

Constitution of Harrogate Bowling Club (Effective 07/11/2023)

Section 1: Name and Objectives

- 1.1 The name of the Club shall be Harrogate Bowling Club (hereinafter referred to within this constitution as the 'Club').
- 1.2 The Club shall be affiliated to Bowls England and Yorkshire Bowling Association
- 1.3 The objectives of the Club are to provide facilities for, and to promote participation in, the amateur sport of outdoor flat green bowls in Harrogate and the surrounding district.
- 1.4 The Club shall adopt and conform to the current Laws of the Sport of Bowls.
- 1.5 The Club shall adopt and follow all policies and guidelines approved by Bowls England alongside UK Anti-Doping Rules and all procedures set out in Bowls England Regulation 9, 9A and 9B. The Club and members will abide with all sanctions, recommendations and/or decisions from the Safeguarding Case Management Panel and/or National Disciplinary Panel.
- 1.6 The Club shall maintain its Community Amateur Sports Club (CASC) status and conform to the appropriate HMRC requirements from time to time.

Section 2: Officers of the Club

- 2.1 The Officers of the Club shall be Full Members of the Club and shall consist of the Club Chairman, Secretary and Treasurer.
- 2.2 The Officers shall be elected at the Annual General Meeting and shall hold office for the period of one year, retiring at the end of the period of election. All Officers of the Club shall be eligible for re-election to the same office or another office at the end of their current period of election.

Section 3: Membership

- 3.1 Categories and votes of Membership
 - 3.1.1 Membership of the Club shall be open to anyone interested in the sport of outdoor flat green bowls on application regardless of sex, age, disability, ethnicity, nationality, sexual orientation, religion or other beliefs, except as a necessary consequence of the requirements of bowls. Membership may however be limited according to available facilities on a non-discriminatory basis and any waiting list would admit members from this list in chronological order only.
 - 3.1.2 For Bowling purposes the Club shall be composed of two sections, namely a Ladies section and a Gentleman's section. Each section will be headed by a Captain.
 - 3.1.3 There shall be the following categories of membership with power to vote at all relevant meetings of the Club as indicated hereunder.

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- (a) A FULL MEMBER – being a person who, at the date of election, shall have attained the age of eighteen years, shall have one vote.
- (b) A JUNIOR MEMBER – being a person who, at the date of election, is under the age of eighteen or in full time education, shall have no vote. Such a member shall be one who at the commencement of the subscription year joins the Club other than as a full member.
- (c) A LIFE MEMBER – who shall have one vote.
- (d) A SOCIAL MEMBER (Non Bowling) – who shall have no vote.

- 3.1.4 All applications for membership shall be submitted to and be approved by the Management Committee.

Applications for membership from those who have not bowled before or who have limited experience, will be considered subject to a period of coaching in the skills, laws and etiquette of the game. The necessary coaching period will be determined by the Club Coaches, but achieving a certain level of ability is not a requirement of membership.

The Management 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 and where the membership, or continued membership, of the person concerned would be likely to not be in the best interests of the sport or the good conduct and interests of the Club. Appeal against refusal or removal of membership may be made to the members at the next General Meeting.

- 3.1.5 On the recommendation of the Management Committee, the Annual General Meeting shall be empowered to elect as a Life Member those who have given long and valuable service to the Club and their names shall be shown on the fixture card.

- 3.1.6 No applicant may use the Club premises, or any of the facilities of the Club, until forty-eight hours have elapsed from the date of posting of notice of application.

- 3.1.7 An up to date list of members shall be kept at the Club and be available to all members. The list will also be available within the members area of the Club website.

3.2 Rights and privileges of members

- 3.2.1 The rights and privileges of each category of membership shall be as follows:-

- (a) A FULL MEMBER shall have the full use of all Club facilities. Affiliation Fees shall be payable to Yorkshire Bowling Association and Bowls England.
- (b) A JUNIOR MEMBER shall have the full use of all Club facilities subject only to 8.1 of this Constitution. Affiliation Fees shall be payable to Yorkshire Bowling Association and Bowls England.

