



Kent Licenced Victuallers Association

RULES OF MEMBERSHIP

Objects of The Association

To promote the general interests of the Trade, and to support its members in the full and free exercise of their business as Licenced Victuallers and Beer Retailers.

To form a Fund to enable the objectives of the Association to be achieved.

- 1) That this Association be named 'Kent Licenced Victuallers' Association' and shall consist of an unlimited number of members.

MEMBERSHIP

- 2) That the following shall be eligible for Membership of the Association and be able to hold Office in the Association:
 - a) owners as well as tenants and lessees
 - b) residential managers
 - c) managers of Public Houses holding an appropriate certificate issued by the British Institute of Innkeeping and/or a Personal Licence issued by a Licencing Authority, provided that where that person's employer is already an existing member of the Association, membership shall only be granted with the written approval of that Member.
 - d) persons who have retired and wish to retain membership of the Association.
- 3) That the following shall be eligible for Corporate membership of the Association:
 - a) Brewers,
 - b) Distillers,
 - c) Wine and Spirit Merchants,
 - d) Maltsters,
 - e) employees of the aforementioned
 - f) Food manufacturers and distribution organisations and
 - g) others connected with the Trade.
- 4)
 - a) All applicants for membership of the Association shall be invited to attend a meeting and, at the Chairperson's discretion, be given an opportunity to introduce her/himself and give a brief statement of her/his experience in the licenced trade. No debate as to the person's suitability for membership shall be permitted at that time.

- b) If any Member wishes to express any misgivings they may have, they shall be permitted to do so by speaking directly to the Chairperson and one other Member of the Executive Council at the earliest opportunity following the meeting, and within no more than seven days from the date of the meeting.
- c) The Chairperson shall in these circumstances call a meeting of the Executive Council to discuss the matter and their decision shall be final. In the event that the membership application is not accepted, the Secretary shall inform the applicant in writing without delay and any fee paid for membership shall be refunded.

HONARARY MEMBERSHIP

- 5) The following will be entitled to be made honorary members of the association.
 - a) past chairpersons who have served for 2 years,
 - b) past officers that have served for 10 years.
 - c) Person nominated by a member of the Executive Committee and notified to all members of the Executive Committee in writing at least 7 days before the scheduled meeting and approved by at least two thirds of the Executive Committee members present at the meeting.

OFFICE

- 6) That the office of the Association shall, at all times, be the residence of the Secretary.

SUBSCRIPTION

- 7) That all members of the Association shall pay a subscription which will be decided by Members annually at the Annual General Meeting or, provided proper notice is given, at an Extraordinary General Meeting.
- 8) That subscriptions shall be decided for each class of membership.
- 9) The subscriptions for each member shall be paid on or before the due date. Failure to pay will result in the automatic suspension of membership.
 - a) A Member whose membership is suspended by virtue of this paragraph will be able to attend the first Meeting of the Association after payment is due but may not vote until the subscription is paid and confirmation received by the Treasurer.
 - b) A Member whose membership is suspended under this paragraph may not attend any subsequent meetings even as a guest of another member.
 - c) A Member whose membership is suspended under this paragraph will forfeit the privileges and benefits of the membership until the subscription is paid and confirmation is received by the Treasurer.
 - d) A Member whose membership has been suspended under this paragraph for a period of 3 months or longer may be considered by the Executive Committee to have resigned their membership and the name of such member may be removed from the register of members and the privileges and benefits of the membership shall be forfeited.

EXECUTIVE COMMITTEE

- 10) That the business of the Association shall be conducted by an Executive Committee, consisting of Chairperson, Vice Chairperson, Deputy Vice Chairperson, Treasurer and Secretary and additional officers up to a maximum of 9 executive committee members in total.

