

## **EIGHT ASH GREEN CC CONSTITUTION**

**Adopted on 22nd June 2013 and last amended at a Special General Meeting on 13th March 2023**  
(latest changes marked in margin)

### **(1) Name**

The Charity shall be called Eight Ash Green Cricket Club.

### **(2) Administration**

Subject to the matters as set out below the Charity and its property shall be administered and managed in accordance with this constitution by the members of the Executive Committee, constituted by clause 8 of this constitution ("Executive Committee").

### **(3) Objects**

The object of the club is:

The promotion of community participation in healthy recreation by the provision of facilities for playing cricket.

### **(4) Affiliation**

- (1) The Club is affiliated to the England and Wales Cricket Board through the Essex County Cricket Board
- (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 the Laws of Cricket.
- (3) The Club shall adopt and implement the ECB Safe Hands – Cricket's Policy for Safeguarding Children and any future versions of the policy.
- (4) The Club shall adopt and implement the ECB Cricket Inclusion and Diversity Policy and any future versions of the policy.
- (5) The Club shall adopt and implement the ECB Anti-Discrimination Code of Conduct and any future versions of the policy.

### **(5) Powers**

In furtherance of the objects but not otherwise the Executive Committee may exercise the following powers:

- (1) power to raise funds and to invite and receive contributions provided that in raising funds the Executive Committee shall not undertake any substantial permanent trading activities and shall conform to any relevant requirements of the law;
- (2) power to buy, take on lease or in exchange any property necessary for the achievement of the objects and to maintain and equip it for use;
- (3) power subject to any consents required by law to sell, lease or dispose of all or any part of the property of the Charity;
- (4) power subject to any consents required by law to borrow money and to charge all or any part of the property of the Charity with repayment of the money so borrowed;
- (5) power to do all such other lawful things as are necessary for the achievement of the objects.

### **(6) Membership**

- (1) Membership of the Charity shall be open to any person interested in furthering the objects and who has paid the annual subscription laid down from time to time by the Executive Committee.

- (2) Membership shall be open to anyone interested in the sport on application regardless of age, sex, disability, ethnicity, nationality, sexual orientation, religion or other beliefs. However limitation of membership according to available facilities is allowable on a non-discriminatory basis.
- (3) Every member aged over 18 years shall have one vote.
- (4) The Club may have different classes of membership and subscription 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) The level of subscriptions will be decided by the Committee from time to time and notified to the members.
- (6) The Club will have the following classes of membership
  - a. Life member
  - b. Honorary member
  - c. Full member – playing (man)
  - d. Full member – playing (woman)
  - e. Full member – non-playing
  - f. Junior member (under the age of 18)
  - g. Social member
  - h. Family member
- (7) Application for membership of the Club shall be by completion of a membership application form.
- (8) No person shall be eligible to take part in the business of the Club, vote at general meetings or be eligible for selection for any Club team unless the application subscription has been paid by the due date and/or membership has been agreed by the Club Executive Committee.
- (9) The Executive Committee may by unanimous vote and for good reason (such as conduct or character likely to bring the Club or cricket into disrepute) refuse membership or terminate the membership of any individual at their discretion provided that the individual concerned shall have the right to be heard by the Executive Committee, accompanied by a friend, before a final decision is made.

**(7) Honorary Officers**

At the annual general meeting of the Charity the members shall elect from amongst themselves a chairman, a secretary and a treasurer, who shall hold office from the conclusion of that meeting.

**(8) Executive Committee**

- (1) The Executive Committee shall consist of not less than 9 (nine) members nor more than 17 (seventeen) members being:
  - a. the honorary officers specified in the preceding clause;
  - b. not less than 1 (one) and not more than 6 (six) members elected at the annual general meeting who shall hold office from the conclusion of that meeting;
  - c. 5 (five) nominated members appointed as follows:
    - Director of Senior Cricket
    - Director of Youth Cricket
    - Director of Women's Cricket
    - Grounds Manager
    - Bar and Social Manager
- (2) The Executive Committee may in addition appoint not more than 3 (three) co-opted members but so that no-one may be appointed as a co-opted member if, as a result, more than one third of the members of the Executive Committee would be co-opted members. Each appointment of a co-opted member shall be made at a special meeting of the Executive Committee called under clause 10 and shall take effect from the end of that meeting unless the appointment is to fill a place which has not then been vacated in which case the appointment shall run from the date when the post becomes vacant.

