

Pendle Forest Sports Club

Old Laund Booth Playing Fields, Fence, Burnley, Lancashire

Rules and Constitution

- 1. Title**
 - 1.1 The club shall be called Pendle Forest Sports Club (hereinafter called the Club).
- 2. Affiliation**
 - 2.1 The Club shall be affiliated to the appropriate sports' governing bodies including, but not limited to, The Football Association, The England & Wales Cricket Board and England Hockey. The rules and regulations of the National Associations and Leagues controlling amateur sports shall be adopted for all games played by the Club.
 - 2.2 The Club has adopted the ECB "Safe Hands" Child Welfare Policy and the Football Association Child Protection and Best Practice Policy, within its own Child Protection document.
- 3. Aims and Objectives**
 - 3.1 The objectives of the Club shall be:
 - a) To promote participation of the whole community in the sports of
 - i) association football
 - ii) cricket
 - iii) hockey
 - iv) rounders
 - v) disability sport
 - vi) futsal
 - vii) netball
 - viii) lawn tennis
 - ix) rugby league
 - x) rugby unionwhich are recognised by the Sports Council and collectively shall be referred to as Eligible Sports
 - b) To acquire, provide, and maintain facilities for the sporting and recreational interest of the members.
 - c) To encourage and develop the pursuit of amateur sport by the members.
 - d) To promote social and cultural activities and generally to foster a spirit of mutual interest among the members.
 - e) To develop any projects arising out of the above, which may, from time to time be adopted by the executive committee of the Club.
 - 3.2 The aims and objectives of the Club should be consistent with the furthering of equal opportunities for all groups in that sport.
 - 3.3 The Club has adopted a Code of Conduct to be adhered to by all officials, playing members and supporters representing the Club
 - a) Any breach of the Code of Conduct should be reported to any Committee Member for consideration by the Executive Committee who may take such action as they feel appropriate (see also Section 11).
 - 3.4 The Club will ensure that adequate Public Liability Insurance will be maintained at all times.
- 4. Membership**
 - 4.1 The Club shall consist of the officers and the members.
 - 4.2 Membership of the Club is open to all members of the community, who are prepared to accept and support the objectives of the Club, without discrimination on the grounds of ethnicity, nationality, sexual orientation, religious beliefs, sex, age or disability, except as a necessary consequence of the requirements of a particular sport.
 - 4.3 All persons wishing to become a member of the Club must complete a Membership Application Form and pay the appropriate membership fee in accordance with clause 4.10. No person shall be allowed to make use of the Club premises and facilities (except as provided by 4.13; 4.14 and 4.15) until and unless he has been duly elected as a member of the Club. In accordance with clause 11.2, the Executive Committee maintain the right to decline and/or terminate any application for membership without recourse or refund of membership fees paid although the applicant has the right to appeal in accordance with clauses 11.3 and 11.4.
 - 4.4 Honorary membership may be considered to members who have given long and continuous service at the discretion of the Executive Committee.

- 4.5 In accepting membership, a person agrees to abide by the constitution of the Club and the rulings of the Club Executive Committee.
- 4.6 Members under the age of 18 years shall be considered as junior members.
- 4.7 Junior members shall be given the same playing rights within the Club as held by other members although will **not** have voting rights which will be limited solely to members over the age of 18 years.
- 4.8 Membership fees shall be stipulated by a General Meeting, distinguishing between adult and junior members and shall become due upon first usage of the Club's facilities.
- 4.9 With the exception of 200 Club members, all memberships will expire on 31st December each year.
- 4.10 Annual membership fees fall due on 1st January of each year and are payable to the Club Treasurer – membership fees shall be due at 100% of the annual membership fee if joining occurs between 1st January and 30th June, 75% of the annual membership fee if joining occurs between 1st July and 30th September and 50% of the annual membership fee if joining occurs after 1st October.
- 4.11 The Club Executive Committee may decide upon other charges or subscriptions at its discretion.
- 4.12 Proof of membership.
All members must, on request by an officer, groundsman, steward or member of the Club, provide proof of membership when visiting any of the sports grounds, clubrooms or places where only members of the Club are admitted. If membership cannot be proved, the individual shall sign the visitors' book, subject to introduction by a member as his guest.
- 4.13 Sporting fixtures.
On days when the Club has a pre-arranged sporting fixture of engagement with another bona fide recognised sporting club, intoxicating liquor may be sold to members of the visiting team and their supporters provided that all such persons shall first have produced satisfactory proof of membership of the visiting club and signed the visitors book.
- 4.14 Members' functions.
The Executive Committee may authorise a member of the Club to use the Club facilities for a personal or family celebration at which intoxicating liquor may be sold to persons participating in the function including those who are not members of the Club provided:-
- a) Such persons are admitted to the Club premises only on the personal invitation of the Club member organising the function and are signed in as guests in the visitors' book.
 - b) The total number of persons at the Club premises on any such occasion shall under no circumstances exceed the maximum occupancy recommended by the fire authority.
- 4.15 Bona fide guests.
A member of the Club may introduce and entertain guests at the Club at any time. The member shall ensure that the name and address of any guests introduced by him/her together with his/her own name are entered in the visitors book kept for the purpose on the Club premises. The member introducing guests shall at all times be responsible for the conduct of the guest on the Club premises and strict observation by such guest of these rules. The member shall not leave the Club's premises before his guest.
- 4.16 The Secretary shall keep a register of the names and addresses of all members and every member shall give written notice of any change of address to the Secretary within 14 days.
- 4.17 A copy of the constitution/rules will be supplied free to every member.
- 5. Officers**
- 5.1 The officers of the Club shall be: President, Chairman, Secretary and Treasurer, Social Secretary and Child Welfare Officer.
- 5.2 These officers shall hold office for a calendar year, being elected annually at the Club Annual General Meeting. All officers shall retire annually but shall be eligible for re-appointment.
- 5.3 Any vacancy occurring may be filled by the Club Executive Committee.
- 5.4 **The Secretary shall:-**
- a) Call meetings
 - b) Keep correct minutes of all proceedings
 - c) Conduct the correspondence
 - d) Be responsible for the books appertaining to his/her office
 - e) Keep the register referred to in 4.16
 - f) He/she shall on all occasions in the execution of his/her duties act under the superintendence and direction of the Executive Committee and between meetings of the Executive Committee he/she shall be responsible in consultation with the Chair for the conduct of the business of the Club
 - g) Following his/her appointment within 7 days give notice to the relevant Licensing Authority of the change of Secretary, including his/her full name and address.

