



**Dawlish Lawn  
Tennis Club**

# **Constitution**

## Document History

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Name	Responsibility	Date of issue	Version
Copy for Clubhouse	Members to note	18/03/2019	1.4
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# Constitution

## 1. Name

- 1.1 The Club shall be called "Dawlish Lawn Tennis Club".

## 2. Objectives

- 2.1 The objective of the Club is to promote tennis participation for the local and surrounding community, and provide facilities for, playing the game of Lawn Tennis under Lawn Tennis Association Rules for people of all ages and abilities
- 2.2 To take and retain a membership in Devon County Lawn Tennis Association (DLTA) (and by so doing become and remain registered as an associate of the LTA) and to comply with and to uphold the Rules and Regulations of the DLTA as amended from time to time and the LTA Rules and Disciplinary Code and the rules and regulations of anybody to which the LTA is registered or affiliated. Subject to the LTA Rules and the LTA Disciplinary Code and the LTA's wider jurisdiction, to make rules, regulations, bye-laws and standing orders concerning the club including without limitation regulations concerning disciplinary procedures that may be taken against members.

## 3. Membership

- 3.1 The total membership of the Club shall not exceed such figure as the Club's Management Team shall decide from time to time on a non-discriminatory basis.
- 3.2 Anyone wishing to join the Club must submit a written application signed by the applicant, or parent/guardian of a junior (under 18), to the Membership Secretary of the Club. Acceptance of membership shall not discriminate against on the grounds of ability, age, sexual orientation, ethnicity, religious belief, or nationality.
- 3.3 The membership shall be divided into the following categories: -
- 3.3.1 ADULT - 21 years of age and over as at 1<sup>st</sup> April each year.
- 3.3.2 SEMI-SENIOR - 18 to 20 years of age as at 1<sup>st</sup> April each year.
- 3.3.3 JUNIOR - up to and including 17 years of age as at 1<sup>st</sup> April each year.
- 3.4 Each member, as a condition of membership agrees:-
- a) To be bound by the Club's Rules of membership.
- b) To be bound by the LTA's Rules and Disciplinary Code.

## 4. Membership Fee and Visitors Fees

- 4.1 The Management Team will submit recommendations for approval at the Annual General Meeting in respect of the following fees: -
- 4.1.1 Annual Membership joining fee
- 4.1.2 Visitors fees (maximum of three attendances in one season)
- 4.1.3 Local League match fees.

- 4.2 Membership Fees shall be due on the dates notified to members by the Management Team, following the Annual General Meeting at which Membership Fees for the current year shall be determined.

## **5. Cancellation of membership**

- 5.1 The Management Team shall have power to cancel a membership when a member has seriously and/or repetitively refused to adhere to the Club's policies and procedures, and as such, in their opinion it would not be in the interests of the Club for them to remain a member.
- 5.2 The member shall be given an opportunity to appear in front of the Management Team to answer complaints made against them. The member will be given fourteen days' written notice (which will include details of the issue relating to them) to attend a meeting of the Management Team.
- 5.3 If the decision of the Management Team is to cancel their membership, they will have fourteen days to make a written appeal against the decision. The Management Team will consider the information provided in the appeal and make a final decision. This final decision will be provided to the member in writing.