- (3) All the members of the Executive Committee shall retire from office together at the end of the annual general meeting next after the date on which they came into office but they may be re-elected or re-appointed.
- (4) The proceedings of the Executive Committee shall not be invalidated by any vacancy among their number or by any failure to appoint or any defect in the appointment or qualification of a member.
- (5) Nobody shall be appointed as a member of the Executive Committee who is aged under 18 or who would if appointed be disqualified under the provisions of the following clause.
- (6) No person shall be entitled to act as a member of the Executive Committee whether on a first or on any subsequent entry into office until after signing in the minute book of the Executive Committee a declaration of acceptance and of willingness to act in the trusts of the Charity.

**(9) Determination of Membership of Executive Committee**

A member of the Executive Committee shall cease to hold office if he or she:

- (1) is disqualified from acting as a member of the Executive Committee by virtue of section 72 of the Charities Act 1993 (or any statutory re-enactment or modification of that provision);
- (2) becomes incapable by reason of mental disorder, illness or injury of managing and administering his or her own affairs;
- (3) is absent without the permission of the Executive Committee from all their meetings held within a period of six months and the Executive Committee resolve that his or her office be vacated; or
- (4) notifies to the Executive Committee a wish to resign (but only if at least three members of the Executive Committee will remain in office when the notice of resignation is to take effect).

**(10) Executive Committee Members not to be personally interested**

No member of the Executive Committee shall acquire any interest in property belonging to the Charity (otherwise than as a trustee for the Charity) or receive remuneration or be interested (otherwise than as a member of the Executive Committee) in any contract entered into by the Executive Committee.

**(11) Meetings and proceedings of the Executive Committee**

- (1) The Executive Committee shall call at least two ordinary meetings each year. A special meeting may be called at any time by the chairman or by any two members of the Executive Committee upon not less than 4 days' notice being given to the other members of the Executive Committee of the matters to be discussed but if the matters include an appointment of a co-opted member then not less than 21 days' notice must be given.
- (2) The chairman shall act as chairman at meetings of the Executive Committee. If the chairman is absent from any meeting, the members of the Executive Committee present shall choose one of their number to be chairman of the meeting before any other business is transacted.
- (3) There shall be a quorum when at least one third of the number of members of the Executive Committee for the time being or three members of the Executive Committee, whichever is the greater, are present at a meeting.
- (4) Every matter shall be determined by a majority of votes of the members of the Executive Committee present and voting on the question but in the case of equality of votes the chairman of the meeting shall have a second or casting vote.
- (5) The Executive Committee shall keep minutes, in books kept for the purpose, of the proceedings at meetings of the Executive Committee and any sub-committee.
- (6) The Executive Committee may from time to time make and alter rules for the conduct of

their business, the summoning and conduct of their meetings and the custody of documents. No rule may be made which is inconsistent with this constitution.

- (7) The Executive Committee may appoint one or more sub-committees consisting of three or more members of the Executive Committee for the purpose of making any inquiry or supervising or performing any function or duty which in the opinion of the Executive Committee would be more conveniently undertaken or carried out by a sub-committee: provided that all acts and proceedings of any such sub-committees shall be fully and promptly reported to the Executive Committee.
- (8) The Executive 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 Executive Committee meetings and the reports, together with any action taken, must be minuted.

## **(12) Removal of Membership, Discipline and Appeals**

- (1) Any complaints regarding the behaviour of members, guests or volunteers should be lodged in writing with the secretary
- (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.
- (3) The Executive Committee shall appoint a disciplinary sub-committee (Disciplinary Sub-Committee) who shall meet to hear complaints within 21 days of a complaint 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. The Disciplinary Sub-Committee has the power to take appropriate disciplinary action on behalf of the Executive Committee, including the termination of membership or exclusion from Club premises.
- (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 of the hearing.
- (5) There shall be a right of appeal within 14 days of receipt of the disciplinary decision or decision to refuse membership:
  - a. Against the Disciplinary Sub-Committee's findings or the sanction imposed or both; and
  - b. Against the Executive Committee's refusal to admit a new member.

In either case, the Executive Committee shall appoint an appeals committee ("Appeals Committee"). The Appeals Committee shall have a maximum of three members which shall not include members involved in 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 Appeal Committee shall be binding on all parties.

## **(13) Receipts and Expenditure**

- (1) The funds of the Charity, including all donations contributions and bequests, shall be paid into an account operated by the Executive Committee in the name of the Charity at such bank as the Executive Committee shall from time to time decide. All cheques drawn on the account must be signed by at least two members of the Executive Committee.
- (2) The funds belonging to the Charity shall be applied only in furthering the objects.

## **(14) Property**

The Executive Committee shall be considered trustees of all Club property.

