



Three Hills Sports Park, Cheriton Road, Folkestone, Kent CT19 5JU
Tel: 01303 846020 www.folkestonecc.com

Club Constitution

A. Name

Folkestone Cricket Club (FCC)

B. Administration

Subject to the matters set out below FCC and its property shall be administered and managed in accordance with the laws governing England & Wales.

This constitution shall be administered & managed by the Executive Club Committee, as constituted by the clauses of this constitution.

C. Objectives

1. To compete and endeavour to compete at the highest level of competitive cricket
2. Raise standards of cricket at FCC through our Focus club status
3. Develop young players to their full potential, and where players show exceptional talent develop through Area/ District and County.
4. Support Shepway Cricket Development Officer.
5. Support local primary and secondary schools
6. To ensure fair play and spirit of cricket permeates all aspects of club cricket

D. Authority

In furtherance of the said objects, but no further otherwise, the General Committee have the following powers:

- (a) To raise funds and apply for, invite, obtain, collect and receive contributions from any other person or persons whatsoever by way of donation, grant, legacy and otherwise, provided that the General Committee shall not undertake any permanent trading activities in raising funds for the said objectives.
- (b) To employ on such terms and conditions of employment as the General Committee shall determine, any paid or voluntary worker or workers to assist in the attainment of the said objectives.
- (c) To do all such other lawful things as shall further the attainment of the said objectives or any of them.



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- (d) Power to buy, take on lease or exchange any property necessary for the achievement of the objects and to maintain and equip it for use.
- (e) Subject to any consents required by law to sell, lease or dispose of all or any part of the property of FCC.
- (f) Power to co-operate with other charities, voluntary bodies and statutory authorities operating in furtherance of the objects or of similar charitable purposes and to exchange information and advice with them.
- (g) Power to appoint & constitute such advisory Executive Committees as the General Committee may think fit.
- (h) Power to do all other such lawful activities as is necessary for the achievement of FCC objectives.

E. Membership

- (a) Membership shall be open to anyone interested in furthering the objectives (Clause C) and to anyone interested in the sport of cricket, 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 in our sport, membership rates, must be published in the clubs fixture card on an annual basis.
- (c) Application for membership of the club shall be by completion of a membership application form and by payment of the relevant subscription/joining fees as determined by the Annual General Meeting of the club.
- (d) No person shall be eligible to take part in the business of the club or eligible for selection for any club team unless the appropriate subscription has been paid by the specified date or membership has been agreed by the Committee.
- (e) The club Committee may refuse membership, or remove it, only for good cause such as conduct or character likely to bring the club or cricket into disrepute. Appeal against refusal or removal may be made to the Committee who shall appoint an Appeals Committee to hear any appeal.
- (f) All members will be subject to the regulations of the Constitution and by joining the club will be deemed to accept these regulations and any Codes of Conduct that the club has adopted. The Constitution shall identify those members eligible to vote at any General Meetings.



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- (g) Parent/ Carer/ Guardian of that colt membership are given automatic non-voting membership status of the club as part of the junior membership.
- (h) Membership structure and prices can be found in the club's Fixture Card.

F. Structure of Committees

The structure of the club and its committees are important, there are 2 committees that will work in conjunction with one another, the Executive Club Committee is responsible for managing how the club performs and operates. The Colts/ Young Players Committee is responsible for youth development, coaching, etc. Structure is at Annex A.

At the Annual General Meeting (AGM), the membership shall elect a Chairman, Treasurer & Secretary, who's business it is to oversee both the Administration and the Cricket Committees, on an equal and fair basis.

Executive Club Committee

The Executive Club committee must elect from the membership, people that are interested in benefiting the objectives of the club, and who are willing to contribute by fulfilling their chosen role the best of their ability.

