

# **Winchester Tennis and Squash Club**

**(also known as Winchester Racquets & Fitness)**

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**Rules and Byelaws**

**Revised 12 October 2017**

The enclosed Rules and Byelaws are made in accordance with resolutions of General Meetings and of the Management Committee of the Club respectively, and supersede all previous editions of these Rules and Byelaws.

## **Introduction**

The Club Constitution sets out the name and general purpose of the Club.

Rules set out how the activities and the operational management of the Club are overseen by Club members via their elected representatives on the Club Management Committee. The Rules are in place to protect the Trustees and Club members by constraining the Management Committee from making fundamental changes to the nature of the Club or investing large sums of money without seeking prior approval from the Club membership.

Byelaws are concerned with the day to day organisation of the Club. Byelaws can be amended by the Management Committee who may also delegate matters that are the sole province of a particular section of the Club to the appropriate Club Sub Committee.

## **Rules**

### **1. CONSTITUTION**

- (i) The name of the Club is the **WINCHESTER TENNIS AND SQUASH CLUB**. It is also known as **WINCHESTER RACQUETS & FITNESS**. It is a private member's Club.
- (ii) The objects of the Club are recreational and social and activities ancillary thereto.
- (iii) The Club property is held by Trustees upon Trusts contained in a Declaration of Trust dated October 2017. The Trustees are two companies limited by shares incorporated under the laws of England and Wales, "Bereweke Limited" and "Kynegils Limited". Appointment of the directors of the Trustees ("**Trustee Directors**") shall be in accordance the relevant article of association for each Trustee. Trustee Directors shall hold office until termination of their directorship under the relevant provision of the applicable Trustee's articles of association. The Management Committee shall choose a maximum of four Trustee Directors to sit on the Management Committee, they shall be ex-officio members of the Management Committee and will deal with the property and business of the Club as directed by Resolution of the Management Committee (of which an entry in the Minute Book shall be conclusive evidence). The Trustees shall be reimbursed out of Club property for all insurance or indemnity costs as provided for in the Trustees' articles of association.

### **2. GENERAL MEETINGS** (and see byelaw 1)

- (i) An Annual General Meeting shall be held on or before the 30<sup>th</sup> June in every year for the election of the President, Officers and Members to serve on the Management Committee, as provided by Rule 3 and for such business as may be necessary and in accordance with these Rules and Byelaws.
- (ii) Special General Meetings may be held in accordance with Byelaw 1.
- (iii) All members present at General Meetings, other than Junior Members under the age of eighteen in the present year, shall be entitled to vote but, in case of equality of votes, the Chairman of the Meeting shall have a second or casting vote.
- (iv) Before proceeding with any project involving total expenditure from the Club funds in excess of £100,000, the agreement of the majority of Members present and entitled to vote at a General Meeting, must be obtained.

**3. COMMITTEES AND OFFICERS** (and see byelaw 2)

- (i) The general management of the Club shall be vested in the Management Committee which shall comprise of:
  - (a) The Chairman of the Management Committee
  - (b) Elected at the Annual General Meeting:  
The President; The Treasurer; The Chairmen of the 5 Standing Sub-Committees (Tennis, Squash & Racketball, Croquet, Bridge and Fitness); Five members of the Club who shall be eligible for re-election to serve for a maximum term of three consecutive years.
- (ii) The Chairman of the Management Committee shall be elected by that Committee at its last meeting before the Annual General Meeting and shall take the Chair at the first meeting of the Committee following the Annual General Meeting. The Chairman shall be eligible for re-election to serve for a maximum of three consecutive years in that office, notwithstanding that he may have additional consecutive years as a member of the Management Committee.
- (iii) The principal officer of the Club shall be the General Manager. The General Manager shall be appointed by the Management Committee who shall define his duties and conditions of employment.
- (iv) The following shall be ex-officio members of the Management Committee:
  - (a) A maximum of four Trustee Directors from the two Trustees of the Club, in accordance with Rule 1(iii)
  - (b) The General Manager
- (v) An Auditor or firm of Chartered Accountants shall be elected at the Annual General Meeting with the latter providing an independent assurance report on the unaudited financial statements for the year.
- (vi) The Management Committee and Standing Sub-Committees shall have powers to co-opt.
- (vii) The Management Committee shall appoint such sub-committees as it considers necessary.
- (viii) A copy of the approved minutes of each meeting of the Management Committee, excluding any references to sensitive personal matters affecting staff or members or any sensitive commercial matters, shall be made available to Club members on request to Club management for a period of not less than four weeks
- (ix) Each member of the Management Committee will be required, as a condition of election or appointment, to agree to be bound by and subject to these Club rules, the LTA Rules and Disciplinary Code, such agreement to contain an express acknowledgement that the Contracts (Rights of Third Parties) Act 1999 applies and that the LTA and The Winchester Tennis & Squash Club can enforce any breach at its option and in its sole discretion.

