



## HART ROAD RUNNERS CONSTITUTION

April 2024  
Version 2.1

### 1. Name and Colours

- 1.1 The Club, established in the District of Hart in Hampshire, is called Hart Road Runners ("the Club").
- 1.2 The club colours are navy with pale blue and white. The wearing of these colours is encouraged when competing for the Club.

### 2. Definitions

"AGM"	means the Annual General Meeting;
"the Chairperson"	means the volunteer elected from time to time to be the Chairperson of the Club in accordance with section 9;
"the Committee"	means the Committee appointed under section 9 to manage the Club;
"England Athletics"	means England Athletics Limited (company number: 05583713) (or its successor body);
"the Members"	means the Members of the Club admitted from time to time to membership of the Club in accordance with section 5;
"Operational Rules"	means the Operational Rules documented and published by the Committee;
"the Secretary"	means the volunteer elected from time to time to be the Secretary of the Club in accordance with section 9;
"the Treasurer"	means the volunteer elected from time to time to be the Treasurer of the Club in accordance with section 9.

### 3. Objects

The objects of the Club are:

- 3.1 principally to encourage and promote amateur road and cross country running in a social and supportive environment;
- 3.2 to provide and maintain Club-owned equipment for the use of its Members;
- 3.3 to provide other ordinary benefits of an amateur sports club including without limitation:
  - reasonable provision of suitably qualified coaches;
  - provision, or reimbursement of the costs, of their coaching courses;
  - provision of insurance cover;



- 3.4 to obtain funding for the activities of the Club by collecting fees, membership subscriptions, sponsorship and other available funding;
- 3.5 to affiliate to England Athletics;
- 3.6 to use reasonable means to protect member data in accordance with the Club's privacy policy contained within the Operational Rules;
- 3.7 to make rules concerning the operation of the Club including, without limitation, rules concerning disciplinary procedures; and
- 3.8 to do all such other things as the Committee thinks fit to further the interests of the Club or to be incidental or conducive to the attainment of all or any of the objects stated in section 3 of this Constitution.

#### **4. Application of Surplus Funds**

- 4.1 The Club operates as an unincorporated association with no special status, as defined by England Athletics.
- 4.2 All surpluses shall be used in furtherance of the Club's objects.
- 4.3 No surplus shall be distributed other than to another community amateur sports club or to a charitable organisation, on winding-up or dissolution of the Club.
- 4.4 The Club may make occasional donations to charities at the discretion of the Committee. The preferred charities shall be chosen by the Members at the AGM. However, in exceptional circumstances the Committee may, at its sole discretion, organise certain fundraising events with donations from said event being made to a charity or charities which may or may not be included in the preferred list.
- 4.5 No Member shall be paid a salary, bonus fee or other remuneration for competing for the Club.

#### **5. Membership**

##### **5.1 Eligibility for membership**

- 5.1.1 Anyone is eligible for full membership of the Club provided they are at least 18 years old. No person shall be denied membership of the Club on the grounds of race, nationality, ethnic origin, creed, colour, age (provided they are at least 18 years old), disability, sex, occupation, sexual orientation, religion, political or other beliefs.

- 5.1.2 The maximum number of Members shall be determined from time to time by the Committee.

##### **5.2 Admission of Members**

- 5.2.1 Any person who wishes to become a Member must submit an application in such form as the Committee shall decide. Every candidate for membership shall be considered by the appointed delegate of the Committee who shall admit that candidate to membership of the Club unless to do so would be contrary to the best interests of the sport or the good conduct and interests of the Club.

##### **5.3 Classes of Members**

- Full Member
  - Life Member
  - Senior Member
  - Second Claim Member
- 5.3.1 Life membership is awarded to any Member of the Club deemed by the Committee to deserve such a reward for their services to the Club.
  - 5.3.2 A Second Claim Member is as defined by England Athletics.



- 5.3.3 All Members shall be entitled to receive notice of, attend and vote at general meetings.
- 5.3.4 All Members shall be subject to this Constitution, the Operational Rules of the Club, the Safeguarding and Welfare Policies, the Code of Conduct and other policies determined by the Committee and published from time to time on the Club's website.

