



BIRCHANGER SPORTS AND SOCIAL CLUB

Rule Book



October 2019

Revision History
October 2019 – Revision of Rule 3.2(b) – Remove display of name and address of new applicants.

*Birchanger Sports & Social Club, 229 Birchanger Lane, Birchanger
Bishop's Stortford, Herts CM23 5QJ*

1. INTRODUCTION

- 1.1 Birchanger Sports and Social Club shall in these rules be referred to as "the Club".
- 1.2 The Club was originally founded in 1891 following the donation of the Club premises and adjacent sports ground by the late Sir Charles Gold. By his will all premises and land were placed in trust for the use of the Club for the benefit of the working men and other inhabitants of the Parish of Birchanger.
- 1.3 Four Trustees, originally appointed by the Parish Council, administer the Trust and all the Club's premises and land are vested in them.
- 1.4 The Club is managed by a Committee of members. This Committee is accountable to the Club membership. The object of the Club is to carry on the business of a club by providing for the use of members the means of social intercourse, mutual helpfulness, recreation, good fellowship, refreshment and other advantages of a club.

2. OFFICE

- 2.1 The administrative functions carried on by or on behalf of the Club shall be carried on from the Club Office at 229 Birchanger Lane, Birchanger, Bishop's Stortford, CM23 5QJ.

3. MEMBERSHIP

- 3.1 The Club shall be open to persons of eighteen years of age and over. Such members shall not by reason of their membership be under any financial liability except for the payment of their annual subscription and there shall be the following classes of membership:

- Ordinary Members;
- Life Members;
- Temporary Members; and
- Associate Members.

Admission to these classes of membership is governed by the Rules set down below.

3.2 ORDINARY MEMBERS

- (a) A candidate for membership shall either complete and sign an application for membership and lodge this at the Club Office or shall complete an on-line application form on the Club website.
- (b) ~~The name and address of each person applying for membership, whether on paper or on-line, shall for not less than two days before the application is decided be prominently displayed on the Club notice board together with the name of those Members who propose and second the application.~~ Candidates may not become members of the club until at least two days after their application was handed-in to the club or submitted on-line.
- (c) Each application for membership shall be proposed and seconded by at least two Members who will vouch for the respectability of the applicant and who themselves have been Members for at least one year prior to the date upon which the application is lodged at the Club Office.
- (d) The election of Members shall be vested solely in the Committee and shall be by simple majority. If any applicant shall be refused membership the Committee may at its absolute discretion state reasons for such refusal but shall be under no obligation whatsoever so to do save as may be required so as to comply with the laws of England and Wales.
- (e) To comply with licensing regulations and to enable due consideration of all membership applications prospective members should expect to wait approximately seven days after making their membership application for their application to be determined.
- (f) Every new Member on election shall be supplied with a copy of the Rules of the Club and it is a condition of membership to uphold and abide by the Rules of the Club.
- (g) Each new Member shall be subject to a probationary period of three months and at any time during this period their membership may be annulled by a simple majority of the Committee. The Committee may at its absolute discretion state reasons for such annulment but shall be under no obligation whatsoever so to do save as may be required so as to comply with the laws of England and Wales.
- (h) The Committee shall cause to be kept at the Club Office a record of all applications made for membership which record shall consist of the application its date and the reasons for refusal of the application given by the Committee (if any).
- (i) No applicant for membership shall bring or cause to be made a further application within three months from the date of refusal from any previous application provided that no person shall be entitled to bring or cause to be made more than two applications within any period of one calendar year from the date of first refusal by the Committee.
- (j) The record as defined in sub paragraph (h) hereof shall be available for inspection by Members and Life Members at such time and in such manner as the Committee shall from time to time determine.
- (k) No applicant shall be entitled to make representations to the Committee concerning his or her election to membership other than if invited by the Committee to do so in a form as specified by the Committee at its absolute discretion.

3.3 LIFE MEMBERS

- (a) The Committee may elect from time to time Members of the Club to be Life Members, provided they have completed at least five years continuous membership of the Club.
- (b) Any Member who has completed at least five years continuous membership immediately prior to attaining state

retirement age shall forthwith become a Life Member provided that any subscription fee already paid shall not be refunded and any subscription fee due but unpaid shall be payable in full at the discretion of the Committee.

