretary at least 7 days prior to the AGM. Such propositions must be clearly signed by two current members of the club (as defined in 3.3.1 and 3.3.2 above)

### **3.3.4 Purpose of AGM**

The purpose of the AGM shall be to:-

**a) receive and approve reports from:-**

Chair  
Treasurer (including an audited statement of annual accounts)  
Secretary  
Cricket sub- committee Chair  
Facilities sub- committee Chair  
Ground sub-committee Chair

**b) Elect the following officers**

President  
Chair \*  
Vice-Chair \*  
Secretary \*  
Fixture Secretary  
Membership Secretary \*  
Treasurer\*  
Junior cricket co-ordinator

Safeguarding Officer \*  
Volunteer Co-ordinator  
Events manager  
Communications lead  
Development lead

The AGM may also appoint Hon “Life Vice Presidents”, who are not required to pay membership fees and will not have any executive role unless voted or co-opted onto the club EMC. Nominations for Hon “Life Vice Presidents” must be notified to the secretary in advance of the AGM with a named proposer and seconder, who must both be members of the club. The general criteria for nomination of Hon “Life Vice President” is that they have a substantial and unbroken record of service and membership of the club in a playing or other capacity and the appointment is likely to enjoy the majority support of the membership.

**c) Elect the following Captains**

1st XI Captain  
2nd XI Captain  
3rd XI Captain  
Ladies hardball Captain  
Ladies softball Captain

**d) Transact upon**

Subscriptions and match fees

**e) Receive “Any other Business”.**

Any resolutions put forward at the AGM will be voted upon by those members present. In the event of equal voting the Chair of the meeting will have the casting vote should they wish to choose to use it.

### **3.4 Special (Extraordinary) General Meeting**

A Special General Meeting (SGM) of the club may be called at any time., either (i) at the discretion and agreement of the Management Committee or (ii) by a written request signed by at least 15 members and given to the honorary secretary (or in their absence the Club Chair) stating the reason for such a meeting.

At least 7 days written notice of any SGM will be given to all members, which will specify the object and/or reason for the meeting, to which alone the discussion at the SGM will be confined.

Any resolutions put forward at the SGM will be voted upon by those members present. In the event of equal voting the Chair of the meeting will have the casting vote should they wish to choose to use it.

### **3.5 Committee Structure**

The club shall be organised around a committee structure comprised of the following committees:-

Executive Management Committee

- i) Cricket Sub-committee
- ii) Grounds Sub-committee
- iii) Facilities sub-committee

#### **3.5.1 Executive Management Committee (EMC)**

**3.5.1.1** The EMC shall comprise of the executive officers, elected at the previous AGM (see list of officers below). They will meet at least four times annually, the first meeting to take place no later than 6 weeks following the AGM and at least one meeting of the Management Committee will be within the cricket season. Another meeting will be held no less than three weeks prior to the AGM to determine any resolutions, rule changes and agree proposed subscriptions and match fees for the following season which will be submitted to the AGM for adoption.

**3.5.1.2** The Management Committee will be the Executive body of the club and will be responsible overall for club policy, discipline, presentation of annual awards, observation of these rules and also for the appointment of vacancies, occurring during the year for club officials listed under rule 3.2.

**3.5.1.3** The Management Committee will be responsible for implementing disciplinary procedures in accordance with the clubs disciplinary policy (subject to DCCL rules where they apply).

**3.5.1.4** The committee may also co-opt other members of the club to serve the committee on specific issues as necessary.

**3.5.1.5** The quorum for all meetings of the EMC will be 6 members. Any proposals and resolutions adopted by the EMC must have the agreement of the majority of all members present.