#### 5.4 Subscriptions

- 5.4.1 Members shall pay an annual subscription fee as set by the Committee from time to time. The Committee shall ensure that the fees set by it do not prevent open membership of the Club.
- 5.4.2 No candidate who has been admitted as a Member shall be entitled to the privileges of membership until they have paid their first annual subscription.
- 5.4.3 Any Member whose subscription is not paid by such date as the Committee shall decide shall be deemed to have resigned their membership of the Club.
- 5.4.4 The Club shall be required to register those Members as defined by England Athletics, for competition purposes, as being "active members".

### 6. Resignation and Cessation of Membership

- 6.1 A Member may withdraw from membership of the Club on 28 days' clear notice to the Club.
- 6.2 In line with the rules of England Athletics the Club shall only accept a resignation when satisfied that the Member has cleared any debt owed to the Club.
- 6.3 The Member intending to resign should ensure that they comply with the eligibility process of England Athletics in the event that they wish to join another affiliated Club.
- 6.4 Membership shall cease immediately on death, or dissolution of the Club.
- 6.5 Membership shall cease should the Club's discipline and appeal process determine that the Member has failed to comply with the conditions of membership.
- 6.6 Membership shall not be transferable in any event.

### 7. Complaints and Disputes

- 7.1 All grievances shall be dealt with in accordance with the Operational Rules of the Club.
- 7.2 All concerns, allegations or reports of malpractice or abuse relating to the welfare of the vulnerable shall be recorded and responded to swiftly and appropriately in accordance with the Club's and England Athletics' safeguarding policy and procedures. The Welfare Officer shall be the lead Officer for all Members in the event of any safeguarding concerns.
- 7.3 Any complaints of misconduct (improper or unprofessional conduct) regarding the behaviour of Members or Officers shall be dealt with by the Club in accordance with its discipline and appeal process.
- 7.4 The Club discipline and appeal process is published on the Club website and follows the template issued by England Athletics. The England Athletics template shall be reviewed by the Committee at least every 2 years and the Club discipline and appeal process updated to incorporate any changes.
- 7.5 Any disciplinary matter is confidential.

### 8. Effect of Resignation or Expulsion

- 8.1 Any person ceasing to be a Member forfeits all rights in relation to and claims upon the Club, its property and its funds and the person has no right to the return of any part of their subscription.



## **9. The Committee**

9.1 The Club shall be managed by a Committee consisting of:

- (a) the Chairperson;
- (b) the Secretary;
- (c) the Treasurer;
- (d) Officers to deal with issues of Membership, Welfare, Disclosure and Barring Service (DBS) verification, coaching and officials;
- (e) other Members elected to the Committee annually at the AGM; up to a maximum of twelve in total including the named officers in 9.1 (a) – (d) and any co-opted Members in accordance with 9.8 below.

9.2 Those Members volunteering to stand for appointment to the Committee must be proposed and seconded by two Members. The appointment must be ratified by a majority of those present at the AGM.

9.3 No more than one member of a household shall be voted on to the Committee to serve at the same time.

9.4 At the AGM, the Members present shall elect one of their number to be the Chairperson.

9.4.1 Any Member of the Club is eligible to be nominated provided they are, or have been, a Committee member for a minimum period of one year, or have been a member of the Club for the previous five years.

9.4.2 The Chairperson remains in office for two years.

9.4.3 If there is only one candidate nominated to be Chairperson, that candidate shall be declared elected unopposed at the AGM.

9.4.4 If there is more than one candidate there shall be an election at the AGM for that position.

9.4.5 In the event of a tie, the candidate to be elected shall (unless the candidates otherwise agree) be determined by lot.

9.4.6 Unless disqualified, the Chairperson may serve up to a maximum of eight consecutive years.

9.5 The Secretary and Treasurer shall be elected by the Members of the Committee from amongst their number.

9.6 The standard period of office for the Secretary and Treasurer is two years and shall be reviewed by the Committee at the end of this period. The existing Secretary and Treasurer are able to restand for office at the end of each period to a maximum of eight consecutive years.