- (c) Life Members shall not be liable to pay subscriptions unless decided to the contrary by a simple majority of Voting Members at a general meeting on a proposal which specified the proposed level of their subscription, and they shall be entitled to all the rights and privileges of Club membership including the right to attend meetings, to vote at elections and to be nominated for and hold membership of the Committee and other offices and be bound by these Rules and objects of the Club.
- (d) A certificate of life membership authorised by the Secretary of the Club for the time being shall be issued to each life member.
- (e) The Committee shall cause to be kept at the Club Office a record of all Life Members showing the full name and date of election of each Life Member.

3.4 TEMPORARY MEMBERS

- (a) Any person at least eighteen years of age may at the absolute discretion of the Committee be admitted to temporary membership of the Club for a period of up to fourteen days.
- (b) No person shall be admitted to temporary membership more than twice within one membership year.
- (c) No temporary member shall be entitled to introduce guests nor to vote at meetings or elections nor be nominated for Committee or other Office.
- (d) The Committee shall from time to time fix a fee for temporary membership which shall not exceed the annual subscription fee for Ordinary Members.

3.5 ASSOCIATE MEMBERS

- (a) Any member of a visiting sports team over the age of eighteen may be admitted to the Club for the day as an Associate Member upon the home team captain or any Club Official signing the visiting team into the Visitor's Book and provided they are members of a recognised club in accordance with the Licensing Act 2003.
- (b) Associate Members shall be bound by the same rules applying to Temporary Members.

3.6 RIGHT TO VOTE

Only Ordinary Members and Life Members shall have the right to vote at general meetings, to be members of the Committee and to hold any Office of the Club and in these rules shall together be referred to as Voting Members.

4. **SUBSCRIPTION AND ENROLMENT**

- 4.1 Any new member elected at any time shall pay an enrolment fee together with the annual subscription fee.
- 4.2 The enrolment fee shall be determined by the Committee at its absolute discretion save that this fee shall not exceed three times the amount of the annual subscription fee.
- 4.3 The annual subscription fee for members shall be such sum as is agreed at a general meeting.
- 4.4 Subscriptions shall be payable by not later than 31st January in each membership year.
- 4.5 New members shall not be entitled to the privileges of membership until the enrolment fee and annual subscription fee have been paid.
- 4.6 By not later than 1st January in each membership year the Secretary shall post on the Club notice board a notice stating the subscription fees due from each member.

5. **ARREARS**

- 5.1 Any member who has not paid the subscription fee by 31st January in any membership year shall cease forthwith to be a member except where the Committee has decided in its absolute discretion to allow a period of grace for renewal of a person's membership such period of grace not to exceed sixty days.
- 5.2 In the event of late renewal, the member will require to pay a sum equal to the enrolment fee, as referred to in Section 4 above, applicable at that time.

6. **REGISTER OF MEMBERS**

- 6.1 The Club shall keep at its Office a register of members in which the Secretary shall enter the following particulars:
 - (a) The name and address of each member;
 - (b) The date at which each person was entered in the register as a member; and
 - (c) The names and addresses of the Officers of the Club with the offices held by them respectively and the dates on which they assumed Office. An Officer shall be as defined in Rule 11.
- 6.2 Every member shall within fourteen days give notice in writing to the Secretary of any change of address.

7. **SUSPENSION AND CESSATION OF MEMBERSHIP**

- 7.1 Members shall cease to be members upon the happening of one of the following:

- (a) By non-payment of subscription

Any person whose membership has ceased for this cause shall lose the continuity of his or her membership unless all and any arrears due as at the time membership ceased are paid in full together with such other additional sum as the Committee

may in its absolute discretion determine save that such sum shall not exceed five times the then annual subscription fee.

(b) By resignation

Any member wishing to resign must send written notice to the Secretary and the notice must be accompanied by any subscription fee due to the date of such resignation taking effect.

(c) By expulsion or suspension

The Committee shall have the power to reprimand, suspend or expel any member who shall infringe any Rule of the Club or whose conduct in their opinion render him or her unfit for membership of the Club. No member, however, shall be suspended or expelled without first being summoned before the Committee to explain their conduct nor unless a majority of two thirds of the Committee then present shall vote for their suspension or expulsion. A suspended member shall remain liable to pay their subscription during their suspension.

