



# **The Rules of the Hungerford Club**

## **2016**

### **1. THE CLUB**

The name of the club shall be "The Hungerford Club".

### **2. THE OBJECTS OF THE CLUB**

The object of the Club is to provide facilities for and promote participation of the whole community in the sports of Bowls and Tennis, via membership of the Club. The Hungerford Club shall maintain a clubhouse and sports ground for the use of Members for social, recreational and amateur sporting purposes. Sections within the Club shall include the Hungerford Bowls Club, the Hungerford Tennis Club and the Indoor Sports Club.

The Club is a non-profit making organisation, and as such does not distribute any profits to its members or third parties; any surplus or gains are reinvested in the Club.

### **3. CATEGORIES OF MEMBERSHIP**

The Club shall consist of Ordinary Members, Honorary Life Members, Temporary Members and Honorary Members.

Ordinary Members shall be over 18 years of age and shall have applied for membership and been elected as outlined in Rule 4.

Honorary Life Members shall be elected from the Ordinary Members on the recommendation of the Committee at the Annual General Meeting for services rendered to the Club.

Ordinary Members and Honorary Life Members shall be deemed to be Full Members of the Club. Temporary Members shall be persons over 18 years of age who wish to use the facilities of the Club on a temporary basis. They must be proposed and approved by two members of the Committee and will be required to pay an appropriate fee. The name and address of such a Temporary Member must be entered in the Temporary Members book before they can exercise their rights as a member.

Honorary Members shall be persons over 18 years of age, visiting the Club premises for the purpose of taking part in or supporting inter-club snooker, billiards, darts, bowls, tennis or other matches or games, during the days upon which such events take place. Members and supporters of visiting teams using the Club facilities shall be deemed to be Honorary Members for the period during which they use the facilities. A Full Member must enter the Honorary Member's name in the Visitors Book before the Honorary Member may use the facilities of the Clubhouse and must accept full responsibility for their behaviour.

Junior Visitors shall be persons under 18 years of age visiting the Club for the purposes described above under Honorary Membership or accompanying a Full, Honorary or Temporary Member. Junior Visitors shall be persons under 18 years of age visiting the Club for the purposes described above under Honorary Membership or accompanying a Full, Honorary or Temporary Member. Junior Visitors are permitted in the Club under the following provisions:

- a) Junior Visitors must be strictly supervised at all times and under the responsibility of the accompanying member at all times.
- b) Junior Visitors are not permitted in the vicinity of the bar, and are not permitted to make purchases from the bar.
- c) Junior Visitors under sixteen are not permitted to play any fruit machines, even when supervised.

Temporary Members shall be entitled to all the benefits and privileges of Full Membership except that they shall not be qualified to be officers or members of the Committee nor to vote as

Members. They shall be entitled to use all of the rooms of the Club with the exception of the billiards room (when they must be accompanied by a Full Member).

Any Member wishing to resign their membership shall give notice in writing to the Hon. Secretary before 31st March. Failing this they shall be liable to pay their subscription for the following year. Notice of resignation shall not entitle the member to any refund of subscription for the current year.

Any person shall, on ceasing to be a Member of the Club, forfeit all rights and claims on the Club, its property and funds, except such rights as that person may have in respect of loans to the Club.

No Member shall give the address of the Club in any advertisement or use the Club address for business purposes.

#### 4. ELECTION TO MEMBERSHIP

Membership of the Club is open to anyone regardless of sex, age, disability, ethnicity, nationality, sexual orientation, religion or other beliefs. The Club has different classes of membership and subscription on a non-discriminatory and fair basis. The Club will keep subscription at levels that will not pose a significant obstacle to people participating. The Club Committee may refuse membership, or remove it, only for good cause such as conduct or character likely to bring the Club or sport into disrepute. Appeal against refusal or removal may be made to the members.

All candidates for election to Ordinary or Temporary Membership shall be over 18 years of age. The election of Members shall be by the Committee who shall decide by ballot or a show of hands at their discretion. Any candidate who fails to obtain a majority of the votes of those present shall not be elected and shall not be eligible to reapply for membership within 12 months of the date of the original application.

