

# **WESTBURY WHEELERS CONSTITUTION**

**November 2020**

## **Rules/Constitution of Westbury Wheelers (Community Amateur Sports Club)**

### **1 The Club will be called: Westbury Wheelers**

### **2 The Purposes of the Club**

The purposes of the Club are to promote the amateur sport of cycling in South and West Wiltshire and the surrounding district and community participation in the same area.

### **3 The Committee**

#### *A Role*

Subject to these Rules the Committee shall have responsibility for the management of the Club, its funds, property and affairs.

#### *B Composition of the Committee*

- i. The Committee shall consist of at least three Members.
- ii. The Committee members may co-opt club members as deemed necessary.
- iii. Any Committee member may be re-elected or re-co-opted without limit
- iv. A Committee member ceases to be such if he or she 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 his/her case to the Committee with an appeal to the Club members, or is removed by club members at a general meeting. The Committee shall fairly decide time limits and formalities for these steps.
- v. The Committee will have due regard to the law on disability discrimination and child protection

### *C Committee meetings*

a Whenever a Committee member has a personal interest in a matter to be discussed, he/she 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.

b The Committee may decide its own way of operating. Unless it otherwise resolves the following rules apply:

i At least 2 members must be present for the meeting to be valid;

ii ~~Committee meetings shall be held face to face~~; **Committee meetings shall be held face to face but in exceptional circumstances they may be held remotely**

iii The Chairman, or in his/her absence, whoever else those present choose shall chair meetings;

iv Decisions shall be by simple majority of those voting;

v A resolution in writing agreed by every Committee member shall be valid without a meeting;

vi The chair of the meeting shall not have a casting vote unless there is deadlock.

### *D Delegation etc*

The Committee may delegate any of their functions to sub-committees but must specify the scope of its activity and powers; the extent to which it can commit the funds of the Club; its membership; its duty to report back to the Committee.

The Committee may wind up any sub-committee at any time or to change its mandate and operating terms.

### *E Disclosure*

Annual Club reports and statements of account must be made available for inspection by any member and all Club records may be inspected by any Committee member.

## **3 Permitted means of advancing the Purposes**

The Committee has the power to:

a. Acquire and provide equipment, coaching, training, transport, and related facilities

b. Provide coaching, training, and related social and other facilities

c. Take out any insurance for club, employees, contractors, players, guests and third parties

d. Raise funds by appeals, subscriptions, loans and charges

e. Borrow money and give security for the same and open bank accounts

f. 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 engage staff and others and provide services
- k. Co-operate with or affiliate to firstly any bodies regulating or organising the Sport and secondly any club or body involved with it and thirdly with government and related agencies
- l. Codes of conduct and Guidelines for Club rides/riding etiquette will be posted on the club website and be updated/amended as necessary
- m. Do all other things reasonably necessary to advance the Purposes.

NONE of the above powers may be used other than to advance the Purposes consistently with the Rules below and the general law.

#### **4 Property etc**

- a. 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 Rules.
- b. The Club 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.
- c. The Club may also in connection with the sports purposes of the Club:
  - i Sell and supply food, drink and related sports clothing and equipment;
  - ii Employ members (though not for riding) and remunerate them for providing goods and services, on fair terms set by the Committee without the person concerned being present;
  - iii Pay for reasonable hospitality for visiting teams and guests;
  - iv Indemnify the Committee and members 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).

#### **5 Membership**

- a. Membership of the Club shall be open to anyone interested in the sport on application regardless of sex, age, disability, ethnicity, nationality, sexual orientation, religion or other beliefs. However, limitation of membership according to available facilities is allowable on a non-discriminatory basis.
- b. The Club may have different classes of membership and subscription on a non-discriminatory and fair basis. The Club will keep subscriptions at levels that will not pose a significant obstacle to people participating.
- c. 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.
- d. Classes of membership and eligibility to be decided by the members at the Annual General Meeting ("AGM").

e. Club subscription and other levies or costs on members will be decided at the AGM or at an Extraordinary General Meeting (“EGM”).

f. All classes of membership are strongly recommended to ensure they have sufficient personal liability insurance, as provided by the CTC, and/or British Cycling

g. Each members' membership shall run for a year from the date of joining for each member unless extended by the committee.

h. Membership subscriptions must be paid each members' renewal date. Membership will be deemed to have lapsed if subscriptions are not paid by this date.

i. Life membership is an honour granted to existing members by the passing of a resolution at the AGM. Life members will be exempt from paying membership subscriptions.

~~j. Individuals can only receive the benefits of membership if subscriptions are paid and up to date by 31 December of the current membership year.~~

k. Prospective members may participate in a maximum of two Club rides before commitment to joining the Club is required.

l. The Committee may confer honorary membership for up to one year on individuals without payment of membership subscription to enable that individual to fulfil a specific role that cannot be undertaken by another member of the Club, or in recognition of that individual's contribution to the Club. Honorary membership can only be conferred for longer than one year if approved by the membership at a General Meeting.

m. The Guidelines for Club Rides are to be adhered to during all club rides, with particular attention to safety and consideration to other road users. Members without a helmet will not be permitted to join a club ride; no helmet, no ride.

Appeal against refusal or removal of membership may be made to the club committee.

## **6 All General Meetings**

a. All members may attend all general meetings of the Club in person.

b. Such meetings need 30 clear days' written notice to members.

c. The quorum for all general meetings is 5 members present.

d. The President or (in his or her absence) another member chosen at the meeting shall preside.

e. The Secretary will circulate the meeting agenda, minutes of previous AGM and any other relevant documentation to all members at least 5 days prior to the general meeting.

f. Except as otherwise provided in these Rules, 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 (such as how to put down

resolutions) shall be decided by the Committee and publicised to Club members.

## **7 Annual General Meetings (AGM)**

The Club will hold an AGM once in every calendar year and not more than 15 months after the last AGM.

At every AGM:

- a. The members will elect a Committee including a Chairman, Secretary, Treasurer, Webmaster, and Race Secretary and to serve until the next 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 Committee will appoint a suitable person to audit the accounts;
- e. The members will discuss and vote on any resolution (whether about policy or to change the Rules) and deal with any other business put to the meeting.
- f. Every fourth year (Olympic year) the members will elect a president to serve another four year period.

## **8 Extraordinary General Meetings (EGM)**

An EGM shall be called by the Secretary within 14 days of a request to that effect from the Committee or on the written request of not less than 5 members signed by them. Such an EGM shall be held not less than 14 and no more than 21 days' notice at a place decided upon by the Committee.

## **9 Finances**

- a. The Club financial year shall run from 1 November to 31 October.
- b. Cheques drawn on the Club's bank account(s) require the signature of the Treasurer.
- c. The Committee must approve any expenditure in excess of £100.
- d. An auditor will be selected by the Committee to review the Club's finances during the course of each financial year. The auditor cannot be drawn from the membership of the Committee.

## **10 Amendments**

- a. These Rules may be amended at a general meeting by a 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 and not in any event to alter its Purposes (unless the procedure set out in 9b below has been followed) or winding up provisions.
- 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 simple majority.

### **11 Winding up the Club**

a. The members may vote to wind up the Club if not less than three quarters of those present and voting support that proposal at a properly convened general meeting.

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.

iv To whoever is decided by at least three quarters of those present at a properly convened AGM and/or EGM

Constitution adopted

At a meeting held at: Chalford House Hotel, Westbury

On: 19<sup>th</sup> November 2018

Name: Sean Price

Signed: Signature: *Sean Price*

Witnessed by: The committee