Executive Committee members shall be:-

- Club Chair
- Vice-Chair
- Treasurer
- Secretary
- Safeguarding Officer
- Junior Team Representative

Communications lead  
Development lead  
Events Manager

### **3.5.2 Cricket Sub-Committee**

A cricket committee will be maintained with responsibility for the appointment of all vice-captains, mid-week captain and junior managers; all senior and junior playing arrangements including associated organisational issues, league rules, practice sessions, development of junior players, selection of junior players within senior teams, fixtures and the appointment of senior mid-week captains and Vice-captains together with any vacancies occurring during the season for 1<sup>st</sup> XI, 2<sup>nd</sup> XI and 3<sup>rd</sup> XI captains and Vice-captains. The Committee chair will be elected by the executive committee. The Cricket Sub-Committee will also be responsible for the creation of a selection sub-committee comprising of the captains and vice-captains of the three senior teams

Committee members:-

1<sup>st</sup> team representative or Captain  
2<sup>nd</sup> team representative or Captain  
3<sup>rd</sup> team representative or Captain  
Ladies representative or Captain  
Junior Cricket Co-ordinator or Captain  
Development lead

The committee may also co-opt other senior playing members of the club to serve on the committee if necessary.

### **3.5.3 Facilities and grounds Sub-Committees**

The facilities Sub-Committee will have day to day responsibility for the maintenance of all buildings at Causeway lane and Cromford Meadows, the grounds sub-committee will be responsible for the maintenance and upkeep of the playing facilities at Causeway Lane and Cromford Meadow. 1 member of each of the sub-committees must be an executive committee member.

The committee may also co-opt other members of the club to serve on the committee to act as organisers of specific fund raising events.

### **3.5.4b Cromford Sports Club**

Members will represent the best interests of MCMCC at Cromford Sports Club meetings and report back to the EMC on matters pertaining to the general upkeep of the facilities at Cromford Meadows and any development work required to be undertaken.

### **3.5.5 Trustees**

- The Committee shall appoint a minimum of 3 Trustees who shall be known as the Cricket Club Trustees.
- The Trustees shall hold office until death, resignation or until removed from office by a resolution of the executive Committee.
- The executive committee may, for any reason, which may seem sufficient to the majority of them present and voting at any meeting, remove any Trustee or Trustees from office but without prejudice to his or their right of indemnity in respect of anything done or suffered during his or their term of office.
- If the club deem it necessary to appoint new Trustees or additional Trustees, the executive Committee shall by Resolution nominate the person or persons to be appointed as new Trustee or Trustees.
- The Chairman of the executive Committee 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 shall appoint the persons nominated by the Committee as Trustees of the Club.
- The Cricket Club Trustees shall enter into, seal, execute and deliver all Instruments, Deeds or Assurances whatsoever as may from time to time be required by the executive Committee.
- Property of the Club including land and investments shall be vested in the Cricket Club Trustees for the time being for the sole use and benefit of the Club.
- The Trustees shall in all respects act in regard to any property held by them, in accordance with the directions of the executive Committee. Trustees shall have power to sell, lease, mortgage or pledge any Club property for the purpose of raising or borrowing money for the benefit of the Club in compliance with the executive Committee's directions, but no purchaser, lessee or mortgagee shall be concerned to enquire whether any such direction has been given
- A Special General Meeting may also ratify any acts which either the executive Committee or the Trustees shall have done without previous delegation.
- The Trustees may, with the consent of the Executive Committee, borrow, raise or secure the payment of money in such a manner as the Trustees shall think fit.
- The Trustees shall be indemnified out of the property or funds of the club in respect of any action taken by them on the direction of the executive committee, by a special general meeting or an annual general meeting.

## **4. Finance**

The financial year of the club will end on 30<sup>th</sup> September when the accounts, books, invoices, receipts and other records shall be audited and then presented at the AGM by the Treasurer for approval.

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The funds of the club shall be held in such bank account(s) as agreed by the EMC. Signatories to the accounts shall be any two of the Treasurer, Chair, Vice-Chair and Secretary and up to two other members designated by the EMC. All surplus income or profits are reinvested in the club. No surpluses or assets will be distributed to members of third parties.

Committee members will be allowed to authorise monthly transactions to the following limits:-

- £50 limit for an Individual committee member
- Up to £150 with the approval from 2 committee members
- Transactions In excess of £150 to be approved by committee.

The club has a duty to maintain adequate insurance to cover buildings, equipment and players which is to be reviewed and renewed every 12 months.