- (a) Nominations for the Executive Club committee must be lodged with the Secretary 14 days prior to the AGM, the Executive Club Committee shall consist, of as many people as is required to run the club efficiently.
- (b) In addition to the Honorary Officers and the members so elected, the Executive Club committee may co-opt to serve on its committee interested parties in an advisory capacity, such as representatives of statutory or voluntary agencies active in the Locality or of such other organisations as the Committee may determine, provided that no such person shall be entitled to vote.
- (c) The members of the Executive Club Committee shall hold office until the conclusion of the AGM next after their election or co-option, as the case may be, but shall be eligible for Re-Election.
- (d) The Executive Club Committee shall not consist of close relatives that would give cause for Concern especially in the roles of Chair, Secretary, Treasurer or Child Welfare Officer.

The following roles are a guide for the Executive Club Committee



Three Hills Sports Park, Cheriton Road, Folkestone, Kent CT19 5JU
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Club Chairman, Club President, Club Secretary, Club Treasurer, Membership Secretary, Fixture Secretary, Focus Club Officer, Director of Colts Cricket, Kent League Representative and Associated Team Captains to name a few. This list is not exhaustive.

Colts/ Young Player Committee

The committee must elect from the membership, people that are interested in benefiting the objectives of the club, and who are willing to contribute by fulfilling their chosen role to the best of their ability.

- (a) Nominations for the committee must be lodged with the Secretary 14 days prior to the AGM, the Colts/ Young Player Committee shall consist, of as many people as is required to run the club efficiently.
- (b) In addition to the Honorary Officers and the members so elected, the Colts/ Young Player Committee may co-opt to serve on its committee interested parties in an advisory capacity, such as representatives of statutory or voluntary agencies active in the Locality or of such other organisations as the Colts/ Young Player Committee may determine, provided that no such person shall be entitled to vote.
- (c) The members of the Colts/ Young Player Committee shall hold office until the conclusion of the AGM after their election or co-option, as the case may be, but shall be eligible for Re-Election.
- (d) The Colts/ Young Player Committee shall not consist of close relatives that would give cause for Concern especially in the roles of Chair, Secretary, Treasurer or Child Welfare Officer.

The following roles are a guide for the Colts/ Young Player Committee.

Director of Colts Cricket, Colts Chairperson, Head of Youth Development, Team Coaches, Child Welfare Officers and Colts/ Young Player's Captain to name a few. Again, this list is not exhaustive.

G. Termination of Membership of Executive Committee

A member of the Executive Club Committee or Colts/ Young Players Committee shall cease to hold office if he or she:

- (a) Becomes incapable by reason of mental disorder, illness or injury of managing and administering his or her own affairs;



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- (b) Is absent without the permission of their respective Committee from all their meetings held within a period of 6 months and the relevant Committee resolves that his or her be vacated;
- (c) Notifies their respective Committee a wish to resign (but only if at least three members of their Committee will remain in office when the notice of resignation is to take effect)

I. Executive Club Committee/ Colts/ Young Players Committee Members & Conflicting Interests

- (a) Subject to the provisions of sub-clause b of this clause, no member of the Executive Club Committee/ Young Players Committee shall acquire any interest in property belonging to FCC or be interested in property belonging to FCC (otherwise as a trustee for FCC) or receive remuneration or be interested (otherwise than as a member of the Executive Club Committee/ Young Players Committee) in any contract entered into by Executive Club Committee/ Young Players Committee.
- (b) Any member of the Executive Club Committee/ Young Players Committee for the time being who is a Solicitor, Accountant or other persons engaged in a profession may charge and be paid all the usual professional charges for businesses done by him or her, or his or her firm, when instructed by the other members of the Executive Club Committee to act in a professional capacity on behalf of FCC
- (c) Provided that at no time shall a majority of the members of the Executive Club Committee/ Young Players Committee benefit under this provision and that a member of the Executive Club Committee/ Young Players Committee shall withdraw from any meeting at which his or her own instruction remuneration, or that of his or her firm, is under discussion.