#### **4. RULES AND BYELAWS**

- (i) Rules of the Club may only be added to, revoked or amended by resolution of an Annual or Special General Meeting. No alteration shall be made which is prejudicial to the interests of the guarantors.
- (ii) Byelaws of the Club may be added, revoked or amended by resolution of the Management Committee but such alterations must be consistent with the rules for the fair administration of the affairs of the Club. The byelaws are in two parts: one which governs the general running of the Club and are therefore always under the jurisdiction of the Management Committee and another which governs the activities of the main sections of the Club's membership. The Management Committee may delegate powers outlined in the second part of the byelaws, to add, revoke or amend byelaws, to Standing Sub Committees to enable those with delegated powers to organise their own activities provided that:
  - (a) these delegated powers are re-affirmed each year at the first Management Committee Meeting following the AGM; and
  - (b) all proposed changes are agreed in advance by the Club's General Manager, with all disagreements being referred to the Club Management Committee; and
  - (c) such changes only affect the members of the section which elected the members of the relevant Standing Committee.
- (iii) Throughout the rules and byelaws the masculine shall include the feminine and the singular the plural where the context so requires.

#### **5. MEMBERSHIP, FEES AND SUBSCRIPTIONS**

- (i) The Club financial year shall commence on 1<sup>st</sup> April in every year. Annual subscriptions shall be due on the anniversary of a member joining the Club. Membership shall cease if:
  - (a) The annual subscription is not paid within 30 days of falling due or
  - (b) Payment of any monthly instalments are in arrears for thirty days.
- (ii) Every candidate for membership of the Club shall apply on the form provided by the General Manager who will consider all applications. The General Manager has the authority to decide whether to accept or reject an application for membership provided that the Management Committee is informed of all rejections with accompanying reasons and also that any individual whose application has been rejected may appeal to the Management Committee for the decision to be changed. At the General Manager's discretion, the name and address of every applicant for membership shall be displayed on the Club notice board for not less than two days before the application is considered.
  - a) When an elected candidate has paid his entrance fee and first annual subscription (or the first payment thereof), he shall be a member of the Club and entitled to all the privileges of membership.
  - b) Each member agrees as a condition of membership: to be bound by and subject to these Club rules and byelaws and to be bound by and subject to the LTA Rules and the Disciplinary Code.
- (iii) The Management Committee may expel or suspend from membership of the Club any member whose conduct shall, in their opinion, be injurious to the character or well-being of the Club. Members are expected at all times to act with due regard to the comfort and feelings of fellow members and their guests.

- (iv) Any person ceasing to be a member of the Club shall forfeit all right to a claim upon the Club and its property and funds.
- (v) No member shall have any claim against the Club property and its funds until such members who are guarantors, have been released from their guarantees.
- (vi) Entrance fees and subscriptions shall be at rates to be decided annually by the Management Committee, provided that the structure of the annual membership subscriptions shall not be materially changed without a resolution of a General Meeting; the rates so decided shall be published on the Club notice board before 1<sup>st</sup> February and notified to members before 1<sup>st</sup> April for the ensuing Club year.
- (vii) a) Every member will be provided with a Club Membership Card on payment of the appropriate fees and subscriptions. Members will be eligible to receive discounts on goods or services provided by the Club (where a discount rate is in force) when using a valid Club membership card. The rates to be determined by the Management Committee and published annually in the Club.  
 b) Replacement of lost membership cards will be charged an administrative fee. The cost of this to be determined by the Management Committee.
- (viii) The right to authorise special arrangements whereby firms or services may have block membership of the Club with benefit of a block discount on entrance fees and subscriptions shall be reserved to the Management Committee. The right to authorise special arrangements in individual cases shall be reserved to the Management Committee.

