

## **FLIXTON GOLF CLUB**

### **RULES**

These rules were adopted by the Club on 21st September 2009 and include amendments by the Club up to and including, 17<sup>th</sup> October 2024. They are operative as of 17<sup>th</sup> October 2024.

These Rules shall supersede any former Rules of the Club.

#### ***Preliminary***

1. The Club shall be called 'Flixton Golf Club' (in these Rules hereafter called the 'Club').
2. The object of the Club is to provide facilities for and promote participation of the whole community in the sport of golf.
3. The Clubhouse of the Club shall be at Church Road, Flixton or at such other address as the Members may in General Meeting determine.
4. The Income and Property of the Club shall be applied solely towards promoting the Club's objects as set forth in this constitution and no portion thereof shall be paid or transferred, directly or indirectly, to the Members of the Club.

#### ***Membership***

5. Membership of the Club shall be open to anyone interested in the sport on application regardless of sex, age, disability, ethnicity, nationality, sexual orientation, religion or other beliefs, as per the Equality, Diversity, and Inclusion policy, However membership may be limited according to available facilities on a non-discriminatory basis.
6. (a) The Club may **refuse membership** or expel from membership only for good and sufficient cause, such as conduct or character likely to bring the Club or sport into disrepute. Appeal against such a decision may be made to separate appeals panel and decided by a majority vote.  
(b) Each person becoming a member thereby agrees to be bound by these Rules and such other Rules as may from time to time be adopted.
7. (a) Every candidate for membership shall attend an informal meeting with the Club Captain and Honorary Secretary to discuss the membership structure.  
(b) Prospective members will be admitted in the order in which their respective names appear on the waiting list.
8. (a) On the election of a new Member the Honorary Secretary shall give them notice thereof and request them to pay their annual subscription to the Honorary Treasurer.  
(b) No Member shall enjoy any of the benefits or privileges of the Club until the annual subscription has been paid or is being paid, and if such payment or payments are not made by the due date of being demanded then their Membership shall become void and of no effect.

9. (a) Each Member of the Club by the act of becoming or remaining a Member undertakes that if the Club is wound up during their membership or within one year of ceasing to be a Member they will contribute a share of the debts and liabilities of the Club including the costs of such winding up, such share to be calculated pro-rata to the number of Members of the Club one year prior to the date of resolution to wind up the Club.
- (b) Each Member or new Member shall loan to the Club such sum as may from time to time be approved by the Members at an Extra Ordinary Meeting and such loan shall be secured by the issue to the Member or Members of Debentures to be issued by the Club. Such loans may at the discretion of the Council be repaid on the death or within six months of the resignation of the Member or at such times as the Council deem appropriate.
- (c) Each Member or new Member by the act of remaining a Member or joining the Club undertakes to pay to the Club when called upon to do so by the Council a sum (Calculated by reference pro-rata to the number of Members of the Club one year prior to such call by the Council to assist in discharging any personal liability of a Trustee or Trustees of the Club (as hereinafter defined) incurred by a Trustee or Trustees in relation to their guarantee or guarantees of the Club's liabilities pursuant to the Rules hereinafter contained.
10. (a) Fees, except subscriptions of the Club shall be determined from time to time by the Council.
- (b) Notice of any alteration to fees shall be posted on the notice board in the Clubhouse.
11. (a) The annual subscription for all classes of membership shall be determined at the Annual General Meeting of the Members or at such Extra Ordinary General Meeting convened for that purpose.
- (b)** Subject to the provisions of rules 11(c), 11(d) and hereof annual subscriptions shall be payable on or before the 1<sup>st</sup> April.
- (c) Alternatively, subscriptions may, at the discretion of Members be paid in two equal instalments, on or before the 1<sup>st</sup> April and on or before 1<sup>st</sup> September.
- (d) Members also have the option of paying their subscriptions in monthly instalments, through a scheme approved by the Golf Club. Members wishing to use this facility should apply directly to the Treasurer before 1<sup>st</sup> April.
- (e) Any Member whose subscription or any instalment thereof remains unpaid after becoming due shall cease to be a Member. Nevertheless, such a Member will still be liable for the subscription due and the Honorary Treasurer will be empowered to request the Club's Solicitor to apply to the County Court for recovery of the debt. However, if the payment of all the arrears, including costs are made then the Member may be re-instated at the Council's discretion.
- (f) Members elected after 1<sup>st</sup> April in any year shall pay a pro-rata subscription based on the number of months remaining.
- (g) The Club's Honorary Secretary and Honorary Treasurer receive an annual Honoraria, which shall be voted at the Club A.G.M.

