

# CLAYTON GOLF CLUB CONSTITUTION & BYELAWS

## Terms

AGM - Annual General Meeting, SM-Special Meeting, GM-General Meeting, EGM- Extraordinary General Meeting

## CONSTITUTION

Note- Any alteration to the Club Constitution Articles must be confirmed by a two to one majority vote at either an AGM or EGM.

### Article

1. **Name.** The Name of the club shall be **Clayton Golf Club**. (Hereafter known as “**The Club**”).  
The Club operates as an Unincorporated Members Association.
2. **Objectives.**
  - a) The Objectives of the Club shall be the provision of golf and related facilities, including competitions, for Members and Temporary Members.
  - b) The Rules of the Game shall be the Rules of the Royal and Ancient Golf Club at St Andrews with such other Local Rules upon which the Club Committee or appropriate sub-Committee shall decide from time to time.
  - c) Any profits or surpluses generated by Club activities shall be devoted to improvement and maintenance of The Club. No profits or surpluses shall be distributed to Members.
  - d) In the event of the Club being wound up, which would have to be instigated as a result of a member vote, any profits realised, after all disbursements, will be distributed evenly to all existing full voting members of not less than 10 years continuous membership.
  - e) The Club is strongly committed to the promotion of equal opportunities for all members of the community. The aim is to foster a club environment where individuals and groups are treated with dignity and respect. The Club shall, through its policies and procedures, ensure that individuals are not discriminated against on the grounds of gender, marital status, age, sexual orientation, social class, ethnic or national background, race, colour, disability or any personal attributes, including beliefs or opinions such as religious or political opinions. The Club expects all members to support the achievement of this.
3. **Management.**

**Trustees** - The property of the club (excepting cash which shall be under the control of the Treasurer) shall be vested in not more than three Trustees. The Trustees shall be indemnified against all claims, liabilities, and expenses out of the property of the club. The Trustees shall hold office until death, resignation or until removal from office by resolution at an AGM or EGM. If, by reason of any such death, resignation, or removal, it should appear necessary for such GM to appoint new or additional Trustees, then the meeting may nominate a person or persons to be appointed as new Trustee(s). For the purpose of giving effect to such nomination, the President is the person to appoint new Trustees of the club, and shall, by deed, duly appoint a person or persons so nominated as new Trustee(s) of the Club, and the relevant provisions of the Trustee Act 1925 and Trustee Act 2000 shall apply to any appointment so made. Every statement of fact in such Deed of Appointment shall be conclusive of that fact in

favour of any person dealing bona fide and for full value with the club.

**Club Committee:** The Governance of the Club shall be performed by the Club Committee whose powers shall cover all matters except acquiring and disposing of land and buildings. Such matters to be executed by the Trustees.

- a) The Club Committee shall consist of 7 officials of the club namely, President (chairperson), Vice-President, Lady Captain (Lady President as substitute), Captain, Vice-Captain, Secretary and Treasurer, plus the Team Leader from each of several sub-committee groups namely:
  - i. Development
  - ii. Greens
  - iii. Bar/House/Social
  - iv. Marketing & PR
  - v. Finance & HR
  - vi. Membership and Competitions
- b) Five members will form a quorum with not less than 3 being officials.
- c) The President/Chairperson will have the casting vote in all matters.
- d) In the event of a vacancy on the Club Committee the remaining members may, at their discretion, appoint another full playing member to complete the number until the end of the year.
- e) All Officials and members of the Club Committee must retire annually but are eligible for re-election.
- f) Nominations for Officials and Club Committee members must be for members ideally of not less than 2 years' standing although members with less than 2 years may be nominated with prior approval of the Committee. Their names must be entered on the sheet displayed in the Club for that purpose 7 days before the AGM together with the names of proposers and seconders. The proposers must be members of not less than 2 years' standing.
- g) The Club Committee may, at its discretion, make financial arrangements such as loans and credit arrangements with bona fide financial institutions for the benefit of the Club. Such arrangements to be agreed by the Club Committee and the Trustees.
- h) The Club Committee may, at its discretion, restructure the organisation of the Committee, with the permission of the Trustees, to enable better management of the Club.
- i) Sub-committee groups will be appointed by the Club Committee, these being Development, Greens, Bar/Social/House, Marketing & PR, Finance & HR and Membership & Competitions. Club Officials may be appointed as Team Leader of any of these groups.
- j) The Club Committee has the power to appoint Sub-Committees from its membership for specific duties.
- k) The Club Committee has power to make such Byelaws and Rules for the regulation of play and the use and management of the Clubhouse and Course, and any other matters, as it shall from time to time deem necessary. Such Byelaws and Rules shall be binding on all members.