All candidates for Membership must complete the entry form in full and submit it to the Club together with the membership fee, the amount of which is determined by the Committee.

Immediately upon election to Membership, notice thereof shall be given to the new Member, who will be furnished with a copy of the Club rules (which they agree to be bound by) and who then becomes entitled to all benefits and privileges of Membership.

In the event that a candidate is not accepted as a Member, the membership fee will be reimbursed in full.

#### 5. SUBSCRIPTIONS

The amount of the annual subscription to the Club shall be set by the Committee. Any alteration in subscriptions shall be placed before the next A.G.M. for confirmation.

All annual subscriptions (except that of new Members as described previously) shall be payable in full on the first day of April each year and shall be paid no later than 31st May.

If a member fails to pay their subscription before 1<sup>st</sup> June in any year they will be removed from membership of the Club at the next committee meeting.

Sports sections of the Club are responsible for collecting section subscriptions from their members; they shall at the same time collect the annual Club subscription, according to the dates and procedures given above. No Member shall be entitled to take part in any Club sporting activity unless they have paid section and Club subscriptions within the above timescale.

The charges made for refreshments etc., and for billiards, snooker, cards and other games shall be decided by the Committee. Every Member shall, before leaving Club premises, pay any charges incurred by them, their guests or their visitors.

## 6. MANAGEMENT OF THE CLUB

The Club shall be managed by a Committee comprising the President, Chairman, Vice Chairman, Hon. Secretary, Hon. Treasurer, Hon. Secretary of the Bowls Committee, Hon. Secretary of the Tennis Committee, Hon. Secretary of the Indoor Sports Committee (providing each of the last three are Full Members of the Club), the Trustees of the Club for the time being and eight other Members who shall serve for two years; four being elected at each A.G.M. The Chairman or Vice Chairman shall preside at all meetings of the Committee. The Committee shall have the power to co-opt at its discretion. Such a co-opted Member or Members shall not have voting rights unless they are co-opted to restore the Committee's numbers to the level permitted by these rules due to members leaving the Committee during the year for any reason. Any Members so appointed shall retire in accordance with these rules.

The Committee shall meet at least once per month to examine the Accounts and arrange the affairs of the Club and also as a result of a requisition signed by at least half the members of the Committee. Six members of the Committee shall constitute a quorum. Minutes shall be taken of all proceedings of the Committee and (after approval at the next Committee meeting) shall be open to the inspection of any Full Member of the Club on application to the Hon. Secretary.

The Committee may from time to time appoint from among their members or from the other Members of the Club such sub-committees as they deem necessary and expedient and may depute or refer to them such powers as the Committee shall determine. Such sub-committees shall record their proceedings and shall report to the Committee and conduct their business in accordance with the directions of the Committee.

These sub-committees shall, subject to the confirmation of the Committee, have the power to make their own bylaws; these and any amendments shall be reported to the Committee at its next meeting.

The various sections of the Club shall appoint their own committees, which shall have the power to make bylaws. These are subject to confirmation by the Committee in accordance with these rules.

Club employees shall be under the control of the Chairman or a nominated Committee member only. No Member may reprimand a Club employee. Any Member, visitor or guest causing a nuisance on Club premises, including the sports ground, may be requested to leave by a member of the Committee or the bar staff. Such incidents must be recorded in the Club diary and reported to the next meeting of the Committee, which may at its discretion decide to take further action.

The Committee shall be the sole authority for the interpretation of the rules and the bye-laws made thereunder, and the decision of the Committee upon any interpretation of the rules or upon any matter affecting the Club and not covered by the rules or bylaws shall be final and binding upon the Members.