12.
  - (a) The Council may at its discretion confer social membership on any applicant.
  - (b) Social membership shall confer the right to use only the facilities provided within the Clubhouse.
  - (c) Members Partners irrespective of their category of membership shall be accorded Social Membership.
  - (d) Social members shall not be entitled to vote save in the circumstances referred to in Sub Clause (f) of this clause.
  - (e) Social members shall not be entitled to play the course except on payment of the appropriate green fee.
  - (f) Members who have enjoyed at least 25 years continuous membership of the Club may if they so wish transfer to Social membership and retain full voting rights.
  - (g) Members transferring to Social membership may, at the discretion of the Council, be afforded complimentary Social membership. This may also be applied to partners of deceased members.
  
13. Membership (excluding Juniors and Social will consist of 7-Day, 6-Day and 5-Day categories.  
7-Day Members will pay the current full subscription and play Monday to Sunday.  
6- Day Members will pay 80% of the full subscription and play Sunday to Friday.  
5-Day Members will pay 70% of the full subscription and play Monday to Friday.  
5-Day Members whilst entitled to participate in Open and Charity Competitions held on a Sunday, are not eligible to enter the Club's Sunday Competitions.  
Access to play for all categories may be subject to restriction when tees are reserved for matches, competitions, societies or the course is closed for special events.
  
14.
  - (a) Young Persons under 18 years of age are eligible to become junior members.
  - (b) The number of junior members shall be at the discretion of the Council.
  - (c) Junior members shall be permitted to use the Club premises at times prescribed by the Council and shall pay such subscription (and levy) as the Council may from time to time decide.
  - (d) Junior members shall not be entitled to vote.
  - (e) Junior members shall be allowed to compete in such competitions as the Council may from time to time decide.
  - (f) Young Adults who join after their 18<sup>th</sup> Birthday and Juniors attaining the age of 18 become Young Adult playing members (7 day). The fees for Young Adults (7 day) playing members aged 18 to 30 will be based on 3 bands that will become effective on 1<sup>st</sup> April 2024. The bands will cover the age groups 18 to 21 - £350, 22 to 26 - £500 and 27 to 29 - £725, thereafter the charges will be subject to the same increase applied to other subscription categories.  
Young Adult members will be entitled to vote at AGM's/EGM'S and be eligible to play in all club competitions including the majors.
  
15.
  - (a) Any former member of the Club or any Member of another Golf Club residing more than thirty (30) miles away from the Clubhouse may be elected a Country Member.
  - (b) Any current Member of the Club residing more than thirty (30)

miles from the Clubhouse may apply for Transfer of category of membership to that of Country Member for a minimum period of twelve months and may be considered for transfer back on 1<sup>st</sup> April in any year.

(c) Country Members shall not be entitled to take part in any competition of the Club.

(d) Country Members shall not be entitled to vote at any meeting of the Club.