#### 4. Meetings.

Note – Only Full, Intermediate and Senior Playing Members can vote in AGM and EGM meetings. All other club members may attend but have no voting rights. Motions can only be carried by a 2 to 1 majority in favour.

- a) **General Meeting (GM)** – A meeting of the Club Committee shall be held at least once a month.
- b) **Special Meeting (SM)** – A meeting of the Club Committee can be called at the discretion of the Officers of the Club.
- c) **Annual General Meeting (AGM)** - A meeting open to all Members shall be called by the Club Committee annually and as soon as possible following the receipt of the annual Auditor's report. A quorum for this meeting to be 25% of the full voting membership. The purpose of this meeting is to
  - Adopt/Approve the Annual Financial statement
  - Take reports from the Officers of the Club
  - Announce the rates of subscription for the new current year
  - Confirm/Approve Trustees
  - Confirm /Approve Auditors
  - Confirm /Approve the Committee
  - Questions and Answers
- d) **Extraordinary General Meeting (EGM)** – A meeting of this type shall be called by the Club Committee as circumstances dictate or on receipt of a written request signed by, at least, 25% of the full voting membership, clearly stating the purpose for which the meeting is requested. A quorum for this meeting to be 25% of the full voting membership.

#### Duties of Officers.

##### President.

- a) Represent the Club when required at Golf functions.
- b) Chair all meetings as listed in Article 4.
- c) Hold the casting vote in Club Committee meetings where applicable.
- d) Appoint the Trustees of the Club.
- e) Assist/support other Officers of the Club as required.

##### Vice President.

- a) To assist the President and act as substitute should the President be unable to conduct any of his duties

##### Captain.

- a) Represent the Club when required at Golf functions.
- b) Manage, in conjunction with the Greens Team, the golf course facility to a high standard within the confines of the financial budget and staff and equipment resources.
- c) Manage and organise, in conjunction with the Membership Team, competitions and events to take place on the course.
- d) Manage and organise, with assistance from duly selected members, the club teams and inter club events to ensure the club is properly represented.
- e) Agree annually and at other times when required, the calendar of events for the competitions and events, this to be published, where possible, on the Golf Club Web site.
- f) Report at the General meeting any business relating to the golf course and any external matters.
- g) Report at the AGM on matters relating to the course and Greens staff.
- h) Organise a Presentation Evening at the end of the Competition year.

##### Vice-Captain.

- a) To assist the Captain and act as substitute should the Captain be unable to conduct any of his duties

##### Treasurer.

- a) Oversee all monies due to the club from any subscriptions, entrance fees, competitions, green fees, bar and social or other events held in the Club's name, direct or indirect.
- b) Pay all regular amounts owing by the Club from the Club's funds. (Such as utility bills etc)
- c) Pay all other amounts owing by the Club from the Club's funds after same have been approved by the Club Committee.
- d) Bring to the notice of the Club Committee any accounts received which have not previously been approved and any other accounts being appreciably in excess of the amount approved.
- e) Submit a statement of the financial affairs and position of the Club at the GM and the AGM.
- f) Liaise with approved industry bodies to assist with the management of this function.
- g) Report the financial position of the club at the Monthly Committee meetings.
- h) Manage any legal requirements the Club may have such as contractual obligations, licences etc. and, in conjunction with the Administration Team, ensure these are fully complied with.
- i) Liaise with the appointed Accountants on all financial matters.

