

Kendal Cycle Club - Constitution

1. **The club will be called:** Kendal Cycle Club (the Club)

2. **The Purposes of the Club**

The purposes of the Club are to:

- promote cycling in Kendal and the surrounding area and
- promote and encourage community participation in cycling

3. Powers of the Committee to advance **the purposes of the Club.**

Subject to this Constitution and the law generally the Club and its property shall be administered and managed by the Committee (as constituted at section 9 of this Constitution).

The Committee has the power to:

- a. Acquire equipment, coaching, training facilities, transport, and related facilities/items;
- b. Provide coaching, training, social and other club or cycling related activities;
- c. Take out any insurance for the Club, the Committee and any purposes relevant to the running of the Club;
- d. Raise funds including by appeals, subscriptions, fees, grants or loans;
- e. Open bank accounts;
- f. Buy, lease or licence property and sell, let or otherwise dispose of the same;
- g. Make grants and loans and give guarantees and provide other benefits;
- h. Set aside or apply funds for special purposes or as reserves;
- i. Deposit or invest funds in any lawful manner;
- j. Employ and or engage persons to provide services for the proper pursuit of the purposes of the Club;
- k. Co-operate with or affiliate to regulatory bodies, other clubs, voluntary organisations and or statutory organisations involved with the sport of cycling;
- l. Amend the Club structure including incorporating it; and
- m. Do all other things considered reasonably necessary by a majority of the Committee to advance the Club's purposes.

NONE of the above powers may be used other than to advance the purposes of the Club and must be exercised in accordance with the Club's Constitution and the general law.

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4. Membership

- a. Membership of the Club shall be open to anyone interested in cycling on application regardless of sex, age, disability, ethnicity, race, nationality, sexual orientation, gender reassignment, religion or beliefs.
- b. All members shall pay membership fees as determined the Committee.
- c. The Club may have different classes of membership and fees on a nondiscriminatory and fair basis. The Committee will keep membership fees at levels that will not pose a significant obstacle to people participating.
- d. All members will be subject to the regulations of the Constitution and any codes of practice the Club notifies members of.
- e. Members shall not be entitled to take part in any rides, activities or business of the Club unless the applicable membership fee has been paid by the due date. Non-members are permitted to attend one club ride but must become a Club member if they wish to take part in any more club rides or any activities or business of the Club.
- f. The Committee may refuse membership or remove it, only for good cause such as conduct or character likely to bring the Club or cycling into disrepute including but not limited to failure to adhere to the Sports Equity section of the Constitution. Such refusal or removal of membership shall not be determined until the individual concerned has been invited to be heard by the Committee.
- g. Members may resign from being members of the Club at any time by sending an email to the Membership Secretary.

5. Finance

- a. The Club Treasurer will be responsible for monitoring the finances of the club.
- b. The financial year of the Club will run from 1st October to 30 September.
- c. All club monies will be banked in an account held in the name of the Club.
- d. Any cheque drawn against club funds shall hold the signature of the Treasurer and one other committee member who is a nominated signatory.
- e. Nominated signatories may spend up to £200. Expenditure in excess of £200 must be approved by a majority of the Committee.
- f. All surplus income or profits are to be reinvested in the Club. No surplus or assets will be distributed to members or third parties other than as set out in this constitution.

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6. All General Meetings

- a. All members may attend all general meetings of the Club in person.
- b. All members have one vote on any resolution where a vote is required at a general meeting of the Club.
- c. All general meetings need a minimum of 21 calendar days' written notice to members.
- d. The quorum for all general meetings is 2% of the total adult membership of the Club. If after 30 minutes from the start time of the general meeting there remains insufficient attendees to form a quorum the meeting shall be adjourned to a time and place the Committee decide. If at the adjourned meeting there are insufficient attendees to form a quorum the meeting will precede anyway.
- e. The Chair or (in their absence) another Committee member shall preside.
- f. Except as otherwise set out in this Constitution, every resolution shall be decided by a simple majority of the votes cast on a show of hands.
- g. Formalities in connection with General Meetings shall be decided by the Committee and publicised to Club members.

7. Annual General Meetings (AGM)

The Club will hold an AGM once a year and not more than 15 months after the last AGM. At every AGM:

- a. The members will approve the minutes of the previous AGM;
- b. The Treasurer will produce accounts of the Club for the latest financial year audited as the Committee shall decide;
- c. The Committee will present a report on the Club's activities since the previous AGM;
- d. The Members will consider and vote on any proposed changes to the Constitution;
- e. The Members will discuss and vote on any resolution and deal with any other business put to the meeting; and
- f. The Members will elect the Committee.

8. Extraordinary General Meetings (EGM)

An EGM shall be called by the Secretary within 21 calendar days of a request from any member of the Committee or on the written request of not less than 2% members signed by them. Such an EGM shall be held at a time and place decided upon by the Committee or in default by the Chair. The notice calling the meeting shall state the business to be discussed.

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9. The Committee

A. Role

Subject to these Rules the Committee shall have responsibility for the management of the Club, its funds, property and affairs. The Committee will have due regard to the law on disability discrimination and child protection.

