



# **Club Constitution and Bye-laws**

**Larkspur Park Sports Club  
October 2024**

**Date of Approval: 30<sup>th</sup> October 2024**

**Amended:**

# **CLUB CONSTITUTION**

## **INTERPRETATION AND PRELIMINARY**

In this Constitution the following words and expressions shall have the following meanings:

- “Club” means Larkspur Park Sports Club and Larkspur Park Sports Club CLG.
- “CLG” means Larkspur Park Sports Club Company Limited by Guarantee
- “Child Protection Guidelines” means the Child Protection Legislation and Guidelines issued by the relevant authority in Ireland as adopted by the Club and amended from time to time.
- “Code of Ethics” means the Code of Ethics and Good Practice for Sport published by the relevant regulatory authorities in Ireland as amended from time to time.
- “Companies Act” means relevant provisions of the Companies Act 2014 issued by the relevant regulatory authorities as amended from time to time.
- “Central Committee” means the Officers and members of the Larkspur Park Central Committee of the Club for the time being.
- “General Meeting” means an AGM or EGM as the case may be.
- “Section” means each of the organisations that manage Badminton, Pitch and Putt and Tennis Sports played in the Club or any other sporting organisation which may be established under this constitution. Each Section is managed by the relevant Section Committee and has autonomy in the governance of its own sporting activities within the Club.
- “Special Majority” means two thirds (rounded to the nearest whole number) of those present and voting.
- “Park” means the land, premises, buildings, assets and infrastructure at the location of the Club.

## **NAME AND LOCATION**

1. The club shall be called Larkspur Park Sports Club, Cashel or as gaeilge “Cumann Cluichiochla Pairc Larkspur, Caiseal Mumhan”.
2. The Club shall be located at Lower Green Cashel Co. Tipperary and/or such other location(s) as may from time to time be decided by Members by Special Majority at a General Meeting of the Club

## **AIMS**

3. The main objects of the Club shall be:
  - 3.1 to promote the health and welfare of members through active participation in the sports of Badminton, Pitch & Putt, Squash, Tennis and such other sports that as may from time to time be organised.
  - 3.2 provide, maintain, manage and regulate the use of facilities for the playing of the sports above and ancillary training facilities, club premises and social facilities for Members of the Club and its constituent Sections
  - 3.3 To provide a community hall for utilisation by people in the Cashel area and to provide such facilities as is deemed necessary to support the above activities.
  - 3.4 To organise and promote games, entertainment and social activities for the members of the club
4. In pursuance of the above main object(s) the Club shall have the following subsidiary objects:
  - 4.1 To promote social inclusion and advance the wellbeing, cultural and physical welfare of the community.
  - 4.2 To carry out the business of the club in a manner which is open, transparent and accountable to all Members and for the common good.
  - 4.3 To promote, through its rules and regulations, adherence to the Code of Ethics, Child Protection Guidelines and, to the Companies Act

## **POWERS**

5. The Club shall have the following powers which are exclusively subsidiary and ancillary to the Main Object(s) and which powers may only be exercised in promoting the Main Object. Any income generated by the exercise of these powers is to be applied to the promotion of the Main Object:
  - 5.1 To take into membership all persons who in the discretion of the Central Committee are suitable.
  - 5.2 The club shall operate a company limited by guarantee named Larkspur Park Sports Club C.L.G. (the CLG). The Club shall vest in the CLG powers as laid out in a company Memorandum and Articles of Association adopted by a special majority at a General Meeting of the Club and appended to this Constitution (Appendix 1)

- 5.3 To insure any or all the Central Committee Members against personal liability incurred in respect of any act or omission which is or is alleged to be a breach of trust or breach of duty, provided he or she acted in good faith and in the performance of his or her functions.
- 5.4 To determine any matter referred to the Club under the provisions of the Rules and decide any dispute between its members if called upon to do so.
- 5.5 To levy, charge, collect and receive subscriptions, levies, fees and other payments from persons whether members or not and expend the same in furthering all or any of the objects of the Club or providing for the expenses of the Club;
- 5.6 To do all such things as may to the Club in its absolute discretion be deemed incidental and conducive to the attainment of all the above main objects.

### **INCOME OF THE CLUB**

- 6. The income and property of the Club shall be applied solely towards the promotion of its main object(s) as set forth in this Constitution. No portion of the Club's income and property shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise howsoever by the way of profit, to the Members of the Club. No member of the Central Committee shall be paid by salaries or fees or receive any remuneration or other benefit in money or money's worth from the Club. However, nothing shall prevent any payment in good faith by the Club of:
  - 6.1 Reasonable remuneration to any member for any services rendered to the Club;
  - 6.2 Interest at a rate not exceeding 1% above the Euro Interbank Offered Rate (Euribor) per annum on money lent by a member to the Club;
  - 6.3 Reasonable and proper rent for premises let by any member to the Club;
  - 6.4 Reasonable and proper out-of-pocket expenses incurred by any member, as long as they have been appropriately vouched and also approved in advance by the chairperson or the treasurer.