## 7. ANNUAL GENERAL MEETING (A.G.M.)

The A.G.M. of the Club shall be held not later than eight months after the end of each financial year, upon a date and at a time to be fixed by the Committee for the following purposes:

- a) To receive from the Committee a report, Balance Sheet and Statement of Accounts for the preceding financial year.
- b) To appoint officers and to fill vacancies on the Committee.
- c) To decide on any resolution which may be duly submitted to the meeting as hereinafter provided.
- d) To decide on any changes to Club rules which may be proposed by the Committee and duly submitted to the meeting as hereinafter provided.

At least 14 days before the A.G.M. or any Special General Meeting, a notice of such meeting and the business to be transacted thereat shall be posted in the Clubhouse and a printed copy thereof (and where possible a Balance Sheet) shall be sent to every Full Member at his last recorded address. Alternatively, this information may be emailed to those Members who have provided the

Club with an email address. The Balance Sheet and Statement of Accounts shall be placed on the noticeboard at least 7 days before the A.G.M.

The President, Chairman, Hon. Secretary and Hon. Treasurer shall be elected annually at the A.G.M. No individual may stand for election to more than one of these posts at any A.G.M.

Trustees shall be elected at the A.G.M. for a period of three years, after which, if still eligible, they may stand for re-election against other nominations.

Candidates for the post of President, Chairman, Hon. Secretary or Trustee must have served as a committee member for at least one year. Any candidate for the post of Hon. Treasurer must demonstrate accounting experience and previous use of computerised accounting software.

At the A.G.M. the four members of the Committee who were elected two years previously shall retire but may stand for re-election.

Any two Full Members may propose any other Full Member as candidate(s) for these positions by posting their names in the Clubhouse 14 days before the meeting providing that the Member being proposed has been a Full Member of the Club for at least two years preceding the date of the nomination. Balloting lists shall be provided containing an alphabetical list of the nominations. All Members of the Club, who are entitled to vote, may vote for as many candidates as there are vacancies and no more. The candidates up to the number of vacancies who receive most votes shall be declared elected and in the case of two or more candidates receiving the same number of votes, the presiding Chairman of the meeting shall have a second and casting vote.

In the case of Committee members, where the number of nominations is less than the number of vacancies, all nominees shall be deemed to be "elected unopposed" and no ballot is required.

In the case of President, Chairman, Hon. Secretary, Hon. Treasurer and Trustee:

1) when the number of nominations for any post is greater than the number of vacancies, a ballot shall take place according to the above rules

2) when the number of nominations for Trustee is less than or equal to the number of vacancies or when there is only one nomination for the post of President, Chairman, Hon. Secretary or Hon. Treasurer, the chairman of the meeting shall conduct a show of hands vote for each such post, and if a simple majority of votes is in favour, the nominee shall be deemed elected to the post. If no majority vote is obtained, the post shall remain vacant.

The number of Trustees shall be no more than four and no less than two and the property of the Club (other than cash that is under the control of the Hon. Chairman) shall be vested in them. They shall deal with the property and probity of the Club as directed by resolution of the Committee (of which an entry in the minute book shall be conclusive evidence) and they shall be indemnified by the Club against risk and expense out of the Club property. Upon a vacancy occurring in the number of Trustees, it shall be filled at the next A.G.M.

Trustees must live within 10 miles of the Club premises and will be deemed to have resigned if they move home further away.

If at any time the Club in General Meeting shall pass a resolution authorising the Committee to borrow money, the Committee shall thereupon be empowered to borrow for the purpose of the Club such amount of money and at such a rate of interest, and in such form and manner and upon such security as shall be specified in such a resolution, and thereupon the Trustees shall by direction of the Committee make all such dispositions of the Club property or any part thereof and enter into such agreements in relation thereto as the Committee may deem proper for giving security for such loans and interest.

Any Full Member who wishes to move any resolution at the A.G.M. shall give notice thereof to the Hon. Secretary in writing 28 days before the date of the A.G.M. An agreed wording of this notice shall then be displayed on the noticeboard within 7 days. Any Full Member wishing to apply for an

amendment thereto shall do so in writing within 14 days of the notice being displayed. The amendment shall thereafter be displayed on the noticeboard.