## **5 Subscriptions**

Annual subscriptions will be paid in full by May 31st. Failure to pay before this deadline may result in the loss of all playing privileges until the membership is paid. Varying levels of membership charges will be levied based upon the following classes of membership:-

- a) Full membership – playing (adult and employed)
- b) Full membership – Playing (adult not employed or student)
- c) Junior membership (under 18 years)
- d) Full membership – non playing
- e) Family membership - A family with up to 2 Adult playing members and unlimited junior membership living at the same address

## **6 Guidance Policies**

The club will adopt and apply any Codes of Conduct operated by both the ECB and the DCCL. The club may additionally supplement such Codes of Conduct as it deems appropriate. Links to the appropriate Codes of Conduct will be maintained on the clubs website for easy reference.

To ensure MCMCC provides a duty of care to all its members the club has adopted and implemented the ECB “Safe Hands” Policy for Safe-guarding children. Any future versions of this ECB document will be adopted and implemented.

MCMCC shall adopt and implement the ECB Equity, diversity and inclusion policy and the ECB anti-discrimination policy and any future versions of these policies.

## **7 Discipline**

It will be deemed to be a disciplinary offence in the eyes of the club for any member (playing or non-playing) during or connected with a match to misconduct themselves or act at any time in a manner

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calculated to prejudice the good name of MCMCC. Before any punitive action is taken by the club a disciplinary hearing shall be called –

## **8 Trophies**

All trophies are and shall remain the property of MCMCC. The winners of any trophy shall be responsible for its safekeeping and must immediately report its loss or damage to the secretary. All trophy winners should note that the secretary must be kept informed of the whereabouts of all the trophies at all times. All trophies must be returned at least 21 days before the notified date of the club presentation evening and in a clean and presentable condition.

## **9 Club Premises Bar Licence**

9.1 In accordance with Condition 1 of Section 62(2) of the Licencing Act 2003, any persons may not be admitted to membership of Matlock & Cromford CC, or be admitted as candidates for membership, to any of the privileges of membership without an interval of at least 2 days between their nomination for membership and their admission.

9.2 In accordance with Condition 2 of Section 62(2) of the Licencing Act 2003, those becoming members of the club without prior nomination or application may not be admitted to the privileges of membership without an interval of at least 2 days between their becoming a member and their admission.

9.3 In accordance with Condition 3 of Section 62(2) of the Licencing Act 2003, the club is established and conducted in good faith as a club, as required under Section 62 of the Licencing Act 2003.

9.4 Alcohol will not be served to members on the premises otherwise than by, or on behalf of the club.

9.5 The purchase and supply of alcohol by and for the club is managed by the club facilities Sub-Committee made up of elected members aged over 18 years.

9.6 No arrangements may be made for any person to receive commission, percentage or similar payment at the expense of the club with reference to purchase of alcohol for the club.

9.7 No arrangements may be made for any person to derive, directly or indirectly, any monetary benefit for the supply of alcohol to members or guests apart from to benefit the club as a whole or any indirect benefit a person derives by reason of supply contributing to the general gain of the club as a whole.

## **10 Property**

- a. The property and funds of the club cannot be used for the direct or indirect private benefit of members other than is reasonably allowed by the rules 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.
- b. The club may provide sporting and related social facilities, sporting equipment, coaching, courses, insurance cover, medical treatment, post-match refreshments

and other ordinary benefits of a Community Amateur Sports Club as provided for in the Corporation Tax Act 2010.

- c. 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 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).

## **11 Dissolution**

In the event of dissolution of the club, any assets remaining after the satisfaction of all debts and liabilities shall not be paid or distributed among members of the club, but shall be given or transferred to one or more of the following approved sporting and charitable bodies:-

1. A registered charitable organisation
2. Another club which is a registered CASC
3. The sport's national governing body for use by them for related community sports.

After an initial 3 year joint existence period, the assets from Matlock CC and Cromford Meadows CC will be amalgamated. In the event of both clubs wishing to pursue a separate existence, after the joint existence period has expired, then the assets shall be split 70/30 in favour of Matlock CC. A Start date for the joint period is to be mutually agreed between Matlock CC and Cromford Meadows CC

## **12 Amendments**

These rules can only be amended at the Annual General Meeting of members in accordance with rule 3.3.3 or a Special General Meeting of members called for that specific purpose under rule 3.4 but not (if relevant) so as to jeopardise the clubs status as a Community Amateur Sports Club as first provided for by the Corporation Tax Act 2010 and not in any event to alter its purposes (unless the procedure set out in rule 3.3.3 have been followed) or winding up provisions.