### **CATEGORIES MEMBERSHIP**

- 7. The Members shall be made up of the following sub-categories and such other categories as may be set out in the Rules:
  - 7.1 Senior Member, Senior Citizen members (who shall be over 65 years of age) and Student Members (who shall be aged 18-25 and in full time education) shall be entitled to all the facilities and privileges of the club.
  - 7.2 Junior Members, who shall be persons under 18 years of age and entitled to use the playing facilities of the club, but not to vote at an A.G.M. or hold office.

- 7.3 Associate Members, who shall be entitled to use the facilities as decided by the Central Committee and relevant Section Committee. Associate Members shall not vote at an A.G.M or hold office. Associate members shall reside more than 50 km from Cashel or, at the time of their initial membership application and all subsequent renewals, hold full membership of another Tennis, Badminton or Pitch and Putt Club.
- 7.4 Family membership. Collective family membership shall confer the appropriate status to the individual members thereof. Family members shall be taken as up to 2 Adults from the same family unit and their children who are in full-time education.
- 7.5 Honorary Life Membership. Each year, upon the recommendation of the Chairperson, the AGM may agree to bestow Honorary Life Membership on up to two people, in recognition of their contribution to the Club, local community or society. Such members shall be entitled to all all the facilities and privileges of the club but shall not pay any subscription fee.

## **MEMBERSHIP PROCESS**

- 8. Every Member must comply with the following conditions of membership:
  - 8.1 that they pay annual membership fees due at the membership renewal date on April 1<sup>st</sup> Annually.
  - 8.2 that they agree to be bound by the Child Protection Guidelines and by the Code of Ethics;
  - 8.3 that they agree to be bound by any other conditions as may be imposed by the Central Committee on their category of membership from time to time; and
  - 8.4 that they agree to comply with this Constitution, bye-laws and rules of of the Club and of the Sections that they subscribe to; and agree to be bound by the Club's complaints and Disciplinary Procedures including any adjudication or determination made by the Central Committee;
  - 8.5 That they shall apply in the manner prescribed by the Central Committee and all applications shall in all cases be subject to the approval of the Central Committee.
- 9. The Central Committee has the right to refuse an application for membership and will not be required to give any reason for the refusal of application.
- 10. The Club shall not discriminate against persons wishing to become Members on the grounds of age, gender, race, religion, sexual orientation, membership of the traveller community, family status, marital status and disability.

## **MEMBER BEHAVIOUR AND RIGHTS**

11. Membership of the Club is not transferable and shall cease: -
  - (a) on the member's death
  - (b) if the member resigns by serving notice in writing to the Central Committee
  - (c) membership is withdrawn under rule 17.
12. Members are entitled to avail of the facilities and premises of the Club at a time and in a manner directed by the Central Committee and the relevant Section Committees.
13. Members may introduce visitors to the Park subject to such regulations as are in force for the time being and subject to payments of such fees as the Central Committee shall decide from time to time.
14. All personal belongings of the members, associates, visitors or others, brought to or left in the Park shall be at the sole risk of the owners, and the Club shall not be responsible for any loss or damage thereto, however arising.
15. The Club is fully committed to safeguarding the wellbeing of its members. Every individual in The Club should at all times show respect and understanding for their rights, safety and welfare, and conduct themselves in a way that reflects the principles of The Club and the guidelines contained in the Code of Ethics.
16. In working with young people, The Club's priority is the welfare of the young person and a commitment to providing an environment that will allow participants to perform to the best of their ability, free from bullying and intimidation. In order to promote best practice in Children's sport, The Club and all members shall comply with Child Protection Guidelines.

## **TERMINATION AND SUSPENSION**

17. Suspension, Expulsion and Termination
  - 17.1 If any member shall, in the opinion of the Central committee be guilty of conduct likely to endanger the welfare or good order of the club, or to have acted in a manner derogatory to the Club's interests or good name. The Central Committee, after giving such member an opportunity of being heard, may, by a special majority of those present and voting, suspend (withdraw from membership) such member for such period as the Central Committee may think fit, or expel such member, whereupon they shall immediately cease to be a member of the club and all its sections and shall forfeit all rights to or claim upon the club or its property.
  - 17.2 A member may terminate membership at any time by notifying the Central Committee in writing or by email.