16. (a) The Past Presidents, Men's Captain and Lady Captain shall nominate the Club Vice-Presidents; these nominations shall be ratified at the Club's Annual General Meeting. Nominees shall have been playing members of the club for five continuous years
- (b) The Club President shall be nominated from the Vice-Presidents' list in the first instance and then open to qualifying members of the Club and ratified at the Club's Annual General Meeting.
- (c) The Men's Captain shall nominate the Men's Vice-Captain (Captain elect). If the Men's Captain fails to nominate a Vice-Captain, then the Past Captains will meet to nominate a Vice-Captain: the nomination shall be ratified at the Club Annual General Meeting. Nominees shall have been playing members of the club for five continuous years.
- (d) The Club Captain shall be either the incumbent Men's Captain or Ladies' Captain.
- (e) The Past Lady Captains and the Lady Captain shall nominate the Lady Vice-Captain (Lady Captain elect): the nomination shall be ratified at the Club Annual General Meeting.
- (f) (i) The Ladies Section shall nominate their own Officers and Committee at the Annual Meeting of the Ladies Section: these nominations shall be ratified at the Club Annual General Meeting.
- (f) (ii) That the Lady Captain and Committee shall manage and conduct all matters relating to the Ladies Section, including disciplinary matters, except where there may be a case for expulsion. A Quorum shall consist of two thirds of the Ladies Committee and must include the Lady Captain (or her nominee).
17. (a) On the recommendation of the Council any person may be elected an Honorary Life Member of the Club.
- (b) Such election shall take place at the Annual General Meeting of the Club or at an Extra Ordinary General Meeting thereof convened for that purpose.
18. (a) Any Member intending to resign or change category of membership must give notice in writing of such intention to the Honorary Secretary before 1<sup>st</sup> February in any year otherwise they will be liable to pay their annual subscription for the next year.
- (b) The Notice specified in Sub-Clause (a) of this Rule must specify the date on which the resignation shall take effect.
- (c) Such Member shall continue to be liable for any annual subscription due and unpaid by them at the date of their resignation.
19. Flixton Golf Club has formally adopted and approved England Golf Equality Diversity and Inclusion policy, current copies of which are published on the clubs notice board and available to view through the online club V1 software app under documents.
- Any future amendments to this policy will be determined by the Flixton Golf Club Council in keeping with England Golf's recommendations and/or changes to UK

legislation.

20. Flixton Golf Club has formally adopted and approved England Golf's recommended disciplinary procedures, copies of which are available to view in the procedure folder maintained in Flixton Golf Clubhouse as well as through the online club V1 software app under documents. Any future amendments to this policy will be determined by the Flixton Golf Club Council in keeping with England Golf's recommendations and/or changes to UK legislation.
21. a) The Management of the Club shall be vested in the Council consisting of the Captain, President, Immediate Past, Captain, Vice- Captain, Honorary Treasurer, Honorary Secretary, Lady Captain, Lady Vice Captain & Chairs of Men's committees The Captain, President and Lady Captain will serve for their 12 months in office. The Vice Captain/Lady Vice Captain will serve for 24 months including his/her 12 months as Captain/Lady Captain. Committee chairpersons will serve for 24 months on the relevant committees.  
The two other members to serve on each committee will be selected by the relevant chairperson of that committee and with the approval of the council. Should a chairperson of any of the three committees be unable to attend a council meeting he/she may nominate one of the committee to attend instead.
- (b) A vacancy on the Council arising as a result of the death or resignation of an elected Member of the Council shall for this purpose be treated as a casual vacancy and may be filled by the Council until the next Annual General Meeting.
- (c) The Council shall have the power to co-opt Members to the council.
22. (a) Any two Members of the Club may nominate any Member or Members to serve on the Council having first obtained the consent of such Member or Members to the nomination.
- (b) The name of each Member so nominated together with the names of those nominating them shall be either:
- (i) entered on the nomination sheet posted in the Clubhouse for that purpose not later than 21 days before the Annual General Meeting.
- (ii) posted to the Honorary Secretary at least ten days before the date of the Annual General Meeting.
- (c) The Honorary Secretary shall forthwith enter such name or names received, on the nomination sheet.
- (d) The nomination sheet shall be closed seven days before the date of the Annual General Meeting.
- (e) The Council is hereby empowered to do all things necessary for the efficient management of the Club including (without prejudice to the generality of the foregoing) the power to make By-laws, Local Rules and Regulations (within the Rules of Golf) and to give proper directions to the Trustees and individual Officers of the Club.
- (f) All By-laws and Regulations so made by the Council shall be binding on every Member and on every other person using the course.
- (g) The Council shall meet at such times and places as they may themselves decide.
- (h) Any five Members of the Council may at any time by notice in writing posted to the Honorary Secretary require the Hon. Secretary to call a meeting of the Council within 14 days and the Honorary Secretary shall in those circumstances give not less than seven days notice in writing to each Member of the Council of the intention to hold such meeting.
- (i) At all Council meetings six or more shall form a quorum.