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- (c) A LIFE MEMBER shall have the full use of all the Club facilities. Affiliation Fees shall be payable to Yorkshire Bowling Association and Bowls England.
 - (d) A SOCIAL MEMBER shall have the full use of the Clubhouse facilities but must represent fewer than 50% of total members.
 - 3.2.2 Candidates for membership shall have no privileges whatsoever in relation to the use of the Club or premises until they have become a member.
- 3.3 Membership Joining Fee & Subscription Fee
 - 3.3.1 The rate of Joining Fee (if any) and Subscription Fee for each category of Membership shall be proposed by the Committee to the members at the Annual General Meeting in each year. Any proposed changes shall be approved by a majority of those present and entitled to vote and shall become operative from the following 1 April. The current rate of Joining Fee (if any) and Subscription Fee shall be prominently displayed in the Club premises. Membership subscriptions will be kept at levels that will not pose a significant obstacle to people participating.
 - 3.3.2 All members shall pay the Joining Fee (if applicable) and their first annual subscription fee upon election to the Club and thereafter by 1 April.
- 3.4 Members' duty to provide contact details
 - 3.4.1 Every member shall furnish the Secretary with up-to-date contact details that shall be recorded in the Register of Members and any notice sent to such address/es either by post or electronically shall be deemed to have been duly delivered.
- 3.5 Election and retirement of members
 - 3.5.1 Application for membership
 - (a) An application for membership shall be in the form prescribed by the Committee and shall include the name, address and contact details of the candidate.
 - 3.5.2 Election of Members
 - (a) Upon receipt of an application for membership, there shall be an interval of at least two days before the meeting of the Committee at which such application for membership shall be considered. The election of all classes of members is vested in the Committee and shall be a simple majority vote of those of the Committee. The Committee may refuse applications only for good cause such as conduct likely to bring the Club into disrepute. The Secretary shall inform each candidate in writing of the candidate's election or non-election. The Secretary shall furnish an elected candidate with a copy of the Rules and Bye-laws of the Club and make request for such payments as are necessary.

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3.5.3 Payment of Fees upon Election

- (a) Upon election, a candidate shall pay, within one calendar month, fees as shall be requested. In default of such payment, the election shall be void unless sufficient cause for delay be shown.

3.5.4 Retirement of a member

- (a) A member wishing to resign their membership should give notice in writing to the Secretary before 1 April and shall not then be liable to pay the subscription for the following year.
- (b) A member who retires in accordance with this Rule shall not be entitled to have any part of the annual membership fee or any other fees refunded.

3.5.5 Arrears of Subscription

- (a) The Committee may cancel, without notice being given, the membership of any member whose annual subscription and other annual fees are more than one month in arrears provided that the Committee may, at its absolute discretion, re-instate such member upon payment of arrears. No member whose annual payment is in arrears may use the Club premises or vote at any meeting.

3.6 Conduct of Members

3.6.1 Under-taking by members to comply with rules

- (a) Every member, upon election and thereafter, is deemed to have notice of, and undertakes to comply with, the Club Rules and any Bye-laws and Regulations of the Club. Every member must also abide by the standards of behaviour set out in the Code of Conduct in Bowls.

3.6.2 Disciplinary action against members

- (a) All disciplinary matters will be dealt with in accordance with Bowls England Regulation 9 (Misconduct)
- (b) Should any member be expelled, the former member shall not be entitled to have any part of the annual membership fee refunded and must return any property belonging to the Club.

3.6.3 Complaints

- (a) Complaints of any nature shall be addressed in writing to the Secretary, who will acknowledge receipt, consult with the Committee and confirm the agreed course of action normally within seven days. Complaints in relation to misconduct will be dealt with in accordance with 3.6.2 (a) above (Bowls England Regulation 9).

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3.6.4 Members of other Bowls England Affiliated Clubs

- (a) A member of any Club affiliated to Bowls England (a list whereof is published by Bowls England annually) may be authorised to use the premises of the Club on payment of the appropriate rink fee.

3.7 Limitation of Club liability

3.7.1 All references to the Club in this Section shall mean each and every individual member of the Club from time to time.

3.7.2 Members are bound by the following Rule which shall also be exhibited in a prominent place within the Club premises:

“Members of the Club may use the Club premises, and any other facilities of the Club, entirely at their own risk and impliedly accept:

(a) The Club will not accept any liability for any damage to or loss of property belonging to members.

(b) The Club will not accept any liability for personal injury arising out of the use of the Club premises, any other facilities of the Club either sustained by members or caused by the said members whether or not such damage or injury could have been attributed to or was occasioned by the neglect, default or negligence of any of them, the Officers, Committee, Trustees or Servants of the Club.”