8. MEETINGS

- 8.1 The annual general meeting ('AGM') of the Club shall be held in either September or October of each year on a date to be fixed by the Committee of which at least fourteen days' notice with an agenda of the business to be conducted at such meeting shall be posted on the Club notice board.
- 8.2 The AGM shall consider the following business:
- (a) The accounts for the previous financial year and the Independent Accountant's report thereon;
 - (b) The Treasurer's report;
 - (c) Such other business as may be submitted by the Committee or by any Voting Member who shall first have given notice in writing of the motion proposed to the Secretary at least fourteen days before the date of such meeting and which shall be posted on the Club notice board; and
 - (d) Elections in respect of the Officers of the Club and the Committee.
- 8.3 A further general meeting may be held six months after the date of the AGM, the date to be fixed by the Committee and at least fourteen days' notice of the further general meeting together with an agenda of the business to be conducted at such meeting shall be posted on the Club notice board.
- 8.4 The business of the further general meeting shall be to consider any additional report by the Treasurer and such other business as may be submitted by the Committee or by any Voting Member who shall first have given notice in writing of the motion proposed at least fourteen days before the date of such further general meeting and which shall be posted on the Club notice board.
- 8.5 A special meeting shall be called by the Secretary in the following cases:
- (a) Upon the direction of the Committee and in accordance with such direction; and
 - (b) On a requisition signed by one fifth of the total number of Voting Members or thirty such members whichever is the least stating the special object thereof. Such meeting shall be held within not less than fourteen and not more than twenty-eight days from the date of the receipt by the Secretary of the requisition.
- 8.6 Notice of any special meeting and of the object for which it is called shall be posted by the Secretary on the Club notice board at least fourteen days prior to the date of the meeting.
- 8.7 If the Secretary shall fail to convene a special meeting as required by these Rules within five clear days after a duly signed requisition has been delivered to him or her any of the requisitionists may call such meeting giving such notice as is provided by these Rules.
- 8.8 No other business than that named in the notice shall be brought before a special general meeting.
- 8.9 Any meeting may proceed to business if twelve Voting Members are present within an hour after the time fixed for the meeting otherwise it shall be dissolved save that if any meeting is convened by order of the Committee it shall stand adjourned to the week following at the same time and the meeting so adjourned may proceed to business whatever the number of Voting Members present and save further that any general meeting may adjourn to such time as the Voting Members present direct and may continue any such adjournment from time to time and no business shall be brought on at any such adjourned meeting which could not have been transacted at the original meeting.
- 8.10 Each Voting Member present shall be entitled to one vote on each motion except the Chairman (who shall be Chairman as provided by these Rules) who shall have a casting vote in addition to his or hers vote as a member.
- 8.11 The Voting Members at the AGM shall elect an Independent Accountant to act for the next financial year with a view to supplying an Independent Accountant's report thereon.

9. RULES

- 9.1 The Secretary shall be supplied by the Committee with copies of the Rules and shall be bound to deliver a copy to any person on demand on such payment (not exceeding £5) as the Committee may from time to time determine.
- 9.2 These Rules may be amended only at a general meeting.
- 9.3 Notice of any proposed amendment shall be posted on the Club notice board for at least fourteen days prior to the meeting to which the amendment is to be submitted.
- 9.4 Any amendment shall require a majority of at least two thirds of the Voting Members present.
- 9.5 The Committee shall have power to make such bye laws as it may consider necessary for the good governance and order of the Club provided that no such bye laws shall conflict with any of these Rules and a copy of all such bye laws shall be posted on the Club notice board.