- (j) In the event of an equality of voting at a meeting of the Council the Chairperson thereof shall have a second or casting vote.
  - (k) The Club Captain shall preside at all meetings of the Council and in the absence of the Club Captain another Member of the Council shall be elected as temporary Chairperson.
- 23.
- (a) The President of the Club shall preside at all meetings of the Club (other than Council meetings) and in the President's absence another Member of the Council shall be elected as temporary Chairperson.
  - (b) The Annual General Meeting of the Club shall be held in the month of March in each year, but not later than the 24<sup>th</sup>.
  - (c) The President, Vice-President, Mens' Captain, Ladies' Captain, Club Captain, Men's Vice-Captain, Ladies Vice-Captain, Honorary Treasurer, Honorary Secretary, Council Members, Ladies' Committee and Trustees shall be appointed at the Annual General Meeting and the audited balance sheets and accounts of the Club shall be presented for adoption at the Annual General Meeting.
  - (d) The Honorary Secretary shall give all Members who are entitled to vote not less than 14 days notice in writing of the Annual General Meeting.
  - (e) At all General Meetings (including the Annual General Meeting) 25 or more shall form a quorum.
  - (f) The Council may call an Extra Ordinary General Meeting of the Club at any time and shall be bound to call such meeting on receipt of a written request to this effect signed by not less than 15 members of the Club.
  - (g) At an Extra Ordinary General Meeting the subject specified for that meeting (and that subject only) shall be discussed.
  - (h) At an Extra Ordinary General Meeting all matters shall be decided by a simple majority of those present and voting except where otherwise provided in these Rules.
  - (i) In the event of an equality of votes cast at an Extra Ordinary General Meeting or at the Annual General Meeting the Chairperson thereof shall have a second or casting vote.
  - (j) The Honorary Secretary shall give all Members who are entitled to attend and vote not less than seven days written notice of an Extra Ordinary General Meeting.
  - (k) If the Council is required by the Members to call an Extra Ordinary General Meeting it shall be called by the Honorary Secretary within 28 days of the receipt by him of a request from the Members pursuant to the foregoing provisions of this Rule.
- 24.
- (a) The Honorary Treasurer shall receive or otherwise make satisfactory arrangements for the receipt of all monies due to the Club and shall pay all accounts payable by the Club subject to such payment being confirmed by the Council or any Committee of the Council. The Honorary Treasurer shall submit to the Council each month a report on:
    - (i) All payments made other than for bar account purchases.
    - (ii) Wage awards.
    - (iii) Such other matters appertaining to the finances of the Club.From information supplied by the Chairperson of the respective Committees and relevant Council decisions, statement of income and expenditure (known as the Budget) shall be prepared for approval by the Council. Such Budget,

duly amended as necessary shall form the basis for the review of subscriptions, etc., and shall be submitted to the Members for their consideration.

- (b) The Honorary Treasurer shall submit a statement of Income and Expenditure and a Balance Sheet at each Annual General Meeting.
  - (c) The accounts shall be audited by Professional Auditors nominated by Council and approved at the previous Annual General Meeting.
25. The Honorary Secretary shall record in writing all proceedings of the Club and Council and shall conduct the correspondence of the Club and have custody of all the Club's documents. The Honorary Secretary shall make available to Members a book for the purpose of receiving complaints and suggestions from Members and shall at each meeting of the Council submit complaints and suggestions book for consideration of the Council.
26. (a) The property of the Club (including the course) shall be vested in up to four Trustees who shall hold the same for the use and benefit of the Club.
- (b) The Trustees of the Club are:
    - (i) J. Barrow
    - (ii) D Lomax
    - (iii) R. Anderson
    - (iv) C Mulhearn
  - (c) The number of Trustees shall never be more than four nor less than two.
  - (d) On the death or resignation of a Trustee a further Member shall be elected to take the place of the deceased or resigning Trustee and such Member shall be elected at an Annual or Extra Ordinary General Meeting of the Members of the Club convened for that purpose.
  - (e) No person may be elected as a Trustee unless he/she has served the Club in any of the following positions:
    - (i) Club Captain
    - (ii) Captain
    - (iii) President
    - (iv) Honorary Secretary
    - (v) Honorary Treasurer
    - (vi) Lady Captain
    - (vii) Have been a Member for ten or more (consecutive) years standing and have served on the Council / Ladies Committee for a period of two years or more.
  - (f) The Trustees shall act as Guarantors of the Club's obligations to its creditors and other financial institutions in relation to the purchase of the course and the Clubhouse and shall comply with all reasonable requirements of the Club's bankers in this regard.
  - (g) The Trustees shall at all times be indemnified by the Club and its Members in respect of any liabilities of the Trustees arising under the foregoing Sub- Clauses of this Rule.
  - (h) In addition to their duties as above defined the Trustees shall
    - (i) Use reasonable endeavor's to ensure that any loans will be repaid in accordance with the creditors reasonable requirements.
    - (ii) ensure that all assets belonging to the Club are