3.7.3 Membership of the Club and acceptance of these Rules by the member will be deemed to constitute consent to the holding of relevant personal data for the purposes of the Data Protection Act and the UK General Data Protection Regulation.

Section 4: Management Committee

4.1 Composition of Committee

4.1.1 The Committee shall consist of the three Officers, i.e. the Chairman, the Secretary and the Treasurer. In addition, it will include the Ladies' and Gentlemen's Captains, the Green Team Leader, the Clubhouse Team Leader and the Chairman of the Trustees.

The Club Honorary President and any other post holder who may be appointed to the Committee from time to time shall be “in attendance” for the whole or part of any meeting. The Honorary President will normally be appointed for a period of 12 months, which may be extended to 24 months by the Committee. Whenever possible the position will alternate between the ladies' and gentlemen's sections. An Honorary President may not hold concurrently any other elected role within the Club.

A substitute for any Committee Member will be allowed if necessary.

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- 4.1.2 Nomination of Members for election, with their consent, as the Officers, the Ladies Captain, the Gentlemen's Captain, the Green Team Leader, and the Clubhouse Team Leader shall be made either by completing the Nominations List on the Club's Main Notice Board or in writing to the Secretary at least 28 days before the date of the Annual General meeting. Each nomination shall be duly proposed and seconded in writing by Full Members of the Club. The Secretary shall place the election nominations list on the Club's main notice board on or before the first Club's Final Day each year.
 - 4.1.3 If the number of candidates for election is greater than the number of vacancies to be filled then there shall be a ballot of those members present and entitled to vote at the Annual General Meeting.
 - 4.1.4 If the number of candidates for election is equal to or less than the number of vacancies to be filled then all candidates shall be deemed to be elected if majority of those present at the Annual General Meeting, and entitled to vote, vote in favour of such election.
 - 4.1.5 In the event of the ballot failing to determine the members of the Committee because of an equality of votes the candidate or candidates to be elected from those having an equal number of votes the Chairman (or other nominated person) shall be entitled to a second and casting vote.
 - 4.1.6 If, for any reason, a casual vacancy shall occur, the Committee may co-opt another person to fill such a vacancy until the next following Annual General Meeting. Co-opted Members will be entitled to vote.
 - 4.1.7 The elected members of the Management Committee as set out in 4.1.1 above, may only serve for a maximum period of five consecutive years in the same post. However, in the event of exceptional circumstances, this period may be extended subject to specific ratification at the appropriate Annual General Meeting.
- 4.2 Committee Meetings
- 4.2.1 The Committee shall meet as and when required, but at least four times each year.
 - 4.2.2 Voting shall be by show of hands. In the case of equality of votes the Chairman (or other nominated person) shall be entitled to a second and casting vote.
 - 4.2.3 Five members personally present shall form a quorum at a meeting of the Committee.
 - 4.2.4 Any conflict of interest must be declared to the Chairman (or other nominated person) prior to the start of the meeting. The Chairman (or other nominated person) will determine if the person may remain in the meeting and/or vote when the item is discussed.

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4.2.5. The Committee may hold virtual meetings using online video conferencing techniques as and when it is considered appropriate. Such meetings will be minuted in the usual manner.

4.3 Powers of the Committee

4.3.1 The Committee shall manage the affairs of the Club according to the Rules and shall cause the funds of the Club to be applied solely to the objects of the Club.

4.3.2 In particular the Committee shall ensure that the property and funds of the Club will not be used for the direct or indirect private benefit of Members other than as reasonably allowed by the Rules. No surpluses or assets will be distributed to members or third parties and all surplus income or profits will be re-invested in the Club.

4.4 Appointment of Sub-Groups

4.4.1 The Committee may appoint such sub-groups as it may deem necessary and may delegate such of its powers as it may think fit upon such terms and conditions as shall be deemed expedient and/or required by the law.

4.4.2 All Club members will be informed of sub-group posts and invited to submit applications. All posts for membership of sub-groups will be approved by the Management Committee.

4.5 Disclosure of Interest to Third Parties

4.5.1 A member of the Committee, of a sub-group or any member of the Club, in transacting business for the Club, shall disclose to third parties that they are so acting.

4.6 Limitation of Committee's authority

4.6.1 The Committee, or any person or sub-committee delegated by the Committee to act as agent for the Club or its members, shall enter into contracts only as far as expressly authorised, or authorised by implication, by the Committee. No one shall, without the express authority of the Committee, borrow money or incur debts on behalf of the Club or its membership.