## 6. **DISSOLUTION CLAUSE**

### Winding Up of 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 Management Committee will then be responsible for the orderly winding up of the club's affairs.
- c) After settling all liabilities of the Club, The Management Committee shall dispose of the net assets remaining to one of the following:
  - I. To another Club with similar sports purposes which is a registered charity and/or
  - II. To another Club with similar sports purposes which is a registered CASC and/or
  - III. To the clubs governing bodies for use by them for related community sports

### **Byelaws**

#### **Management Committee Jurisdiction**

##### 1. **GENERAL AND SPECIAL MEETINGS** (and see rule 2)

- (i) The date of the Annual General Meeting shall be decided by the Management Committee. If the Annual General Meeting is not called by the 30<sup>th</sup> April, any ten members may call the meeting by 30<sup>th</sup> June of that year by notice signed by them and posted on the Club notice board not less than fourteen days before the date appointed by them for the meeting.
- (ii) Special General Meetings may be called at any time by the Management Committee or by thirty members of the Club giving fourteen days notice. No business other than that specified in the Agenda posted in the Club House, shall be transacted at a Special General Meeting.

- (iii) Notices of motions for the Annual General Meeting shall be received by the General Manager at least seven clear days before the meeting.
- (iv) At all General Meetings the Chairman of the Management Committee shall take the Chair.
- (v) The accounts of the Club shall be posted on the Club notice board for not less than seven clear days before the date of the Annual General Meeting.

## 2. **MANAGEMENT COMMITTEE** (and see Rule 3)

- (i) The Management Committee shall elect its Chairman in accordance with Rule 3(ii) and the following procedure:
  - (a) Nominations for election as Chairman may be made by members of the Management Committee to reach the General Manager in writing not less than ten days before election.
  - (b) At the election the President shall take the Chair and shall have a casting or second vote.
  - (c) Proxy voting by members of the Management Committee who are unable to be present to vote in person shall be permitted.
  - (d) At the first meeting after the Annual General Meeting, the Management Committee shall elect a Vice Chairman from its numbers to act in the absence of the Chairman.
- (ii) Five members of the Management Committee, including ex-officio members, shall be a quorum.
- (iii) Every member and ex-officio member of the Management Committee shall have one vote on every question, and in the case of equality of votes the Chairman, or other member taking the Chair at the meeting, shall have a second vote.

## 3. **GENERAL**

- (i) No credit shall be allowed to any member of the Club.
- (ii) Suggestions and complaints shall be made in writing to the General Manager or Chairman but those requiring immediate attention may be made verbally to the General Manager or any Officer of the Club.
- (iii) No unauthorised notices shall be posted in the Clubhouse.
- (iv) Dogs shall be kept under proper control, and no dogs shall be allowed in the Club building.
- (v) The Club and the bar shall be open at times determined by the Management Committee and published in the Club.
- (vi) The Club accepts no responsibility for loss of money, equipment or personal possessions on the Club premises, car park or grounds.
- (vii) Smoking or vaping is not permitted in or around the clubhouse or indoor courts, on the patio areas, and near any of the outdoor court playing areas (both tennis and croquet).

## 4. **VISITORS**

- (i) Visitors will be welcome to the Club grounds and premises if introduced and signed in by a Club member. They may:

- (a) Play tennis or squash & racketball or any other organised game or activity, on payment of the appropriate visitor's fee as determined by the Management Committee and published in the Club. No visitor shall play any one game on more than three occasions in any Club year.
- (b) Attend Club social functions, events or activities approved by the Management Committee.

Visitors will also be welcome, although not accompanied by a Club member, under the following circumstances:

- a) As members of visiting teams being entertained by the Club
- b) If admitted to the Club either as spectators at any tennis, squash & racketball or other match or tournament listed in the Club fixture lists or for an event or occasion approved by the Management Committee.