At all General Meetings of the Club, the President, Chairman or Vice Chairman, or in their absence, a Member selected by the meeting shall take the chair. Every Full Member present shall be entitled to one vote on every motion, and in the case of equality of votes, the Chairman of the meeting shall have a second and casting vote. Only Full Members who have paid their annual subscription for the current year may attend a General Meeting.

The quorum at all General Meetings shall be as follows:

For motions proposing any repeal, addition or amendment of the rules	Forty
For repeal of any bylaws	Twenty
For all other business	Twenty

These rules may be added to, repealed or amended by resolution at any Annual or Special General meeting provided that no such resolution shall be deemed to have been passed unless it has been carried by at least two thirds of the Members in attendance voting thereon. The Committee shall also have the power to add, repeal and amend these rules. These shall be reported to and confirmed at the next General Meeting.

#### 8. DISSOLUTION OF THE CLUB

If at any General Meeting a resolution for the dissolution of the Club is passed by a majority of the Members entitled to vote, such a resolution shall be confirmed by a resolution passed at a Special General Meeting held within one month at which at least half of all Full Members are present, by a majority of at least two thirds of these Members voting. 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 to one or more of the following approved sporting or charitable bodies:

1. A registered charitable organisation(s).
2. Another local Club which is a registered CASC.
3. The sports national governing body for use by them for related community sports.

#### 9. SPECIAL GENERAL MEETINGS

The Committee may at any time and for any purpose call a Special General Meeting and shall do so forthwith upon the requisition of any 20 Full Members stating the purpose for which the meeting is required. Fourteen days notice shall be given of such a meeting if this is feasible. Such a meeting, for this purpose only, will then take place in the same manner and under the same general rules as an A.G.M. Only Full Members who have paid their annual subscription for the current year may attend a Special General Meeting.

#### 10. EXPULSION OF MEMBERS

In the event of any grave breach of Club rules, regulations or bye-laws by any Member of the Club; or misconduct such as the use of bad language; or insobriety which in the opinion of the Committee renders it desirable that they should cease to be a Member of the Club, they shall be called before the Committee and, failing a satisfactory explanation, they may be cautioned, suspended, required to resign or expelled.

Any Member breaking or otherwise damaging the property of the Club shall be liable to make good the damage.

#### 11. FINANCIAL ACCOUNTS

Financial accounts comprising balance sheet and profit and loss account shall be prepared monthly by a qualified person appointed by the Committee.

The financial year of the Club shall end on 31st March in each year, to which date the accounts of the Club shall be balanced.

The accounts shall, as soon as possible after the end of the financial year, be prepared by Hon. Treasurer in accordance with current accounting practice. At the conclusion of the financial year, the Committee shall appoint an independent qualified accountant to confirm the accounts. The accounts shall be finalised no less than 28 days before the date of the A.G.M.

No sports section, sub-committee, Member or Committee member (other than that authorised to purchase excisable articles) shall incur expenditure in excess of £150 unless authorised in advance by the Committee. This shall apply equally to any withdrawal from any sinking fund.

Neither the Club itself nor any Member thereof shall operate any form of Savings or Thrift Scheme for the benefit of Members. The Club will not accept any responsibility, either financial or legal, for any scheme which is operated in contravention of this rule.

## 12. CLUB OPENING HOURS

The Club shall be open daily from 11:00am until one half-hour after the evening bar closing time.

The Club bar will be open at times sanctioned by the Committee and permitted by law. Any opening of the Club bar outside the terms of the Club's licence must be sanctioned by a Temporary Event Licence from the licensing authority (West Berkshire Council) which must be displayed on the Club notice board during the event.

The Committee may close the Club or any part thereof if deemed necessary.

The Club may operate "outside bars" as sanctioned by the Committee and permitted by law. All profits from such outside bars shall accrue to the general funds of the Club. A separate profit and loss account shall be prepared for such functions.