10. COMMITTEE

- 10.1 The Committee shall consist of a Chairman, Treasurer, Secretary and twelve Voting Members of the Club. In addition, a Vice-Chairman shall be elected by the Committee from one of their number at the first Committee meeting following the AGM.
- 10.2 The post of Treasurer and Secretary may be held by one member and may accordingly constitute a combined Office. The Treasurer and Secretary may attend all Committee meetings but shall have no power to vote upon resolutions of the Committee.
- 10.3 The Committee shall control the management of the Club and shall have exclusive power to engage, dismiss and fix the remuneration of any paid servant and it shall also have power to purchase such goods and services and do all such things as it may deem necessary for the carrying out of the objects of the Club and it shall have due regard to any resolution of any general or special meeting.
- 10.4 The Committee shall meet once each calendar month at least for general business and the Chairman of the Committee or in his or her absence the Vice-Chairman shall preside and shall have a casting vote in addition to his or her vote as a member.
- 10.5 Five Committee members present shall form a quorum provided always that at least either the Chairman or Vice Chairman or any other member of the Committee entitled to vote directed by the Chairman or Vice-Chairman to act as Chairman for any meeting also be present.
- 10.6 No resolution of the Committee shall be rescinded unless notice to rescind has been given at the previous meeting of the Committee.
- 10.7 The Chairman, Treasurer and Secretary shall be elected annually by ballot in accordance with Rule 13 and retiring Officers shall be eligible for re-election provided that at the date of the ballot they are still members of the Club.
- 10.8 All other members of the Committee shall be elected for a period of two years and six of these shall retire annually but shall be eligible for re-election provided they are still Voting Members of the Club and the six who retire shall be those members who were members of the Committee before the date of the last election..
- 10.9 If a vacancy exists on the Committee for any reason then the Committee shall have the power to appoint another Voting Member to fill the vacancy until the next election.
- 10.10 No member shall be elected to the Committee or any Office of the Club unless they have been a Voting Member of the Club for at least one year.
- 10.11 Any Committee member not attending for three consecutive meetings shall cease to be a Committee member unless they send an explanation which the Committee considers satisfactory.
- 10.12 The Committee may appoint such sub-committees from time to time as it deems fit and any such sub-committee shall operate in accordance with directives given by the Committee.
- 10.13 Any member or the Committee except the Chairman, Treasurer and Secretary may be removed by the votes of two-thirds of the Voting Members present at a special meeting called for that purpose and in the event of the removal, or the resignation of the whole or a majority of the Committee the Secretary shall obtain nominations, appoint scrutineers and arrange for the holding of a ballot. Three days shall be allowed for nominations and the ballot shall be held within the following seven days and the result shall be declared by the scrutineers by notice posted at the Club.

11. OFFICERS

- 11.1 For the purpose of these Rules the Chairman, Treasurer and Secretary shall be considered to be the Officers of the Club.
- 11.2 The Club may also have a President and Vice-Presidents which shall be honorary positions with no executive powers and these appointments shall be at the absolute discretion of the Committee following consultation with the membership at a general meeting.
- 11.3 Any of the Officers shall be removable at any time by a majority of three quarters of the Voting Members present at a special general meeting called for that purpose and any Officer shall immediately vacate his Office if suspended from membership or on ceasing membership from any cause.
- 11.4 In the event of a vacancy arising among the Officers by death, resignation or other cause the Committee shall have power to elect a Voting Member to fill the vacancy until the next AGM.
- 11.5 The Chairman shall take the chair at all meetings of the Club and shall have a casting vote in addition to his or her vote as a member in the event of equality of voting and in his or her absence the chair shall be taken as provided in these Rules.
- 11.6 The Treasurer shall be responsible for paying into a bank all monies received by or on behalf of the Club from all sources without any deduction whatsoever to the credit of an account opened in the name of the Club at such bank and in such manner as the Committee may direct and shall also keep such accounts and pay such debts of the Club as the Committee shall direct and shall when required so to do render to the Committee or a general meeting an account of all and any money received and expended by him or her for or on behalf of the Club. He or she shall also prepare Income & Expenditure accounts and a Balance Sheet and submit them to the Independent Accountant.
- 11.7 The Secretary shall keep upon the Club premises a list of the names and addresses of the Ordinary, Life and Temporary Members of the Club and a record of all the subscription payments of such members.
- 11.8 The Secretary shall carry out the directions of the Committee and subject to such directions shall receive money on account of the Club and pay the same to the Treasurer.

11.9 The Secretary shall, so far as reasonably practicable, attend all meetings and take minutes of the proceedings.

12. TRUSTEES

12.1 The Club shall have Four Trustees and in the event of death or retirement of one of the said Trustees the remaining three shall elect a candidate to fill the vacancy.

13. ELECTION

13.1 The election of Officers and other Committee members shall be by ballot at a general meeting save in the cases of the President, Vice-Presidents and Trustees all of whom shall be appointed as set out above.