## **(15) Accounts**

The Executive Committee shall comply with their obligations under the Charities Act 1993 (or

any statutory re-enactment or modification of that Act) with regard to:

- (1) the keeping of accounting records for the Charity;
- (2) the preparation of annual statements of account for the charity;
- (3) the auditing or independent examination of the statements of account of the Charity; and
- (4) the transmission of the statements of account of the Charity to the Commission

**(16) Annual Report**

The Executive Committee shall comply with their obligations under the Charities Act 1993 (or any statutory re-enactment or modification of that Act) with regard to the preparation of an annual report and its transmission to the Commission.

**(17) Annual Return**

The Executive Committee shall comply with their obligations under the Charities Act 1993 (or any statutory re-enactment or modification of that Act) with regard to the preparation of an annual return and its transmission to the Commission.

**(18) Annual General Meeting**

- (1) There shall be an annual general meeting of the Charity which shall be held in the month of November in each year or as soon as practicable thereafter.
- (2) Every annual general meeting shall be called by the Executive Committee. "The secretary shall give at least 21 days' notice of the annual general meeting to all the members of the Charity. All the members of the Charity shall be entitled to attend and vote at the meeting.
- (3) Before any other business is transacted at the first annual general meeting the persons present shall appoint a chairman of the meeting. The chairman shall be the chairman of subsequent annual general meetings, but if he or she is not present, before any other business is transacted, the persons present shall appoint a chairman of the meeting.
- (4) The Executive Committee shall present to each annual general meeting the report and accounts of the Charity for the preceding year.
- (5) Nominations for election to the Executive Committee must be made by members of the Charity in writing and must be in the hands of the secretary of the Executive Committee at least 14 days before the annual general meeting. Should nominations exceed vacancies, election shall be by ballot.

**(19) Special General Meetings**

The Executive Committee may call a special general meeting of the Charity at any time. If at least ten members request such a meeting in writing stating the business to be considered the secretary shall call such a meeting. At least 21 days' notice must be given. The notice must state the business to be discussed.

**(20) Procedure at General Meetings**

- (1) The secretary or other person specially appointed by the Executive Committee shall keep a full record of proceedings at every general meeting of the Charity.
- (2) There shall be a quorum when at least one tenth of the number of members of the Charity for the time being or ten members of the Charity, whichever is the greater, are present at any general meeting.

**(21) Purchase and Supply of Liquor**

The Committee shall be responsible for the purchase for the Club and for supply by the Club of all intoxicating liquor and shall keep due and proper accounts in respect thereof. No intoxicating liquors shall be supplied or sold, except to members and their guests, in the Eight Ash Green cricket pavilion.

**(22) Permitted Hours**

The permitted hours for the supply of intoxicating liquor shall be from 12.00 noon to 10.30pm on all days of the week.

**(23) Notices**

Any notice required to be served on any member of the Charity shall be in writing and shall be served by the secretary or the Executive Committee on any member either personally or by sending it through the post in a prepaid letter addressed to such member at his or her last known address in the United Kingdom, and any letter so sent shall be deemed to have been received within 10 days of posting.

**(24) Alterations to the Constitution**

- (1) Subject to the following provisions of this clause the Constitution may be altered by a resolution passed by not less than two thirds of the members present and voting at a general meeting. The notice of the general meeting must include notice of the resolution, setting out the terms of the alteration proposed.
- (2) No amendment may be made to clause 1 (the name of charity clause), clause 2 (the objects clause), clause 10 (Executive Committee members not to be personally interested clause), clause 25 (the dissolution clause) or this clause without the prior consent in writing of the Commissioners.
- (3) No amendment may be made which would have the effect of making the Charity cease to be a charity at law.
- (4) The Executive Committee should promptly send to the Commission a copy of any amendment made under this clause.

**(25) Dissolution**


If the Executive Committee decides that it is necessary or advisable to dissolve the Charity it shall call a meeting of all members of the Charity, of which not less than 21 days' notice (stating the terms of the resolution to be proposed) shall be given. If the proposal is confirmed by a two-thirds majority of those present and voting the Executive Committee shall have power to realise any assets held by or on behalf of the Charity. Any assets remaining after the satisfaction of any proper debts and liabilities shall be given or transferred to such other charitable institution or institutions having objects similar to the objects of the Charity as the members of the Charity may determine or failing that shall be applied for some other charitable purpose. A copy of the statement of accounts, or account and statement, for the final accounting period of the Charity must be sent to the Commission.

**(26) Arrangements until the first Annual General Meeting**

Until the first annual general meeting takes place this constitution shall take effect as if references in it to the Executive Committee were references to those persons whose signatures appear at the bottom of this document.

This constitution was adopted on the date mentioned above by the persons whose signatures appear on the bottom of this document.

**Signed**

  
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**Date**

**March 13th 2023**