## 14. GUESTS

Any Full Member shall be permitted to introduce a guest or guests, provided that no person shall be admitted as a guest who has been expelled from membership of the Club or whose conduct or presence in the Club is considered by the Committee to be objectionable or prejudicial to the best interests of the Club. No person may be admitted as a guest on more than three occasions in any Club year. The Full Member who introduces the guest must enter the guest's name in the Visitors Book before the guest may use the facilities of the Clubhouse and must accept full responsibility for the guest's behaviour.

All expenses incurred by a guest shall be defrayed by the Member(s) introducing such guest. The names and addresses of guests shall be entered into the book that is maintained on the premises for that purpose.

**These rules were last amended in November 2014 and approved at the AGM held on 6th November 2014**

## **APPENDIX A. Defined Terms.**

### **CASC – Community Amateur Sports Clubs.**

Background:

The Finance Act, schedule 18, arising from the budget of 2002 set out Relief for Community Amateur Sports Clubs. This gave amateur sports clubs the option of registering with HM Revenue & Customs as Community Amateur Sports Clubs to benefit from a range of tax reliefs, including Gift Aid. The benefits to the Hungerford Club are:

***In summary, Clubs can get relief (outline details below) if they:***

- Are open to the whole community.
- Are organised on an amateur basis, non-profit making, as any surplus is invested in the club.
- Have as their main purpose providing facilities for, and promoting participation in one or more eligible sports (tennis and bowls are eligible).
- Membership of the club is open to all without discrimination.
- The club's facilities are available to members without discrimination.
- Any fees are set at a level that does not pose a significant obstacle to membership or use of the clubs facilities.
- Any net assets of the club on dissolution to be applied for approved sporting or charitable purposes.

### ***Summary of possible benefits to Hungerford Club:***

- Rate relief of up to 80%. Currently the club receive 50% but this is under current review by West Berkshire Council and the Club has been asked to justify the retention of the relief. (Current rates (2009/10) total to £4656 and the Club gets £2328 of relief; this would rise to £3725 under CASC approval, a gain of £1397.)
- The club will be able to reclaim basic tax relief on any gift or donation received.
- Subscriptions are not eligible for relief.

There is a range of tax relief for individuals or companies supporting a CASC.

## **APPENDIX B**

### **BYLAWS OF THE HUNGERFORD CLUB**

**These Bylaws will be incorporated into the Rule Book of the Hungerford Club as Appendix B in accordance with Rule 6 Para's 4 & 5**

BYLAWS OF THE HUNGERFORD CLUB SHALL BE: -

#### **1 Members Attire**

- i. Members are required to dress in a manner that befits the nature and atmosphere of the Club. Member's attire must be such that it does not cause offence to other members.

#### **2 Dogs**

- i. Dogs are permitted in the Club House under strict control.
- ii. Dogs are only permitted on the sports ground when under strict control (i.e. on a lead)

#### **3 Children**

Children are deemed to be any person under eighteen years of age. Children are permitted in the bar; however the following rules must be adhered to.

- i. Children must be kept under strict supervision at all times.
- ii. Children must be kept away from the immediate bar area, unless accompanied by a member whilst purchasing from the bar.
- iii. Pushchairs must be folded or parked so as not to obstruct access throughout the Club.
- iv. Children under 14 years old are not permitted in the Snooker Room
- v. Children over 14 years old using the Snooker Room MUST be supervised by a member at all times.

#### **4 Use of the Bar**

- i. Persons who are under eighteen, or who appear to be under eighteen will not be served. Bar staff must request proof of age from anyone they suspect may be under age.
- ii. The staff access to the bar must be kept clear at all times.
- iii. During busy times; once served, members are asked to move away from the bar. Members must follow the direction of staff or of committee members who will advise them if necessary.
- iv. Glasses taken outside of the bar i.e. - on the patio or sports ground **MUST** be returned to the bar when finished with.

#### **5 Cycles**

Cycling is prohibited on Club grounds

#### **6 Club car park**

The Club has very limited car parking. The parking space nearest to the Clubhouse is reserved for the exclusive use of the tenant of the flat. All other spaces in the car park are reserved for the use of Club members **only** when using Club facilities (including the sports ground).