J. Meetings and the proceedings of the Committees

- (a) The Executive Club Committee/ Young Players Committee shall hold at least nine ordinary meetings each year. A special meeting may be called at any time by the Chairperson or by any two members of the Executive Club Committee/ Young Players Committee, upon not less than 14 days' notice being given to the other members of the General/Cricket Committee of the matters to be discussed.
- (b) The Chairperson shall act as Chairman at meetings of the Executive Club Committee/ Young Players Committee. If the Chairperson is absent from any meeting, the members of the Executive Club Committee/ Young Players Committee present shall choose one of their number to be chairperson of the meeting before any other business is transacted.
- (c) There shall be a quorum when at least one third of the number of members of the Executive Club Committee/ Young Players Committee are present.



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- (d) Every matter shall be determined by a majority of votes of the members of the Executive Club Committee/ Young Players Committee present and voting on the questions, but in the case of equality of votes the chairperson of the meeting shall have a casting vote.
- (e) The Executive Club Committee/ Young Players Committee shall keep minutes, in either soft or hard documentation and kept for the purpose, of the proceedings at meetings of the Executive Club Committee/ Young Players Committee.
- (f) The Executive Club Committee/ Young Players Committee may from time to time, instigate and amend rules for the conduct of their business, summoning and conduct of their meetings and the custody of documents. No rule may be made which is inconsistent with this constitution.
- (g) The Executive Club Committee/ Young Players Committee may appoint one or more sub-groups consisting of three members of the Executive Club Committee/ Young Players Committee for the purpose of making any inquiry or supervising or performing any function or duty which in the opinion of the Executive Club Committee/ Young Players Committee would be more conveniently undertaken or carried out by a sub-group.
- (h) All sub group investigations must be reported in full to the relevant committee provided that all action taken have been completed.
- (i) The Executive Club Committee/ Young Players Committee shall appoint a President, for a 3 year period. Before a new president is elected, nominations for president must be lodged with the Secretary of Folkestone Cricket Club two weeks prior to the AGM.
- (j) A president may be asked to stand for a further 3 years if no nominations have been received, the Committees shall ask the retiring president to stand for a further 3 year period.

K. Child Protection

- (a) The Child Protection Officer (CPO) shall remain independent of the youth section on a day to day basis.
- (b) The CPO will exercise due diligence in ensuring that the club adopts the guidelines for the protection of and welfare of young people in:
 - a. ECB's "Safe hands – welfare in young people in Cricket"
 - b. ECB's "Time to Listen" – child protection/welfare in sports organisations
 - c. ECB Code of conduct

FCC follows the ECB guidelines on child protection, and has produced a child protection policy in line with the ECB and is available in the clubhouse for all to view.



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L. Recruitment

Recruitment of personal for the running of Folkestone Cricket Club should be open for all and without prejudiced, all personal who wish to be involved should apply as per the recruitment policy held in the Club-Mark folder.

M. Affiliations

This constitution allows FCC to seek affiliations with reputable organisation in the furtherance of the objectives and will give benefit for that group.

e.g. Shepway District Council
Kent Cricket Board/ ECB
Shepway Cricket Development Group (District)
Shepway Town Council
Shepway Schools Partnership
Local Schools
Other Charitable Organisations

N. Commitment, Discipline & Priority

- (a) The Administration /Cricket Committee must place upon all members the need for commitment to their sport and to one another.
- (b) The Cricket Committee must ensure fair play on and off the field, however, sometimes it may be necessary for conflicts to be resolved in this instance a disciplinary committee should be formed from General/Cricket Committee and must be independent of a conflict, and not be personally interested in the dispute
- (c) It should be noted that young people provide for the very future of FCC and therefore priority should be given to young people and the disabled.
- (d) All staff must be vetted as a matter of course as per current government rules.
- (e) All members should follow their code of conducts.



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O. Receipts and Expenditure.

- (a) The funds of FCC, including all donations contributions and bequests, shall be paid into an account operated by the Executive Club Committee in the name of Folkestone Cricket Club, all cheques drawn on the account must be signed by at least two members of the Executive Club Committee.
- (b) The funds belonging to FCC shall be applied only in furthering the objects.