6. Executive Committee

- 6.1 The management of the Club shall be vested in the Executive Committee (hereinafter called the Executive Committee).
- 6.2 The Executive Committee shall act for the members. Liabilities incurred shall fall upon the membership (provided they act in accordance with the constitution, in honesty and good faith).
- 6.3 The Executive Committee shall comprise President, Chairman, Secretary, Treasurer (as head of Finance Committee) Social Secretary (as head of Social Committee), Development & Child Welfare Officer, Facilities Officer (responsible for Grounds and Property), at least three other members of the Club and, if proposed, up to 2 members to represent each sporting section.
- 6.4 Meetings of the Executive Committee shall be convened by the Secretary and should take place at least once every three months.
- 6.5 The quorum necessary for the transaction of business at Executive Committee meetings shall be five members present and eligible to vote.
- 6.6 Every question at a meeting of Executive Committee shall be determined by a majority of the vote of the members present and voting, every member having one vote. In the event of an equality of votes, the Chair of the meeting shall have the casting vote.
- 6.7 The interpretation of the Club constitution shall be vested in the Executive Committee, who shall decide all questions relating to the Club, save those specified in, or involving an amendment to the constitution.
- 6.8 The Executive Committee shall be responsible for considering any application for membership and shall decide if this application should be accepted. This decision shall be in accordance with the non-discriminatory policy specified in 4.2.
- 6.9 The Executive Committee may employ professional officers at its discretion.
- 6.10 Sections:-
- a) Sections may be formed at the discretion of the Executive Committee to embrace one or more activities.
 - b) Each section having a separate committee, one member of which shall be a member of the Executive Committee.
 - c) Each section may make application to the Executive Committee for a grant from the funds of the club to cover reasonable expenses incurred in respect of the particular activity of that section.
 - d) Each section may, with the expressed confirmation of the Executive Committee, maintain designated banking accounts with the specific objectives of accumulating profits on general activities and from specific fund raising events for capital projects approved the Executive Committee. Funds so maintained shall be held in the Club's name with the section name appended, ie: Pendle Forest Sports Club ----- Section. Funds so maintained shall be accountable to the club treasurer and shall be recorded in the Club's annual accounts.
 - e) Funds maintained in separated designated accounts shall be under control of an approved panel of signatories with "any two to sign" of which at least one signatory must be an official of the Executive Committee.
 - f) Notwithstanding the existence of designated "section banking accounts" membership subscriptions must be paid to the club treasurer.
- 6.11 Three sub-committees will be responsible for the different aspects of the management of the Club:-
- a) Social Committee
Responsible for promoting the Club, all Club events, and the bar
 - b) Grounds and Property Committee
Responsible for development, maintenance and improvement to the clubhouse and grounds
 - c) Finance Committee
Responsible for financial development, including applications for grants and funding, and overseeing all club accounts.
- These sub-committees are under the jurisdiction of the Executive Committee.

7. Finance / Treasurers

- 7.1 The Income and Property of the Club shall be applied solely towards promoting the Club's objects as set forth in these "Rules and Constitution" and no portion thereof shall be paid or transferred, directly or indirectly, to the Members of the Club.
- 7.2 The Club Treasurers are responsible for the finances of the Club.
- 7.3 The financial year of the Club ends on 31st March.
- 7.4 Proper accounts shall be kept of all sums of money received and paid out by the Club.
- 7.5 A statement of accounts up to the previous financial year end duly verified by a suitably experienced accountant appointed at the discretion of the Executive Committee shall be presented to the members at the Annual General Meeting of the Club.