9.7 The Committee shall be elected at the AGM each year.

9.8 In addition to the Members elected in accordance with section 9 of this Constitution, the Committee may co-opt further Members who shall serve until the next AGM. Co-opted Members shall be entitled to vote at the meetings of the Committee. The Committee shall vote on the proposal before inviting any individual to be co-opted onto the Committee.

9.9 Retiring Members of the Committee may be re-elected.

9.10 A member of the Committee shall be deemed to have vacated office if:

- (a) the person becomes bankrupt or makes any arrangement or composition with their creditors generally; or



- (b) the person resigns their office by notice to the Club; or
- (c) the person shall without sufficient reason have been absent from more than three consecutive meetings of the Committee without permission of the Committee and the Committee resolves that their office be vacated; or
- (d) the person is requested to resign by not less than two-thirds of the other Committee members acting together.

## **10. Proceedings of the Committee**

- 10.1 Committee meetings shall be held as often as the Committee thinks fit, provided that there shall not be less than two meetings each year. The quorum for such meetings shall be 50% of the members of the Committee. The Chairperson and the Secretary shall have discretion to call emergency meetings of the Committee if they consider it to be in the interests of the Club. The Secretary shall give all the members of the Committee not less than 14 days' notice of a meeting.
- 10.2 The Chairperson shall be the Chairperson of the Committee. Unless they are unwilling to do so, the Chairperson shall preside at every meeting of the Committee at which they are present. If there is no person holding that office, or if the Chairperson is unwilling to preside or is not present the members of the Committee present may appoint one of their number to be Chairperson of the meeting.
- 10.3 Decisions of the Committee shall be made by a simple majority and in the event of an equality of votes the Chairperson (or the acting Chairperson of that meeting) shall have a casting or additional vote.
- 10.4 The Committee may from time to time appoint from among its number such subcommittees as it considers necessary and may delegate to them such powers and duties of the Committee as the Committee may determine. Subcommittees may co-opt Members of the Club to serve on the subcommittee. All subcommittees are required to report their proceedings to the Committee periodically and shall conduct their business in accordance with the directions of the Committee.
- 10.5 The Committee shall be responsible for the management and finances of the Club. The Committee shall have the power to enter into contracts for the purposes of the Club on behalf of all the Members.
- 10.6 The members of the Committee shall 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, providing such expenses or liabilities have been authorised by the Committee in advance.
- 10.7 The members of the Committee shall not be paid a salary or remuneration for their work on behalf of the Club.
- 10.8 The proceedings at any meeting and any decision made shall not be invalidated by reason of any accidental informality or irregularity. This includes any accidental omission to give, or any non-receipt of, notice or any business being considered that is not specified in the notice.
- 10.9 On occasions the Committee may have to consider confidential issues, for example a disciplinary matter. The Club Secretary will take minutes of the discussion and these minutes will remain confidential and will not be published.

## **11. Annual General Meeting**

- 11.1 The AGM of the Club shall be held within or immediately adjacent to Hart District at such time as the Committee shall decide each year to transact the following business:
  - (a) to receive the Chairperson's report of the activities of the Club during the previous year;



- (b) to receive and consider the accounts of the Club for the previous year and the Treasurer's report as to the financial position of the Club;
- (c) to elect the members of the Committee;
- (d) to decide on any resolution which may be duly submitted in accordance with section 11.2 below; and
- (e) to deal with any matters which the Committee desires to bring before the membership.

11.2 Notice of any resolution proposed to be moved at the AGM shall be given in writing to the Secretary not less than 21 days before the meeting.

11.3 No period greater than fifteen months shall elapse between one AGM and the next.

11.4 The agenda for the AGM, including the accounts, shall be published 14 days before the meeting.

## **12. Extraordinary General Meetings**

12.1 An Extraordinary General Meeting may be called at any time by the Committee and shall be called within 21 days of receipt by the Secretary of a requisition in writing signed by not less than 15% of the Members stating the purposes for which the meeting is required and the resolutions proposed. Only Full, Senior or Life Members may sign the requisition.

## **13. Procedures at Annual and Extraordinary General Meetings**

13.1 The Secretary shall send to each Member at their last known email or postal address written notice of the date of the AGM at least 28 days before the meeting.