P. Property

- (a) Subject to the provisions of sub-clause B of this clause, the Executive Club Committee shall cause the title to
- (b) All land held by or in trust for FCC which is not vested in the official custodian for charities

Q. Accounts

The Executive Club Committee shall comply with their obligations to their members.

- a. The keeping of accounts;
- b. The preparation of annual statements of account for FCC.
- c. The auditing or independent examination of the statements of account of FCC.

R. Annual General Meeting (AGM)

- (a) There shall be an Annual General Meeting (AGM) of FCC which shall be held in the month of March in each year or as soon as practicable thereafter.
- (b) Every AGM shall be called by the Executive Club Committee. The Secretary shall give at least 21 days' notice of the annual general meeting to all the members of FCC. All members of FCC shall be entitled to attend and vote at the meeting on all matters.
- (c) The position of Captains, Vice-Captains shall be determined by the Executive Club committee only, and once a vote has been taken of playing members, however, if in the interest of cricket the Executive Club committee find a player unsuitable to captain, they have the power to reverse the decision, however, all practicable steps should be taken to avoid conflict of interest.
- (d) At that AGM the Executive Cricket Committee will nominate the suggestions for those positions to the members for ratification at the AGM.



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- (e) Before any other business is transacted at the first AGM the persons present shall appoint a chairperson of the meeting. The Chairperson shall be the subsequent chairpersons of subsequent AGMs, but if he or she is not present, before any other business is transacted, the persons shall appoint a chairperson of the meeting.
- (f) The General Committee shall present to each AGM the report and accounts of FCC from the preceding year.
- (g) Nominations for the election to the Executive Club Committee must be made in writing and must be in the hands of the secretary of the Executive Club Committee at least 14 days before the AGM. Should nominations exceed vacancies, election shall be by ballot.

S. Special General Meetings

The Executive Club Committee may call a special general meeting of FCC at any time. If at least ten members request such a meeting in writing stating the business to be considered the secretary shall call such a meeting. At least 21 days' notice must be given. The notice must state the business to be discussed.

T. Procedure at General Meetings

- (a) The secretary or other persons specially appointed by the Executive Club Committee shall keep a full record of the proceedings at every general meeting of FCC.
- (b) There shall be a quorum when at least one tenth of the number of members of FCC for the time being or ten members of FCC, whichever is the greater, are present at any general meeting.

U. Notices.

Any notice required to be served on any member of FCC shall be in writing and shall be served by the Club Secretary, on any member either personally or by sending it through the post in a pre-paid letter addressed to such a member at his or her last known address in the United Kingdom, and any letter so sent shall be deemed to have been received within 10 days of posting.

V. Alterations to the Constitution

- (a) Subject to the following provisions of this clause the Constitution may be altered by a resolution passed by not less than two thirds of the members present and voting at an AGM.
- (b) The notice of the general meeting must include notice of the resolution, setting out the terms of the alteration proposed.



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- (c) No amendment may be made which would have the effect of making FCC cease to be FCC by law.

W. Dissolution.

- (a) If the Executive Club Committee decides that it is necessary or advisable to dissolve FCC it shall call a meeting of all members of FCC of which not less than 21 days' notice (stating the terms of the resolution to be proposed) shall be given.
- (b) If the proposal is confirmed by a two thirds majority of those present and voting the General Committee shall have power to realise any assets held by or on behalf of FCC.
- (c) Any assets remaining after the satisfaction of any proper debts and liabilities shall be given or transferred to such other charitable institution or institutions having objects similar to those of FCC as the members of FCC may determine or failing that shall be applied for some other charitable purpose.
- (d) A copy of the statements of accounts, or account and statement, for the final accounting period of FCC must be sent to the Charity Commission.

Signed: _____ **Chairman FCC** **Date:** _____

Signed: _____ **Treasurer FCC** **Date:** _____

Amendments:

- Initial Release: March 2007
- Rev 2: AGM March 2008
- Rev 3: AGM March 2010
- Rev 4: AGM March 2012
- Rev 5: July 2016 (Amended to include new FCC letter heading)
- Rev 6: NSPCC Safe Hands changed to **ECB** Safe Hands