- 17.3 If one month past the renewal date the annual subscription remains unpaid, The Club reserves the right to cancel membership. A member may re-join at a later date but may be required to pay outstanding fees at the discretion of the Committee.

## **GENERAL MEETINGS**

18. The Annual General Meeting of the Members of the Club shall be held on or before the last day of March.

- 18.1 The business of the annual general meeting shall include: (a) consideration of the annual accounts; (b) consideration of the annual report; (c) the election and re-election of Central Committee Members (d) consideration of any motions received from the members or section committees.

19. All general meetings other than annual general meetings shall be known as extraordinary general meetings.

- 19.1 An extraordinary General Meeting (EGM) may be held at any time by the requisition of the Central Committee, by 15 Members of the Club, or by a special majority decision of a Section Committee. The purpose of the EGM shall be the transaction of such business as only appears on the requisition.

20. The quorum for General Meetings shall be 15 people.

21. The chairperson of the Central Committee shall preside as chairperson at every general meeting of the Club, or if there is no such chairperson, or if they are not present within 15 minutes after the time appointed for the holding of the meeting or is unwilling to act, the Central Committee Members present shall choose one of their number to be chairperson of the meeting. Should no member of the Central Committee be present or willing to act, the members present shall choose one of their number to act a chairperson of the meeting.

22. The chairperson may, with the consent of any meeting at which a quorum is present, adjourn the meeting. However, no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.

23. Where there is an equality of votes the chairperson of the meeting shall be entitled to a second or casting vote.

24. A meeting of the Club, other than an adjourned meeting, shall be called:

- (a) in the case of the annual general meeting, by not less than 14 days' notice.
- (b) in the case of an extraordinary general meeting, by not less than 5 days' notice.

- 24.1 Where notice of a meeting is given by posting it by email to the registered email address of every member and publishing a notice in a conspicuous place in the Park.
- 24.2 The notice of a meeting shall specify the place, date and time of the meeting and the general nature of the business to be transacted there.
- (a) Incorporeal meetings may be held utilising the internet or phone technology, where this is approved by a decision of the Central Committee.
- 24.3 The accidental omission to give notice of a meeting to, or the non-receipt of notice of a meeting by, any member shall not invalidate the proceedings at the meeting.
25. Members and individual Sections may submit motions for discussion and decision by the General Meeting provided such motions are submitted to the secretary at least 7 days before the meeting. Details of any such motions shall be published in a conspicuous place in the Park, or notified to all members by mail, at least 5 days before the meeting. Motions tabled must be seconded at the meeting before their consideration.
26. Where a matter is being decided, every member present, with the appropriate membership status shall have one vote, but so that no individual member shall have more than one vote. Matters shall be determined by a simple majority (50%+1) of those members present save for matters requiring a special majority as outlined in this constitution.
27. Annual membership Fees shall be determined by the Members at the AGM. The Central Committee shall have the power to fix special subscription rates subject to ratification at the subsequent AGM.

#### **MATTERS RESERVED FOR A GENERAL MEETING**

28. None of the following matters may be brought into effect unless the same shall have been approved by special majority at a general meeting of the Club: -
- (a) to make any alteration, addition or amendment to these Rules or the constitution of the CLG.
- (b) to wind up the Club.
- (c) to appoint new Directors of the Club.
- (d) to change the name of the Club.



## **DIRECTORS**

29. The Directors of The CLG have legal duties and obligations imposed by the Companies Act and outlined in the CLG's memorandum and articles of association. The Directors duty must ensure compliance with the Companies Act by the GLG and that the CLG complies with its Memorandum of Association and Articles and Association.
30. All property and assets of the Club shall be owned by the CLG and liability of the members and Directors is limited and defined as per the relevant provisions of the Companies Acts.

## **THE CENTRAL COMMITTEE**

31. The Management of the Club shall be vested in the Central Committee. The Central Committee shall run the day-to-day business of the club and shall report directly to the directors of the CLG. The reporting process will be defined by the directors and published to the committee as board policy.
32. The Central Committee comprises of Officers and Ordinary Committee Members elected at the AGM or nominated by the respective Sections.
  - 32.1 The Officers are Chairperson, Secretary and Treasurer.
  - 32.2 Ordinary Committee members comprise of;
    - (a) The Chairperson and two delegates from each Section that has held a valid Annual General Meeting and been active in the 12 months prior to the Club AGM.
    - (b) Up to 4 Ordinary Members of the Club elected by the body of the AGM
    - (c) Up to 3 Community Representatives appointed by the General meeting upon the nomination of the Chairperson.
  - 32.3 Directors of The CLG shall have right of attendance at all meetings of the Central Committee but shall not have voting rights.
  - 32.4 Officers appointed to the Central Committee shall hold office from the AGM until the following AGM with a limit of 5 on the number of consecutive terms in any office, however if no other member is validly nominated to that office at the AGM the outgoing officer may continue for another term.
33. Nominations for each office and for the committee shall be proposed and seconded at the AGM. In the event of there being a greater number of members nominated