- 7.6 The funds of the Club shall be lodged at banks and/or buildings societies in accounts in the name of the Club, and all cheques, drafts, etc, drawn on these accounts shall be signed by two officers of the Club.
- 7.7 The Club shall be open to receive donations.

8. Annual General Meeting

- 8.1 The Annual General Meeting (AGM) of the Club shall be held every year ideally during the month of May or June, when the annual report of the Executive Committee and the audited statement of accounts up to the end of the financial year shall be presented.
- 8.2 Not less than 28 days' notice of the date of the AGM shall be given to all members by the Secretary by way of publication of the AGM on the Club's website and on the notice board in the Clubhouse.
- 8.3 The AGM shall elect such officers of the Club as it may from time to time determine.
- 8.4 Nominations for officers at the AGM shall be accepted from the floor at the meeting and can only be accepted from persons eligible to vote at the AGM.
- 8.5 The dates of the general meetings and of the Executive Committee meetings shall be determined at the previous meeting. In addition, the Chair may call a meeting when he considers it necessary or desirable, or upon the written request of at least three members of the Executive Committee.
- 8.6 With the exception of junior members, all members shall be entitled to vote at general meetings of the Club and shall have equal voting rights.
- 8.7 The quorum for general meetings shall be 15 members present and eligible to vote.
- 8.8 An Extraordinary General Meeting (EGM) shall be called by an application in writing to the Secretary signed by not less than 15 members or one fifth of the members entitled to vote, whichever is less. The Executive Committee shall have the power to call an EGM by decision of a simple majority of its members.

9. Voting Procedures

- 9.1 Each member over the age of 18 shall be entitled to one vote.
- 9.2 A motion shall be carried by a simple majority of those present and voting, except when the motion is a constitutional amendment, which shall require a two-thirds majority.
- 9.3 The Chair shall have a casting vote in addition to a deliberative one.

10. Property and Staff

- 10.1 The Club shall be entitled to own freehold and/or leasehold land and buildings (hereinafter referred to as "Property").
- 10.2 Steven Worrall, Jon Wilkinson & Duncan McFadyen (hereinafter referred to as the "Trustees") shall act as trustees of Pendle Forest Sports Club to collectively hold any Property merely as trustees for the Club to be sold, leased, mortgaged or otherwise dealt as the Executive Committee of the Club from time to time directs on the proviso that the Trustees declare that they, and the survivors of them and the personal representatives of their survivor, will from now on hold the Property upon trust solely for the members of the Club.
- 10.3 The Trustees shall remain in such capacity without any remuneration until requested by the Executive Committee at which time, they will immediately resign individually or collectively as a trustee of Pendle Forest Sports Club without any compensation for loss of the position and duly execute any forms/documentation of resignation without delay as may be deemed necessary by the Executive Committee acting reasonably.
- 10.4 Responsibility for all Property owned or leased by the Club, and for the employment of the paid staff and volunteers together with the ability to rent out facilities or sub-let facilities to other clubs rests with the Executive Committee.

11. Discipline and Appeals

- 11.1 The Executive Committee shall have the power to take appropriate disciplinary action against any member, and shall have the authority to terminate the membership of any member guilty of conduct deemed to be to the detriment of the Club.
- 11.2 The Executive Committee may refuse membership or expel from membership only for good and sufficient cause, such as conduct or character likely to bring the Club or sport into disrepute.
- 11.3 There shall be the right of appeal to a separate Appeals Committee, no member of which will have been involved in the initial decision.
- 11.4 The appeal should normally be considered within 14 days of it being received by the Secretary and decided by a majority vote.

12. Permitted hours for supply of intoxicating liquor

12.1 The permitted hours for supply of intoxicating liquor shall be fixed and may from time to time be varied by the Executive Committee provided such hours comply with provisions of the Licensing Act 1964 or the corresponding relevant statutory provisions for the time being in force. After any change written notice of the Club's permitted hours as varied shall be given forthwith to the relevant Licensing Authority. No change in permitted hours shall be effective until such notice has been given.

13. Dissolution Procedure

13.1 The Club shall continue to exist until otherwise decided, either through force majeure or with the expressed wish and desire of three-quarters of the membership.

13.2 In the event of the dissolution of the Club, any assets remaining after the satisfaction of all debts and liabilities shall **not** be paid to or distributed among the members of the Club, but shall be given or transferred at the discretion of the Executive Committee to one or more of the following sporting or charitable bodies :

- A registered charitable organisation(s).
- Another club(s) which is local and also a registered Community Amateur Sports Club (CASC).
- The national governing body(ies) of the Eligible Sports represented by the Club at the time of the dissolution for use by them for related community sports.

14. Review of the Constitution

14.1 This constitution shall be reviewed on an annual basis.

14.2 No amendments shall be made unless notice of the proposed amendment shall be given on the agenda paper of the AGM or EGM.

14.3 Any amendment to the constitution shall require a two-thirds majority of members present and voting.

14.4 Written notice of any amendment to the constitution shall be given by the Secretary to the relevant Licensing Authority within 7 days of the meeting at which the amendment was effected.

14.5 In the event of any question or matter arising which is not provided for in the constitution, such question or matter shall be dealt with by the Executive Committee, whose decision shall be final.