##### Secretary

- a) Organise any required meetings.
  - To summon any Meeting (except for a Special Meeting) at least 7 days before the date fixed for such Meeting and prepare the agenda for same. If possible, the agenda is to be advised to the members concerned.
  - To summon a Special Meeting (SM), as required, at not less than 24 hours notice.
  - To arrange the AGM.
  - To arrange any requested EGM meeting in accordance with the terms required. (See Article 4d)
  - To keep correct minutes of the proceedings at such Meetings, and to distribute the minutes as soon as possible and produce the said minutes at the next Meeting if appropriate.
  - Minutes for the GM to be produced within 7 days of the meeting.
- b) Manage any legal requirements the Club may have such as contractual obligations, licences etc., in conjunction with the Treasurer and ensure these are fully complied with.
- c) Deal with any correspondence and all matters requiring written communications in accordance with instructions given at the GM.
- d) Display a list of the Officers and Team Leaders in the Clubhouse.

- e) Display and/or communicate any relevant information to Club members as instructed by the Committee

## 5. Other functions - Duties

### Finance and HR Group

This group will be responsible for managing the clubs finance, including liaising with the Club's accountants, suppliers, Bank, and handling the staff payroll etc.

Responsible for working with the Club's HR provider to ensure the club and its employees operate under current Government regulations.

### Greens Group.

- a) Manage with the Captain and Head Green Keeper and within the allocated budget, all matters relating to the Golf course maintenance, equipment maintenance, expenditure, staff development and Health and Safety.
- b) Any structural changes proposed involving course re-design must be proposed and accepted by the Club Committee.  
e.g., new bunkers, greens, tees, layout, and tree removal.

### Membership/Competitions Group.

- a. Responsible for the management of the membership, i.e.
  - Maintain a list of members names and contact details which will be held at the Clubhouse.
  - Communicate with the membership when instructed to do so by the GM.
  - Manage new membership applications informing candidates of the outcome of their application. This to be notified in writing, and to furnish successful candidates with a Copy of the Rules of the Club whilst making clear that, until the subscription (plus entry fee or levy, if applicable) is paid, membership will not be active.
  - Inform new members of the options and how to make payment.
  - Be responsible for keeping an up-to-date list on the club's premises, showing the position, paid or unpaid, of individual members' subscriptions, also if any are in arrears.
  - Liaise with Treasurer on payment of subscriptions to County and Local affiliated Golf Unions.
- b. In conjunction with the Captain, organise club competitions for the benefit of the members.
- c. Manage the Handicap system in conjunction with the appropriate governing bodies and liaise with such organisations to provide a secure and accurate system.

### Bar/Social/House Group

- a) Manage the Club Steward, Bar staff and liaise with the Catering providers to enable a high level of service to be provided to the membership.

- b) Manage the facilities of the Clubhouse and report back to Committee on any issues arising or improvements to be considered.
- c) Be aware of any social functions planned and review with the Club Steward any issues for reporting to committee.
- d) Prepare an annual stocktake and provide to the Treasurer at the appropriate time.
- e) Review the hours of opening for the Club and make appropriate seasonal adjustments with the approval of the Club Committee. Such opening hours to be posted on the Clubs Web Site and communicated via email and/or social media.

### Development Group

- a) This group will be responsible for managing and monitoring the Club's constitution, working with **England Golf** on Women in Golf, Safeguarding and Equality and Diversity.
- b) Responsible for owning the overall relationship with England Golf to ensure we take advantage of any initiatives which may help the club develop in future.
- c) To review with relevant parties the IT function within The Club to ensure it is fit for purpose and that the Club is making best use its resources within a secure environment.

### Marketing & PR Group

- a) Deal with Marketing and Public Relations for the Club. This will include producing marketing and promotional materials, creating content and providing search engine optimization for the Club's website, monitoring, and managing social media, and producing internal communications.
- b) This group will promote both the recruitment and retention of golf members and maximise use of the Clubhouse facility working in conjunction with the Bar/Social/House Group.

## 6. Membership

- I. New members – All applications for membership must be made via the form available on the Club web site or obtained from the Steward.
- II. Objection/Expulsion - Any member wishing to object to a person becoming a member, or asking for the expulsion of an existing member, must advise the Membership Team Leader in writing, drawing their attention to this Rule 6ii). The Membership Team Leader must bring forward the matter at the next General Meeting. To uphold the objection/expulsion, there must be a two to one majority of votes cast. It is then the Membership Team Leader's duty to inform by letter the outcome to the member concerned and at the same time inform the member that an appeal against the Club Committee's decision may be made by asking the Membership Team Leader in writing, to call an Extraordinary General Meeting. To confirm the Club Committee's action, this EGM must pass by a two to one majority on actual votes cast by ballot.