## **6. The Management Team**

- 6.1 The Management Team shall ideally consist of the Chairman, Vice Chairman, Secretary, Treasurer, Facilities Manager, Health & Safety Manager, Club Captain and up to seven additional Management Team members.
- 6.2 All Members of the Management Team should be proposed, seconded, and elected by a show of hands at the Annual General Meeting each year and shall remain in office until their successors are elected at the next Annual General Meeting. Any vacancy occurring during the year, by resignation or otherwise may be filled by the current Management Team.
- 6.3 Nominations for election to the Management Team will be made at the Annual General Meeting. Current members, parents/guardians of junior members, and non-members deemed to be able to provide specific support to the club are eligible to stand for election to the Management Team. Parents/guardians of junior members are not required to be a member. Any non-member can be elected onto the Management Team although this should only be considered where it is of benefit of the Club. An example would be a non-tennis playing person, with specific skills, available to contribute to the running of the Club.
- 6.4 Management Team meetings should be held not less than once every three months and the use of minutes or an actions log utilised if deemed necessary by the current Management Team.
- 6.5 In addition to members elected at the AGM the Management Team may co-opt other Members, parents/guardians of junior members, and non-members deemed to be able to provide specific support to the club are eligible to stand for election to the Management Team. Parents/guardians of junior members are not required to be a member. Any non-member can be elected onto the Management Team although this should only be considered where it is of benefit of the Club. An example would be a non-tennis playing person, with specific skills, available to contribute to the running of the Club.
- 6.6 The Management Team will be responsible for the management of the Club and has the sole right of appointing and determining the terms and conditions of service of employees of the

Club. The Management Team has power to enter into contracts for the purposes of the Club on behalf of all of the members of the Club.

- 6.7 The members of the Management Team will be entitled to an indemnity out of the assets of the Club for all expenses and other liabilities properly incurred by them in the management of the affairs of the Club.
- 6.8 Each member of the Management Team implicitly agrees to the Club Rules/Code of conduct.

## **7. Honorary Members**

- 7.1 The Annual General Meeting if it thinks fit may elect a President. A President need not be a current member of the Club and on election shall be an honorary member of the Club until the next Annual General Meeting.
- 7.2 The Management Team may elect any person as an honorary member of the Club for such period and with such privileges of membership as it thinks fit.

## **8 Annual General Meeting**

- 8.1 An Annual General Meeting of the Club shall ideally be held each year not later than 21 March to transact the following business: -
  - 8.1.1 To receive the Chairman's Report of the activities of the Club during the previous year.
  - 8.1.2 To receive and consider the accounts of the Club for the previous year and the Treasurer's report on the financial position of the Club.
  - 8.1.3 To receive the Secretary's report.
  - 8.1.4 To receive the Club Captain's report.
  - 8.1.5 To elect the members of the Management Team.
  - 8.1.6 To determine Annual Membership Fees.
  - 8.1.7 To discuss and agree resolution of any change to the Club Constitution submitted in accordance with Rule 9.2 below.
- 8.2 Notice of any change to the club constitution shall be given in writing to the Management Team not less than 21 days before the AGM.

## **9 Special General Meeting**

- 9.1 A Special General Meeting may be called at any time by the Management Team and shall be within 21 days of receipt by the Management Team of a request in writing from a semi-senior or adult member, stating the purposes for which the meeting is required and the resolutions proposed.

## **10 Procedure at the Annual General Meeting and Special General Meeting**

- 10.1 The Management Team shall notify members of the date of the Annual General Meeting or any Special General Meeting together with the resolutions to be proposed thereat at least fourteen days before the meeting.
- 10.2 The AGM and Special General Meeting should consist of a minimum of 15 semi-senior members, adult members, parents/guardians of junior members. If there are less than 15

present it is at the discretion of the Management Team to decide if the meeting should go ahead. Where no meeting is held the Management Team will produce a report of the year covering the standard AGM agenda items. A copy to be placed on the main noticeboard within four weeks of the original intended AGM date.

- 10.3 The Chairman, or in his/her absence another member of the Management Team, shall chair the meeting.
- 10.4 Each semi-senior member, adult member, parent/guardian of junior members present shall have one vote each, and resolution shall be passed by simple majority vote. In the event of equal votes the Chairman shall have the casting vote.
- 10.5 The Secretary or in his/her absence another member of the Management Team shall take minutes at Annual and Special General Meetings.

## **11 Club Procedures**

- 11.1 The Club will ensure it has up-to-date written, Health & Safety, Fire Safety, Equality and Diversity, Safeguarding, and general Club Rules/Code of Conduct procedures in place. These documents should be reviewed periodically by the Management Team and revised where deemed necessary by the Management Team. Updated documents are to be communicated to all members via the club facebook group page and/or clubhouse noticeboard.