Only visitors specified above are permitted to buy and/or consume alcoholic refreshment.

### **Standing Committee Jurisdiction if powers delegated by the Management Committee**

#### **5. TENNIS**

- (i) The Tennis Committee reserves the right to allocate courts for tournaments, County fixtures, matches and coaching and to decide which courts are fit for play.
- (ii) Members and guests must follow the court bookings procedure which is set out by the tennis committee. The court bookings procedure will be provided to every new member on joining the club and will be available for reference in the club reception.
- (iii) Players must wear recognised tennis clothing and footwear.
- (iv) The tennis committee will allocate courts for club activities as it sees fit. Authorised club officers may vary court allocations in response to changing demands.
- (v) Tennis court fees & tennis playing fees for visitors shall be at rates determined by the Management Committee & published on the notice board.
- (vi) Players should observe good etiquette at all times
  - a) Please keep the courts and clubhouse area quiet for the enjoyment of other players.
  - b) Please do not move behind a court while a rally is in progress
  - c) Please do not move onto a court until the allocated time is up
  - d) Please do not leave children unattended on club premises. Young children must be under parental control.

#### **6. SQUASH & RACKETBALL**

- (i) The Squash & Racketball Committee reserves the right to allocate courts for tournaments, County fixtures, matches and coaching and to decide which courts are fit for play.
- (ii) Members and guests must follow the court bookings procedure which is set out by the Squash & Racketball committee. The court bookings procedure will be provided to every new member on joining the club and will be available for reference in the club reception.
- (iii) Players must wear recognised Squash & Racketball clothing and footwear.

- (iv) The Squash & Racketball committee will allocate courts for club activities as it sees fit and may vary court allocations in response to changing demands.
- (v) Squash & Racketball court fees & Squash & Racketball playing fees for visitors shall be at rates determined by the Management Committee & published on the notice board.
- (vi) Players should observe good etiquette at all times
  - a) Please keep the courts and clubhouse area quiet for the enjoyment of other players.
  - b) Please do not move behind a glass back court while a rally is in progress
  - c) Please do not move onto a court until the allocated time is up – always knock on the door of non glass back courts
  - d) Please do not leave children unattended on club premises. Young children must be under parental control.

## **7. CROQUET**

- (i) The Croquet Sub-Committee shall be responsible for matters relating to play, use of the lawns and the organisation of tournaments and matches. Lawns must be booked at reception before commencing play.
- (ii) No play shall be permitted when there is frost on the lawn or the latter is otherwise considered unfit. Members are expected to respect the surface of the lawns and the decisions of the groundsman.
- (iii) Flat or rubber soled shoes must be worn during play.
- (iv) Members will be responsible for any damage to equipment owned by the Section (e.g. mallets, balls, hoops). Such equipment must not be removed from the Club without prior approval.
- (v) The lawns must not be used for any other purpose or by other persons without prior approval from the Club.
- (vi) An acceptable standard of dress is expected at all times. White clothing is generally worn for matches and tournaments.

## **8. FITNESS CENTRE**

- (i) Membership shall not be available to anyone under 16 years of age.
- (ii) Members must undergo the fitness induction process before using the fitness equipment for the first time. Before using the equipment members must book in at the fitness reception. There shall be no use of the Fitness Centre and/or Fitness Studio or the equipment therein except under authorised supervision.
- (iii) All Fitness Centre bookings shall be made at the Club reception or, where appropriate, through the class organiser.
- (iv) Fitness class fees and visitors' fees shall be at rates determined by the Management Committee and published on the notice board.
- (v) The Club reserves the right to ensure that an acceptable standard of dress is maintained in both the Fitness Centre and Fitness Studio.

## 9. **BRIDGE**

Bridge playing members, who shall collectively be called the Bridge Section, may elect a sub- committee from their numbers who shall be responsible for matters relating to play, organisation of matches and/or tournaments and the use of equipment.

Such sub-committees must be so composed as to ensure fair representation for all authorised bridge playing groups.