satisfactorily maintained externally.

(iii) Although the general day to day management of the Club shall be the responsibility of the Council, the Trustees shall have the right to review any items of Club expenditure which in their opinion are unusual or extra ordinary and the Trustees may if they think fit refer such unusual or extra ordinary items of Club expenditure to an Extra Ordinary General Meeting of the Members of the Club convened for that purpose.

(iv) The Trustees shall request the Honorary Treasurer to invest any surplus funds of the Club in such manner as they think fit but subject to the approval of the Council and any disagreement in this regard can if necessary be resolved by a Special or Extra Ordinary General Meeting of the Members of the Club convened for that purpose.

27. Further Trustees shall be appointed as and when necessary by the Members at the Annual General Meeting from among those ordinary Members qualified and willing to serve as Trustees.
28. The first Trustees of the Club shall hold office for a period of two years from their appointment unless they die or resign or are removed from that office by the Members in General Meetings but thereafter they shall retire singly and annually by rotation but may stand for re-election.
29. On the appointment of a new Trustee or Trustees the other Trustee or Trustees shall forthwith take all lawful and proper steps to procure the vesting of the Club's property into the names of the Trustees as constituted after the appointment of such new Trustee.
30. The Trustees shall have power to sell, lease, mortgage or pledge any Club property for the purpose of raising or borrowing money for the benefit of the Club but in this regard the Trustees shall in all respects act in compliance with lawful and proper directions of the Members as expressed by them in General Meeting but no purchaser, lessee, or mortgagee of or from the Trustees shall be concerned to see whether any lawful or proper directions have been given as aforesaid by the Members in General Meeting.
  - (a) In circumstances where the sale of land that has been identified by the Council in conjunction with the Trustees but only where such land does not adversely affect the members playing experience of the course the Trustees shall have power to sell such land for the benefit of the Club without the requirement for a further General Meeting providing the following conditions are met:
    - (1) Any defined plot would not be in such a position that would encroach on the course and affect the playability for the members during normal golfing conditions.
    - (2) The sale is financially advantageous to the club based on previous, sales, comparable evidence, and market valuations.
    - (3) Adequate provision is made for the drainage from the course.
    - (4) Adequate protection is made from future development of the plot.
    - (5) Council approved fencing/hedging is used to create the new boundary.
31. (a) If the number of Members of the Club shall at any time fall below ten or if the Club in General Meetings shall by a two thirds majority of Members present and voting pass a resolution of its intention to dissolve the Club the Trustees shall



take all reasonable steps to convert into money all the property of the Club.

(b) Out of the proceeds of such conversion the Trustees shall discharge all the Club's debts and liabilities including the expenses of such conversion and any balance remaining shall pass to either:

- a) Another registered Community Amateur Sports Club
- b) The Club's Governing Body (English Golf Union) for use by them for related Community Sports
- c) A registered Charity

32. Subject to any restrictions, which may from time to time be imposed by the Council, the following persons shall be entitled to admission to the Club premises to be supplied with and / or sold alcohol for consumption on the premises:

1. Golfers on payment of the appropriate green fee and members guests.
2. Those taking table meals at the Club premises.
3. Those attending any function organised by the Club.