- III. Withdrawal of membership - Any member may resign on giving notice in writing to the Membership Team Leader. All arrears must be paid in full.
- IV. Re-joining - Former members wishing to re-join after missing not more than two annual subscriptions shall take precedence in the waiting list. They shall be liable to pay an entrance fee and/or levy if such have been imposed in the meantime. Special introductory offers will not apply.
- V. Closing List - The membership list may be closed without notice if the Club Committee considers the Club has sufficient members in any section
- VI. Honorary Members - This is the highest honour the Club can confer on one of its members for past services and can only be conferred by a unanimous decision of the Club Committee. The Membership Team Leader must advise, by letter, the appointment to the member, and report the appointment at the AGM.
- VII. Life Membership - Any member may apply for this type of membership, but it is subject to approval by the Club Committee. Life membership may be purchased for the sum of ten years' subscription at current full playing rates.
- VIII. Temporary suspension of membership – requests for temporary suspension of membership will be considered on a case by case basis but will only be granted in exceptional circumstances (e.g. severe health conditions) and would only be for a maximum period of 12 months.

## 7. Visitors (Green Fees)

The Club Committee may admit visitors to the amenities of the Course and Clubhouse on the payment of such green fees as are fixed from time to time by the Club Committee. A visitor shall enter his/her name in the Visitors' Book held in Reception or may use the online booking system on the Club's web site.

Visitors must comply with the Byelaws of the Club.

## 8. Subscriptions

The annual subscription shall become due on the anniversary of joining, Payment may be made in full or in instalments by direct debit. In all cases, failure to pay in full by the due date or keep up to date with monthly payments will result in Membership being deemed to have lapsed.

### **Classes of subscription are:**

**Full** – Full playing and voting rights.

**Senior** – age 65 and over. Full playing and voting rights.

**Intermediate** – ages 17 to 28 inclusive, full playing and voting rights.

**Junior** – Up to and including 16 years of age, no voting rights.

**5 day** – Mon – Fri playing rights, no voting rights.

**Second Club** – must hold full membership at another affiliated club, cannot compete in Club competitions. No voting rights.

**Country** – Residence must be more than 40 miles from the Club, cannot compete in Club Silver competitions. No voting rights.

Rates applicable will be reviewed annually, at the AGM and posted on the Club's web site.

From time to time the Committee may introduce special introductory offers to encourage new memberships.

Entrance Fees or Levies may be instituted to raise funds, but these must be voted on at either an AGM or EGM and passed with a majority of 2 to 1 from those entitled to vote at the meeting.

Annual subscriptions are deemed voluntary for club officials performing the roles of President, Captain, Lady Captain, Secretary and Treasurer and also for the role of Competition secretary. This is to recognise the time, effort and expense incurred in undertaking these roles.

## 9. Club activities

The Club will be open for social activities. These may be Club socials, course events or external room bookings. These must be booked via the Club Steward who will be responsible for the management of same including close liaison with the in-house Catering Service.

Particular attention will be paid to Health and Safety procedures in such activities. (i.e. numbers and catering requirements)

Unless previously advised and with the agreement of the Committee, (see Byelaw b) ii) the Clubhouse premises must remain open for members during any social activities. For external room bookings every effort will be made to cater for members in the 19<sup>th</sup>.

Any booking agreed and confirmed will be honoured by the Club unless, in exceptional circumstances, the Committee agree otherwise.

## 10. Communication

The Club will communicate with the membership in the most cost effective and efficient way available. This will involve extensive use of the Clubs web site, social media, or email. Letter or telephone may be used if the aforementioned proves ineffective.

## BYELAWS

**Note** –Alterations to these BYELAWS can be made at any meeting of the Club Committee. These BYELAWS should be observed in addition to the Club's Policies which can be found on the Club's website.

### **Club Policies and Procedures.**

The Club aims to be compliant with current legislation in all areas. Separate policies are available on the Clubs Web site covering.

- Safeguarding
- Equality and Diversity
- Women in Golf Charter
- Social Media
- Volunteering
- Code of conduct - Members

### **a) Golf**

- i) The Rules of the Game shall be the Rules of the Royal and Ancient Golf Club at St Andrews with such other Local Rules upon which the Club

Committee or appropriate sub-Committee shall decide from time to time. The Captain of the Club shall be the referee as to the meaning of the Rules of Golf and the Special Local Rules. In his absence responsibility falls to the Vice-Captain or any member of the Competitions sub-Committee.