## **12 Finance**

- 12.1 All money payable to the Club shall be received by the Treasurer and deposited in a bank account in the name of the Club. No sums shall be drawn from that account except by cheque signed by two signatories. The club signatories shall where possible consist of three current members of the Management Team. Any monies not required for immediate use may be invested by the Management Team as deemed necessary.
- 12.2 The income and property of the Club should be applied only in furtherance of the objects of the Club and no part thereof shall be paid by way of dividend or profit to any members of the Club.
- 12.3 The Management Team shall have power to authorise the payment of remuneration and expenses to any person or persons for services rendered to the Club.
- 12.4 The financial transactions of the Club shall be recorded in a proper set of books kept by the Treasurer.

## **13. Borrowing**

- 13.1 The Management Team may borrow money on behalf of the Club for the purposes of general upkeep, additions or improvements.
- 13.2 When so borrowing the Management Team shall have power to raise in any way any sum or sums of money and to raise and secure the repayment of any sum or sums of money in such manner or on such terms and conditions as they think fit, and in particular by mortgage of or charge upon or by the issues of debentures charged upon all or any part of the property of the Club.
- 13.3 The Management Team shall have no power to pledge the personal liability of the members for the repayment of any sums so borrowed without such member's proper written consent.

- 13.4 The Trustees of the Club shall at the discretion of the Management Team make such dispositions of the Club's property or any part thereof and enter into and execute such agreements and instruments in relation thereto as the Management Team may deem proper for giving security for such monies and the interest payable thereon.

## **14. Property**

- 14.1 The property of the Club (other than cash and chattels) shall be vested in not less than two and not more than four Trustees. They shall hold the property upon trust for the members of the Club in accordance with the directions of the Management Team.
- 14.2 The Trustees shall deal with the property as directed by a resolution of the Management Team and an entry in the minute book shall be conclusive evidence of such a resolution
- 14.3 The Trustees shall be elected by the Management Team of the Club and shall hold office until death or resignation unless removed by resolution of the Club.
- 14.4 The Chairman is nominated as the person to appoint new Trustees within the meaning of Section 36 of the Trustee Act 1925. Any new Trustee or new Trustees shall be nominated by resolution of the Management Team and the Chairman shall by deed duly appoint the person or persons so nominated by the Management Team, as the new Trustee or Trustees of the Club and the provisions of the Trustee Act shall apply to any such appointment. Any statement of fact in any such deed of appointment shall in favour of a person dealing bona fide with the Association or the Management Team be conclusive evidence of the fact so stated.
- 14.5 The Trustees shall be entitled to an indemnity out of the property and assets of the Club for all expenses and other liabilities properly incurred by them in discharge of their duties.

## **15 Dissolution**

- 15.1 A resolution to dissolve the Club shall only be proposed at a Special General Meeting.
- 15.2 The dissolution shall take effect from the date of the resolution and the members of the Management Team shall be responsible for the winding up of the assets and liabilities of the Club.
- 15.3 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, as decided at the Special General Meeting by simple majority to one or more of the following approved sporting or charitable bodies:
- 15.3.1.1 A registered charitable organisation(s).
  - 15.3.1.2 Another Club which is a registered CASC.
  - 15.3.1.3 The sport's national governing body for use by them for related community sports.

Signed: *Jason Hatherley*

Name: JASON HATHERLEY

Position: CHAIRMAN

Date: 16<sup>th</sup> March 2019

Signed: *Robert Elver*

Name: ROBERT ELVER

Position: FACILITIES MANAGER

Date: 16<sup>th</sup> March 2019

- Original Constitution Circa 1950's
- Modified March 1972
- Modified March 1993
- Modified by BHE February 2003
- Approved by AGM 13/03/2003
- Modified by BHE November 2008
- Approved by AGM 12/03/2009
- Modified by JAR March 2013
- Approved by AGM 14/03/2013
- Modified by RJE February 2016
- Approved by AGM 29/02/2016
- Modified by RJE February 2019
- Approved by AGM 25/02/2019