(a) Intoxicating liquor may be supplied during such hours as the Council may from time to time determine (subject to Rule 39(b)) to Members and also to non-Members of the Club attending at the Club premises being aged 18 years and over or such other age as shall be permitted by law, when functions have been authorised by the Council provided that:

- (i) Such function is a function of a sporting nature involving attendance at the Club premises of Members and supporters of visiting teams provided they are Members and supporters of such teams and officials.
- (ii) Special functions organised by a member or individual sections of the Club whose officials or individual members of the Club must be present and are responsible for such function provided that such function is approved by Council and Minuted in advance.
- (iii) Such other functions as not provided for in sub-paragraphs (i) and (ii) above, provided that such function is approved by Council and Minuted in advance.
- (iv) All proceeds received from any such function as mentioned above (iii) above shall be paid to the Club or organising section.
- (v) Members of any Club Committee formed for any purpose of organising any function as mentioned in sub-paragraphs (i), (ii) and (iii) above or any individual Club Member organising any such function as mentioned in sub- paragraphs (i), (ii) and (iii) above shall be responsible to the Council for the conduct of all persons attending such functions. The Council shall at all times have overall responsibility.
- (vi) On the occasion of any of the functions mentioned in sub-paragraphs (i), (ii) and (iii) hereof, no person shall under any circumstances take off the premises intoxicating liquors.

(b) Any Member may introduce up to three playing visitors on entering their names in the Green Fee book but such visitors shall not be entitled to use the course or Clubhouse until after the prescribed fee has been paid. Such visiting golfers having paid the green fee may purchase intoxicating liquor from the bar and enjoy other privileges of the Club as the Council may from time to time determine.

(c) Any Member may introduce up to four visitors to the Clubhouse on entering their names in the Visitors Book and such visitors may then purchase intoxicating liquor from the bar and enjoy other privileges of the Club as the

Council may from time to time determine.

33. The Rules of Golf in use for the time being by the Royal and Ancient Golf Club of St. Andrews except in so far as they are modified by these Rules or by a decision of the Council shall be the Rules of Golf for the purposes of this Club.
34. (a) The Council/Ladies Committee shall fix the dates, types and times of all competitions and all prizes to be presented by the Club and shall be purchased by or at the discretion of the Council/Ladies Committee.  
(b) Other than Captains Day and Presidents Day, which shall take place on the day of the competition, all other male competition presentations shall take place at the discretion of the Council. The time and date of the presentation will be given on the competition starting sheet.
35. All complaints and suggestions of Members must be entered in the book provided for such purpose and in relation to any such complaint or suggestion by a Member the decision of the Council shall be final.
36. (a) Each Member shall keep the Honorary Secretary informed of their private address or of some other address at which communications may be sent to them and any notice of other communications sent to a Member at the last such address notified by them to the Honorary Secretary shall be deemed to have been received by such a Member.  
(b) Notices or papers of any kind other than those relating to competitions or handicaps may not be posted in or removed from the Clubhouse or the Notice Board except by the Honorary Secretary and Honorary Treasurer.
37. A Member must pay every expense incurred in the Clubhouse and on the course by them or their visitors before leaving.
38. (a) The Club premises shall be open daily from 08.30 hours to 23.59 hours but may at the discretion of the Council be opened or closed earlier or later.  
(b) The permitted hours for the supply of intoxicating liquor in the Clubhouse shall be determined in accordance with the licensing laws.
39. (a) These Rules shall be altered only at the Annual General Meeting or at an Extra Ordinary Meeting called for that Purpose.  
(b) Any proposed alteration to these Rules must be sent in writing to the Honorary Secretary not less than 21 days before such meeting and a copy of the proposed alteration or alterations shall be sent to each Member who is entitled to vote not less than seven days before such meeting.  
(c) Each alteration in the Rules when made (including any alteration involving increases in the annual subscriptions payable by Members and others) shall be binding upon all Members of the Club whether elected before or after the making of such alteration or alterations.
40. If any prosecution shall be taken against any Council member / members for any act or omission in carrying out the rules of the Golf Club, or on any Club business then they shall be defended by, and at the entire expense of the Club.

**17<sup>th</sup> October 2024**