- than positions available an election shall be conducted by secret ballot using the plurality method.
34. The business of the Club shall be managed by the Central Committee, may exercise all such powers of the Club as are not by this Constitution required to be exercised by the Club in general meeting, subject nevertheless to the provisions of this Constitution and to such directions as the Club in general meeting may give. No such direction given by the Club in general meeting shall invalidate any prior act of the Executive which would have been valid if that direction had not been given.
- 34.1 The Central Committee shall keep minutes recording the names of members present and off all resolutions and proceedings at all meetings including Club general meetings. Minutes will be held by the Secretary and passed on to their successor.
- 34.2 The Club Treasurer will ensure that all cash receipts and disbursements are properly recorded and that proper accounts of all financial matters are maintained. They will also ensure that properly audited annual accounts are prepared for examination and adoption at the AGM of the club.
- 34.3 Save for matters outlined in this constitution, decisions taken shall be by a simple majority (50% +1) of those members present.
35. The Central Committee may fill by co-option a vacancy to the committee which may arise for any reason.
36. The Central Committee may make whatever Banking Arrangements in the name of the Club as they may deem expedient.
37. The Central Committee may from time to time select from its own members or from the general body of members a sub-committee for any particular purpose of duties, but any such subcommittee will be subject in all respects to the committee and shall cease to exist at the subsequent AGM unless its mandate is renewed by the Central Committee following the AGM.
38. The Quorum for any Central Committee meeting shall number 6 members.
39. If any Member shall, in the opinion of the Central Committee be guilty of conduct likely to endanger the welfare or good order of the Club or impinge the Central Committee in carrying out its duties effectively, the Central Committee, after giving such member an opportunity of being heard, may, by a two-thirds majority of those present and voting at a meeting specifically convened for that purpose, suspend or expel such member from the Committee.
40. The Central Committee shall have power, by the votes of a special majority of its members, to make, rescind and amend Bye-laws, provided that seven days' notice shall be given for any meeting convened to consider such bylaws. All Bye-laws,

shall be appended to the Constitution and published in a place accessible to all members. Bye-laws may subsequently be amended or rescinded by a simple majority at a General meeting of the Club where notice of motion has been validly given as per rule 21.

- 41. The Central Committee reserve the right of admission to the Park and or Premises.
- 42. The Central Committee shall have the power of deciding all questions not provided for in these rules, subject to appeal to an AGM or EGM.
- 43. The Central Committee shall have the right to remove a member of the committee should they miss 3 meetings in the year.

## **SECTIONS**

- 44. Each Sport Active in the Club shall form and operate its own section for the purpose of managing its activities and must be affiliated to that sports national body.
  - 44.1 A Section shall have autonomy from the Central Committee in running its own sporting affairs and will in the first instance deal with any complaints or disciplinary matters arising from its activities.
- 45. All Members, may, upon payment of the appropriate Section subscription, if applicable, and subject to the approval of the relevant Section Committee, be simultaneously members of one or more of the Sections of the Club and, in that capacity, are subject to the regulations laid down for the conduct of the games or activities by the respective Sections or to which the Sections are subject.
- 46. The Central Committee shall not have authority to overrule a decision of a section in relation to an area of that section's competence.
- 47. To maintain its status within the club and its representation on the Central Committee, each Section shall hold an Annual General Meeting of its members and operate a section committee for the purpose of conducting its affairs.
  - 47.1 Any Section, not active for 3 years may be deemed lapsed by a decision of the central committee and will be required to re-apply for recognition as new.
- 48. An application for a new section may be made in writing to the Central Committee chairperson by requisition of 15 members. A special majority decision of the Central Committee is required to authorise establishment of a new Section. A newly established section may send delegates to participate in central Committee meetings without voting rights until that section has been ratified by the subsequent Annual General Meeting of the Club.

## **CONSTITUTION AMENDMENT**

49. The Constitution may be added to or amended or revoked by a special majority decision at any General meeting at which notice has been duly given specifying the intention to propose the addition, amendment or revocation which full details thereof.
50. The Constitution having been adopted by the members shall supersede all previous constitutions and become operational from the date of adoption.