13.2 The Secretary shall send to each Member at their last known email or postal address written notice of the date of the Extraordinary General Meeting together with the resolutions proposed at least 14 days before the meeting.

13.3 The quorum for the AGM and Extraordinary General Meetings shall be 10% of the membership of the Club.

13.4 The accidental omission to give notice of a General Meeting to or the non-receipt of notice of a General Meeting by any person entitled to receive notice shall not invalidate the proceedings at that meeting.

13.5 The Chairperson shall preside at all meetings of the Club. If the Chairperson is not present within 15 minutes after the time appointed for the meeting or is unable to attend, the Members present and entitled to vote may choose one of the other members of the Committee to preside. If no other member of the Committee is present or willing to preside the Members present and entitled to vote may choose one of their number to be Chairperson of the meeting.

13.6 Each Member present shall have one vote and resolutions shall be passed by a simple majority of those Members present and voting. In the event of an equality of votes the Chairperson of the meeting shall have a casting or additional vote.

13.7 The Secretary, or in their absence a member of the Committee, shall take minutes at Annual and Extraordinary General Meetings.

13.8 There shall be no right for a Member to vote by proxy.

## **14. Guests**

14.1 Any Member may introduce guests to the Club, and any athlete, coach, other team representative or spectator attending Club sessions, events or meetings (by invitation of the Club) who is not a Member shall be a guest of the Committee, provided that no one whose application for



membership has been declined or who has been suspended or expelled from the Club may be introduced as a guest. Guests must follow the Club's Code of Conduct.

## **15. Personal Risk**

15.1 Members [and guests] acknowledge and accept that participating in sport of any kind can be dangerous and may result in injury and damage to property. Members and guests shall take personal responsibility for their own actions and participate in the Club's activities at their own risk.

15.2 Subject to rule 15.3 below, the liability of the Club and its Officers to any Member is limited to the net assets of the Club.

15.3 Nothing in these Rules shall limit or exclude liability:

- for death or personal injury caused by negligence;
- for any loss or damage caused by criminal or fraudulent conduct; or
- for any other liability which cannot lawfully be limited or excluded.

## **16. Alteration of this Constitution**

16.1 This Constitution may be altered by resolution at an AGM or Extraordinary General Meeting provided that the resolution is passed by a simple majority of the Members voting at the meeting, the notice of which contains particulars of the proposed alteration or addition.

## **17. Operational Rules**

17.1 The Committee shall have power to make, repeal and amend such rules as it may from time to time consider necessary for the wellbeing of the Club. The Operational Rules shall be documented and published by The Committee.

## **18. Finance**

18.1 All moneys payable to the Club shall be received by the person authorised by the Committee to receive such moneys and shall be deposited in a bank or building society account in the name of the Club.

18.2 There shall be at least two authorised persons for the bank/building society account at any time, which shall include the Treasurer and the Chairperson.

18.3 Any moneys not required for immediate use may be invested as the Committee thinks fit.

18.4 Subject to section 18.3, the income and property of the Club shall be applied only in furtherance of the objects of the Club and no part thereof shall be paid by way of bonus, dividend or profit to any Member.

18.5 The financial transactions of the Club shall be recorded in such manner as the Committee thinks fit by the Treasurer.

18.6 Full accounts of the financial affairs of the Club shall be prepared each year. The accounts must be published and readily accessible to every Member when the agenda for the AGM is published. Prior to publication the accounts are to be reviewed by a Member of the Club or other appropriate person, who is not a Committee member, and whom the Committee has agreed as an appropriate reviewer.

## **19. Dissolution**

19.1 A resolution to dissolve the Club shall be proposed only at an Extraordinary General Meeting and shall be passed only if carried by a majority of at least three-quarters of the Members voting.





19.2 The dissolution shall take effect from the date of the resolution and the members of the Committee shall be responsible for the winding-up of the assets and liabilities of the Club.

19.3 Any property remaining after the discharge of the debts and liabilities of the Club shall be paid to or distributed to another community amateur sports club for running or a charity to be decided by the Members voting at the Extraordinary General Meeting.