4.7 Indemnity Clause

4.7.1 Each member of the Club shall (to the extent that such person is not entitled to recover under any policy of insurance) be entitled to be indemnified out of all funds available to the Club which may lawfully be so applied against all costs, expenses and liabilities whatsoever reasonably incurred by such person in the proper execution and discharge of duties undertaken on behalf of the Club arising therefrom or incurred in good faith in the purported discharge of such duties.

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- 4.7.2 The limit of any individual member's indemnity in this respect shall be a sum equal to one year's subscription at the then current rate of that category of membership unless the Committee has been authorised to exceed such limit by a General Meeting of the Club.
- 4.8 Nomination of Life Members by Committee
 - 4.8.1 The Committee may nominate for election at an Annual General Meeting such Life Members as the Committee may think fit.
 - 4.8.2 The election of Life Members shall be placed before the Annual General Meeting each year and such Life Members shall be duly elected if two-thirds of those present, and entitled to vote, vote in favour of election.

Section 5: Trustees

- 5.1 There shall be at least three Trustees of the Club who shall be appointed from time to time as necessary by the Committee of the Club from among Full or Life Members who are willing to be so appointed. The Trustees shall appoint one of their number to be Chairman of the Trustees.
- 5.2 A Trustee shall hold office until he or she shall resign as a Trustee or ceases to be a member of the Club. Resignation shall be by notice in writing given to the Committee or until a resolution removing them from office be passed at a meeting of the Committee by a majority comprising two-thirds of the members present and entitled to vote.
- 5.3 All the property of the Club, including land and investments, shall be held by the Trustees for the time being, in their own names so far as it is necessary and practicable, on trust for the use and benefit of the Club. In the event of the death, resignation, or removal from office of a Trustee, the Committee shall nominate a replacement Trustee, and shall as soon as possible thereafter take all lawful and practicable steps to procure the vesting of all Club property into the names of the Trustees as constituted after such nomination. For the purpose of giving effect to any such nomination, the Secretary for the time being 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 they shall by Deed duly appoint the person or persons so nominated by the Committee.
- 5.4 The Trustees shall in all respects act, in regard to any property of the Club held by them, in accordance with the directions of the Committee and shall have power to sell, lease, mortgage or pledge any Club property so held for the purpose of raising or borrowing money for the benefit of the Club in compliance with the Committee's directions (which shall be duly recorded in the Minutes of the proceedings of the Committee) but no purchaser, lessee or mortgagee shall be concerned to enquire whether any such direction has been given.
- 5.5 The Trustees shall be effectually indemnified by the members of the Club out of the assets of the Club from and against any liability, costs, expenses and payments whatsoever which may be properly incurred or made by them in the exercise of their duties or relation to any property of the Club vested in them, or in relation to

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any legal proceedings, or which otherwise relate directly or indirectly to the performance of the functions of a Trustee of the Club.

Section 6: Annual General Meeting

- 6.1 The Annual General Meeting of the Club shall be held not later than the end of November each year on a date to be fixed by the Committee. The Secretary shall at least 21 days before the date of such meeting circulate to each member notice thereof. The Secretary shall circulate the Agenda and of the business to be brought forward at the meeting to members not less than seven days before the meeting. This may be either by post or electronically.
- 6.2 The business of the Annual General Meeting shall be to
- 6.2.1 Confirm the minutes of the previous Annual General Meeting and any General Meeting held since the previous Annual General Meeting
 - 6.2.2 Receive from the Treasurer the examined accounts for the year ended 30 September immediately preceding the date of the Annual General Meeting
 - 6.2.3 Receive the Annual Report of the Management Committee from the Secretary
 - 6.2.4 Receive a report from the Ladies' Captain
 - 6.2.5 Receive a report from the Gentlemen's Captain
 - 6.2.6 Receive a report from the Green Team Leader
 - 6.2.7 Receive a report from the Clubhouse Team Leader
 - 6.2.8 Elect the Members of the Club Management Committee
 - 6.2.9 Elect an Accounts Examiner
 - 6.2.10 Approve the annual subscription for all members
 - 6.2.11 No business, except receiving the Accounts, the election of the Management Committee, Trustees and Accounts Examiner, and any business that the Committee may order to be inserted in the notice convening the meeting shall be discussed at such meeting unless notice thereof be given in writing by a member entitled to vote to the Secretary at least 14 days before the date of the Annual General Meeting.
- 6.3 The Committee may at any time, upon giving 21 days notice in writing, call a Special General Meeting of the Club for any special business, the nature of which shall be stated in the summons convening the meeting, and the discussion at such meeting shall be confined to the business stated in the notice sent to members.
- 6.4 The Committee shall call a Special General Meeting upon a written request addressed to the Secretary signed by at least ten members of the Club. The Committee shall meet within seven days of the request in order to call a SGM. The Committee shall give 21 days notice in writing of any such Special General Meeting.