13.2 At least twenty-one days before the day fixed for any ballot of Officers and Committee members a nomination sheet shall be posted at the Club premises on which all candidates for any Office must be entered and such sheet shall remain open until seventy two hours before the ballot is to take place.

13.3 Any Voting Member shall be eligible for nomination as an Officer or Committee member provided that he or she is at least nineteen years of age, is a member of at least twelve months standing, and has been proposed and seconded by two Voting Members also of at least twelve months standing who must themselves also sign the nomination sheet.

13.4 The nominee must signify willingness to stand as a candidate by signing the nomination sheet.

13.5 No person shall hold more than one Office save in the case of the combined Office of Secretary and Treasurer.

13.6 The ballot shall be carried out under the directions of the Committee by three scrutineers appointed by the Committee if not appointed at and by a preceding general meeting but such scrutineers may not be candidates, members of the Committee or other Officers of the Club. The number of votes polled by each candidate and a notice indicating which of the candidates have been elected will be recorded in the minutes by the Secretary and posted on the Club notice board.

13.7 Each Voting Member shall be eligible to vote for any number of candidates but no member may give more than one vote to any one candidate.

13.8 If the ballot shall result in two or more candidates receiving an equal number of votes the names of such candidates shall be written on slips of paper which shall be placed so that the names are concealed and the Chairman or in his or her absence a person nominated by the scrutineers shall draw as many slips as there are vacancies to be filled and the names so drawn shall be declared duly elected.

13.9 The scrutineers shall destroy the ballot papers at the conclusion of the ballot declaration of results and recording of same.

14. LICENSING & OPENING HOURS

14.1 Intoxicating liquors shall not be supplied to any person on the premises otherwise than by or on behalf of the Club.

14.2 The normal opening hours for the supply of alcohol and tobacco products in the Club shall be:

(a) On weekdays other than Christmas Day: 1200 hours – 2300 hours

(b) On Sundays and on Easter Good Friday: 1200 hours – 2230 hours

save that, subject to compliance with the relevant licensing regulations, the Committee shall have the discretion to extend opening hours to cater for demand and to curtail opening hours where there is lack of demand. Opening hours will be prominently displayed within the Club.

15. PURCHASING & SUPPLY

15.1 The purchase sale and supply of intoxicating liquor by or on behalf of the Club shall be vested in the Committee in accordance with clause 10.3 above.

15.2 No member shall receive at the expense of the Club any commission percentage or similar payment with reference to any purchases by the Club.

15.3 No member shall directly or indirectly derive any pecuniary benefit for the supply of any goods or services by or on behalf of the Club to members or guests 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 and its objects in general.

16. GUESTS

16.1 Voting Members may introduce and entertain guests over the age of eighteen years provided that the names and addresses of all such guests are entered into the Visitors' Book kept on the Club premises in which the member shall sign in each of his guests.

16.2 The member introducing a guest or guests must accompany each guest and shall be responsible for his or her guest(s) strictly observing the Club rules and the admission of guests shall only be valid for the session in which are signed in.

16.3 No member may sign in more than two guests per day other than where express permission has been granted by an Officer of the Club for a member to introduce additional guests for the day, such permission only to be granted in exceptional circumstances.

16.4 No person whose membership of the Club has been terminated or refused under the rules of suspension or expulsion may be introduced as a guest of the Club.

16.5 Guests shall show evidence of their having been properly signed-in whenever so requested by any member of the

Committee or by any Officer or on-duty employee of the Club.

- 16.6 The admission of guests to the Club is a privilege for members which is intended to apply only to occasional visitors to the Club. The Committee reserves the right to withdraw this privilege in individual cases where it considers that the privilege is being abused.

17. MEMBERSHIP CARD

- 17.1 The membership card shall be produced whenever so requested by any member of the Committee or by any Officer or on-duty employee of the Club. Similarly, Members' guests shall show evidence of their having been properly signed-in whenever so requested by any member of the Committee or by any Officer or on-duty employee of the Club.

18. PLACARDS & NOTICES

- 18.1 No placard, bill or notice shall be posted in the Club or about the premises without the permission of the Committee or of some person authorised by them.

Approved by General Meeting of the Club, 12 June 2016