B. Appointment to the Committee

- i) All Committee members must be 18 or over and must be paid up members of the Club.
- ii) All Committee members serve from AGM to AGM except for the Chair which shall be for 2 years and the Welfare Officer who shall remain in the role until resigned or removed. Due to specific restrictions and requirements on who can serve in the role of Welfare Officer this post shall be appointed by the Committee.
- iii) Applications for officer of the Committee shall be sent to the Secretary at least 14 calendar days prior to the AGM. All applications should contain a brief summary of the why the member is applying for the role along with skills and experience they offer.
- iv) The Secretary shall circulate to all Club members, along with the AGM Agenda, the names of all persons who have registered an interest in standing for election and their summaries at least 7 calendar days before AGM.
- v) Elections for Committee roles shall be held at the AGM, voting is by hidden ballot and success determined by majority of votes cast.
- vi) Where only one member has registered their interest to take a specific Committee role they shall be appointed at the AGM without a vote.

C. Use of Property and Assets of the Club

- i) The property and funds of the Club cannot be used for the direct or indirect private benefit of members other than as reasonably allowed by the Constitution.
- ii) The Club via the Committee may provide sporting and related social facilities, sporting equipment, coaching, courses, insurance cover, event expenses, post event refreshments and other ordinary benefits of Community Amateur Sports Clubs as provided for in the Finance Act 2002.
- iii) The Committee may also in connection with the purposes of the Club:

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- (a) Sell and supply food, drink and related sports clothing and equipment
- (b) Reimburse members (though not for riding) and remunerate them for providing goods and services to the Club, on fair terms set by the Committee without the person concerned being present;
- (c) Pay for reasonable hospitality for visiting teams and guests;
- (d) Use Club assets to indemnify the Committee acting properly in the course of the running of the Club against any liability incurred in the proper running of the Club (but only to the extent of its assets).

D. Composition of the Committee

- i. The Committee shall consist of at least a Chair, Secretary, Treasurer, Membership Secretary and Welfare Officer but may include additional roles as set out at each AGM. The roles shall be determined by the Chair following discussion with the Committee.
- ii. Where a serving Committee member resigns during the Club year or no member is elected to a post, the Committee may co-opt a Club member or pay a professional person to serve until the next AGM.
- iii. Any Committee member may be re-elected without limit.
- iv. A Committee member ceases to be such if they ceases to be a member of the Club, resigns by written notice, or is removed by the Committee for good cause after the member concerned has been given the chance of putting their case to the Committee or is removed by club members at a general meeting. The Committee shall fairly decide time limits and formalities for these steps.

E. Committee meetings

- i. Whenever a Committee member has a personal interest in a matter to be discussed, they must declare it, withdraw from that part of the meeting (unless asked to stay), not be counted in the quorum for that agenda item and withdraw during the vote and have no vote on the matter concerned.
- ii. The Committee may decide its own way of operating including frequency of meetings. Unless it otherwise resolves, the following rules apply:
 - (a) At least 4 Committee members must be present for the meeting to be valid;
 - (b) Committee meetings shall be held face to face;

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- (c) The Chair, or whoever else those present choose shall chair meetings
- (d) Decisions shall be by simple majority of those voting;
- (e) A resolution in writing agreed by every committee member shall be valid without a meeting;
- (f) The chair of the meeting shall have a casting vote.

F. Delegation

The Committee may delegate any of their functions to sub-committees but must specify the scope of its activity and powers; its composition; and its duty to report back to the Committee. The Committee may wind up any sub-committee or change its mandate and operating terms at any time.

- G. **Disclosure** - Annual club reports, statements of account and minutes of committee meetings are available for inspection by any member on request.

10. Sports Equity

- a) The Club is committed to ensuring that equity is incorporated across all aspects of its development. In doing so it acknowledges and adopts the following definition of sports equity "Sports equity is about fairness in sport, equality of access, recognising inequalities and taking steps to address them."
- b) The Club and its members shall respect the rights, dignity and worth of every person within the context of cycling regardless of age, ability, gender reassignment, race, ethnicity, religion or belief, sex, sexual orientation, or social/economic status.
- c) The Club is committed to everyone having the right to enjoy cycling in an environment free from threat of intimidation, harassment and abuse.
- d) All Club members have a responsibility to oppose discriminatory behaviour and promote equality of opportunity.
- e) The Club will deal with any incidence of discriminatory behaviour seriously and in accordance with section 4(f) of the Constitution.

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11. Amendments

- a. This Constitution may be amended at a general meeting by simple majority of the votes cast but not (if relevant) so as to jeopardise the Club's status as a Community Amateur Sports Club as first provided for by the Finance Act 2002.
- b. The Club purposes may be changed to include another eligible sport if the Committee unanimously agree and the members also agreed the change by a 75% majority of votes cast.
- c. The Constitution will only be changed through agreement by a simple majority of the votes cast on a show of hands.

12. NOTICES

All notices required to be given to members shall be sent by email to the address held by the Club for each member and a copy of the notice shall be added to the Club's Facebook page.

13. Winding up the Club

- a. If the Committee decides it is necessary or advisable to dissolve the Club it shall call an EGM of which not less than 21 calendar days' notice shall be given. The proposal to dissolve the Club is agreed if supported by two thirds of those adult members present.
- b. The Committee will then be responsible for the orderly winding up of the Club's affairs.
- c. After settling all liabilities of the Club, the Committee shall dispose of the net assets remaining to one or more of the following:
 - i. To another Club with similar sports purposes which is a charity and/or
 - ii. To another Club with similar sports purposes which is a registered CASC and/or
 - iii. To the Club's national governing body for use by them for related community sports.

This Constitution was agreed at a meeting held at:

On: 6th November 2019

Name: Rory Black

Signed:

A handwritten signature in black ink, appearing to read "Rory Black", written over a white background.