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The discussion at such meeting shall be confined to the business stated in the notice sent to members.

- 6.5 At every meeting of the Club the Chairman will preside, or in their absence, a Chair elected by a majority of those present shall preside.
- 6.6 A quorum for a General Meeting shall be 30 (thirty) full or life members.
- 6.7 Only Full Members or Life Members shall vote at any General Meeting of the Club. Other members may attend and speak but are not entitled to vote.
- 6.8 Decisions made at a General Meeting shall be by a simple majority of votes from those full members and life members attending the meeting with each such member entitled to one vote on each motion. In the event of equal votes the Club Chairman shall be entitled to a second and additional casting vote. Voting shall be by show of hands.
- 6.9 On any resolution properly put to a meeting of the Club relating to the creation, repeal or amendment of any Constitution, Rule or Bye-law of the Club such Constitution, Rule or Bye-law shall not be created, repealed or amended except by a majority vote of at least two-thirds of those present and entitled to vote. Provided that no such change shall jeopardise the Club's status as a Community Amateur Sports Club within the meaning of the Finance Acts, or in any event alter its objects or winding-up provisions.
- 6.10 Bye-laws or rules (including competition rules) may be temporarily amended by the Management Committee when necessary. Any permanent changes are required to be approved at the next Annual General meeting.

Section 7: Dissolution of the Club

- 7.1 If, at any General Meeting of the Club, a resolution be passed calling for the dissolution of the Club, the Secretary shall immediately convene a Special General Meeting to be held not less than one month thereafter to discuss and vote on the resolution.
- 7.2 If, at that Special General Meeting, the resolution is carried by at least two-thirds of the Members present, the Committee shall thereupon, or at such date as shall have been specified in the resolution, proceed to realise the assets of the Club and discharge all debts and liabilities of the Club.
- 7.3 If, upon the winding up or dissolution of the Club, there remains after the satisfaction of all its debts and liabilities any property whatsoever, the same shall not be paid to or distributed amongst the members of the Club.
- 7.4 Upon dissolution of the Club any remaining assets shall be given or transferred to another registered CASC, a registered charity or the sport's governing body for use by them in related community sports.

Section 8: Miscellaneous

- 8.1 Children, young persons and vulnerable adults protection

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Harrogate Bowling Club has a duty of care to safeguard from harm all children, young people and vulnerable adults and fully accepts its legal and moral obligation to exercise its duty of care and to protect all those participating in its activities. The Club has appointed a Safeguarding Officer. Whoever is appointed Safeguarding Officer from time to time shall be an appropriate person. The Club shall adopt the Bowls England safeguarding policies.

8.2 Equal opportunities policy

Harrogate Bowling Club is fully committed to the principles of equal opportunities and will endeavor to attract members from all sections of the community.

The Club will provide an environment free from all discrimination and opposes all forms of unlawful or unfair discrimination including those on the grounds of age, disability, ethnic or national origin, health, marital status, race, religion, gender or sexual orientation.

8.3 Health and safety policy

Harrogate Bowling Club is committed to maintaining a safe and healthy environment for members, visitors and other persons within its operating facilities. The Club's policy, together with legislation, imposes on members a duty to take all reasonable care for their own safety and the safety, health and wellbeing of other members and visitors.

8.4 Environment policy

Harrogate Bowling Club embraces the principles of sustainable development and is committed to managing its activities with consideration for the environment and to a process of continual environmental improvement and pollution prevention.

8.5 Display of rules and Constitution

A copy of the Rules and Constitution shall be displayed at all times on the Club's main notice board.

8.6 The Rules (and By-Laws) of the Club referred to herein are set out in separate documents.

The Constitution and Rules were agreed by the Management Committee and approved by the members at the Annual General Meeting held on 07 November 2023 and will take effect from this date.