## **APPRECIATION**

51. The Club is grateful to its benefactor Mr Raymond R. Guest (American Ambassador to Ireland 1965-1968) owner of the horse Larkspur for which this club is named. The role of Mr. Vincent O'Brien and Mrs. Jacqueline O'Brien of Ballydoyle Stud who were responsible for securing the donation from Mr Guest to purchase the grounds for the people of Cashel is also deeply appreciated. The Club also recognises the contribution of Cashel Lions Club for its role in setting up Larkspur Park Development Committee and acting as trustees of the grounds for many years.

## **Appendix 1: LARKSPUR PARK SPORTS CLUB BYE LAWS**

### **Larkspur Park Overall Larkspur Park Sports Club Rules Effective 30<sup>th</sup> October 2024**

The following rules shall govern the use Larkspur Park Sports Club facilities. Where any conflict arises between the Larkspur Park Sports Club constitution (hereinafter “**the Constitution**”) and the Rules, the Constitution shall take precedence.

#### **Rule 1 – General Club Etiquette**

- 1.1 Club facilities are reserved for the use of paid-up members, their guests (provided such guests are invited in accordance with the rules for guest players) and approved visitors who have paid appropriate fees.
- 1.2 The Larkspur Park Central Committee is responsible for the management and upkeep of club facilities including the Nissen Hut clubhouse and Pavillion. However, after a match or tournament it is the responsibility of the organising person(s) to ensure that the Club facilities are left in a clean and proper state.
- 1.3 It shall be the responsibility of all members to take all reasonable care to use the Club facilities in such a manner as to avoid causing any damage.
- 1.4 All Members should enter and leave the Club premises at a low speed of 10km/h and use caution while driving through the neighbourhood in Cashel.
- 1.5 Cars should be parked in the car park only in the marked spaces and in such a manner as to avoid causing any nuisance or obstruction to other users of the car park.
- 1.6 Litter shall be put in the bins provided.
- 1.7 No dogs shall be allowed on any part of the Club grounds, with the exception of guidance dogs.
- 1.8 Club property may not be taken from the premises without the prior permission of the Committee.
- 1.9 Members are required to obey any Club notices which may be posted from time to time in and around the clubhouse governing the use of same.

#### **Rule 2 – Access to the Club**

- 2.1 The Club may restrict access to the clubhouse and courts using an electronic fob or Membership card.
- 2.2 Fobs will be issued to all paid up members only at a cost agreed by central committee.
- 2.3 Visitors or guest must produce proof of payment of green fees/visitor fees when requested to do so by any committee members. Failure to do so will result in expulsion from the premises.

### **Rule 3 - Junior Members (Under 18 years)**

- 3.1** Any junior member of the club may use the facilities at any time between 9.00am and 6pm or later, with the permission of the committee.
- 3.2** A Senior member may play with a junior up to 10pm Monday to Friday subject to the rules of the sports club governing that sports facility within the park.
- 3.3** Junior members are the responsibility of their parents while they are on the Club premises.
- 3.4** Each sports club operating in the park shall hold responsibility for its own safeguarding procedures.

### **Rule 4 - Guests/Visitors**

- 4.1** Any Club member may bring a guest to play tennis on the Club courts. Each member is allowed to bring the same guest to the Club on a maximum of 5 occasions in any one year.
- 4.2** Any guest or visitor using the facilities on more than 5 occasions in one year should apply for membership.
- 4.3** All guests and visitors shall be required to sign the guest register and pay the prescribed green fee or guest fee on arrival.
- 4.4** Guest/Green Fees shall be as determined by the Committee from time to time and displayed on the Club notice board.
- 4.5** Each guest and visitor shall be required to comply with the Rules of the Club while on the Club premises. It shall be the responsibility of the host member to ensure that their guest is fully aware of and complies with these Rules.

### **Rule 5- Discipline and Governance**

- 5.1** The club is governed by the Larkspur Park Central Committee who operate in accordance with the club constitution.
- 5.2** Any breach of Club rules will be dealt with by the Larkspur Park Central Committee. Persistent breaches will result in sanctions against the member/s involved.
- 5.3** Complaints and disputes must be made in writing to the Larkspur Park Central Committee Chairperson and made within one week of any incident occurring.
- 5.4** Each Section shall adopt their own rules and shall be responsible for the governance of their sports activities within the park.
- 5.4** Complaints or Disputes relating to the activities of a Section within the park shall be dealt with in accordance with that Section's own rules and practices.

### **Appendix 2:**

### **LARKSPUR PARK SPORTS CLUB CLG MEMORANDUM OF ASSOCIATION AND ARTICLES OF ASSOCIATION**