- ii) The Golf course shall be open for play (weather conditions permitting) to members daily from dawn to dusk.  
Tuesday is Ladies Day and as such Ladies have priority on the course.  
Saturday and Sunday are competition days.  
At times, and with the agreement of the Committee, the course may be closed for events and/or course maintenance and development. At such times at least 2 weeks' notice will be given to members by notification on social media/email.
- iii) Dress code – Smart golf attire must be always worn. Under no circumstances will trainers or jeans be permitted while playing golf.
- iv) Excessive consumption of alcohol will not be permitted on the golf course.
- v) Golfers must play at a good pace and observe the rules of golf etiquette.
- vi) All golfers are expected to ensure that they are adequately insured against the risks of damage or injury to other parties whilst playing golf. Golf insurance is provided by England Golf for members. There is no excess in respect of personal injury claims, and just a £500 excess in respect of damage to third party.
- vii) Any damage/injury caused or received should be reported to the Committee or a member of staff immediately. This to include damage to the Clubhouse and outbuildings, golf course, car park and adjoining private property.

## b) Club House

- i) **Locker Rooms** – The Locker Rooms shall be open to members daily from dawn to dusk). The Locker rooms must be always kept tidy. On no account will it be permitted to leave golf equipment in open areas or on top of lockers. Measures will be taken to remove and dispose of offending equipment. Members are requested to help keep the area secure by ensuring internal and external doors locks are always engaged.
- ii) **Club House and Bar** – Hours of opening will be published on notice boards and on the Club web site and/or notified from time to time via social media /email. The Club Committee has the power to amend these opening times as the situation dictates by giving seven days' notice to members by notification on social media/email.
- iii) **Catering** - The availability of catering services and menus will be published in the Clubhouse and notified on social media/email and the Club website.

iv) **Dress code** in the Clubhouse is Smart Casual. (Workwear is not acceptable in the main lounge after 7pm. Spiked and soft spiked Golf shoes are not permitted in the Clubhouse.

## v) Behaviour

It is expected that all members and guests will behave with an acceptable standard of behaviour. The Club Steward has the right to warn and ultimately eject (ask to leave), any person who displays unruly or offensive behaviour including the use of abusive language. Dependant on the severity of such incident(s), membership of the Club may be suspended/ terminated, or non-members barred from the Club.

**Members and Guests** bringing children into the Clubhouse remain responsible for their conduct and behaviour. Younger children must be always supervised and must not be allowed to roam onto the golf course and putting green for safety reasons.

**The Club** has a zero-tolerance policy to drug use on its premises. Any person found using drugs will be asked to leave the Club premises. Any member believed to be in breach of this policy will be suspended pending investigation which may result in membership being terminated if found to be in breach of this rule.

## c) Competitions

- i) Members wishing to enter club competitions must enter their name on the start sheet **prior** to starting their round and pay the competition entry fee accordingly. In all cases, members must submit their completed scorecard in the competition box even if marked "no return". Failure to do so on 3 consecutive occasions will result in an automatic ban from the next official club competition.
- ii) Members wishing to enter "Club Silver" competitions must ensure they hold a bona fide handicap.
- iii) Rounds in knock out competitions must be completed by the stated completion dates unless previously agreed by the Competition secretary or Club Captain.

## d) Fire Regulations

- i) Members and Guests should familiarise themselves with the location of Fire Exits and fire meeting points and should ensure that they do not obstruct fire exits or leave fire doors wedged open.
- ii) The alarm should activate as soon as a fire is noticed. Members and Guests must leave by the nearest exit available. On no account, should this be delayed by collecting personal belongings.

**e) Smoking**

Smoking is not permitted in the Clubhouse or patio area. Designated smoking areas are clearly marked.

**f) Car Parking**

- i) Members and Guests should not park their vehicles in spaces designated for Club Officials or the Disabled.
- ii) Parking in front of any doors or entrances is not permitted.
- iii) The Club does not accept any responsibility or liability for vehicles parked on its premises.

**END**