- 11) All Officers to be elected annually, however, the Chairperson's term of office to be two years if so desired by her/him.
- 12) In the first two years of the Association only, the Chairperson in year 1 will become the Vice Chairperson in year 2 and the Vice Chairperson in year 1 will become the Chairperson in year 2.
- 13) Notwithstanding the maximum number of officers permitted to sit on the Executive Committee, the Executive committee may co-opt members or experts to assist them in respect of conducting the business of the association.
- 14) In respect of all decisions of the Executive Committee, in the case of an equal number of votes cast in respect of any decision the Chairperson or in their absence the Vice chairperson, or in the absence of both, the Deputy Vice chairperson shall have the casting vote.
- 15) The Executive Committee shall be empowered to deal with all matters of urgency but must bring a report of any action taken to the next Monthly General Meeting of the Association. Such Monthly General Meetings shall be held during the second week in each month (unless an alternative date and time is agreed upon at a previous Monthly General Meeting) at some eligible Licenced House within the radius of the Association for which the agenda shall be sent to each Member.
- 16) No Member shall be entitled to be nominated for an Association meeting to be held on their premises unless he is present when the nomination is put forward or via a telephone conversation at the meeting or has previously expressed their interest in being nominated.
- 17) That there shall be an annual General Meeting of the Association, to be held in September in each year, for the purpose of receiving the Report of the Executive Committee and a financial statement prepared by the Treasurer for the past year, electing or re-electing the Executive Committee and transacting other business. Due notice of such meetings shall be sent to all members.
- 18) Nominations for elections or re-election to the Executive Committee must be submitted to the Secretary before the commencement of the meeting immediately prior to the Annual General Meeting, subject to provision being made for an Emergency Meeting to be called for the sole purpose of considering the withdrawal of any Candidate nominated at this meeting, at which time nominations to fill the vacancy may be made at the Annual General Meeting.

TREASURER AND ACCOUNTS

- 19) That the Treasurer shall attend all meetings of the Association, receive subscriptions from Members (and give a proper receipt for same on request); he/she shall keep a Cash record which can be viewed at a meeting of the Association on request. All money he/she may receive he/she shall place in the appropriate bank account to the credit of the Association. Subscriptions and other receipts may be received digitally direct into the Association's Account.
- 20) Payments out of the Association's Account shall be paid by bank transfer or other recognised method by the Bank. All payments may be authorised by a majority of the Executive Committee voting at an Executive Committee meeting. In addition, payments may be authorised as follows:

- a) Payments under £500 in a single or in multiple linked payments may be authorised in writing by the Treasurer.
- b) Payments under £2000 in a single or multiple linked payments may be authorised in writing by the Chairperson or Vice Chairperson or Deputy Vice Chairperson.
- c) Payments of £2000 and over in a single or multiple linked payments need to be authorised in writing by at least 2 members of the Executive Committee, at least one of whom must be the Chairperson or Vice Chairperson or Deputy Vice Chairperson.

Whether a series of 2 or more payments amounts to multiple linked payments is to be determined by the Chairperson or Vice Chairperson or Deputy Vice Chairperson.

- 21) The Treasurer shall, at the end of each financial year, prepare a Profit & Loss Account and a Balance Sheet.
- 22) The Accounts shall be available at the Annual General Meeting in draft form, and the two nominated Executive Committee members shall ensure that they will have scrutinised the Accounts prior to the next meeting.

FINANCIAL AND OTHER ASSISTANCE FOR MEMBERS

- 23) That any Members who may have been prosecuted or informed against, or their personal licence or their premises licence for their business is subject to an application for review or otherwise called before the licencing committee for consideration of action or in any way interrupted in their business as Licenced Victuallers or Beer Retailers may at a meeting, state the nature and circumstances of the transaction or instance giving rise to such prosecution, information or other matter requiring the aid of the Association when it shall be in the power of the Executive Committee to render such aid, or take whatever action to them seems necessary.
- 24) In all matters of urgency, the Executive Committee shall be empowered to authorise any Member to employ a Solicitor to defend, prosecute or otherwise deal with a matter in particular, or if there is insufficient time to notify the Executive Committee, the Member may, during the period of the event or after, bring the matter before the next meeting of the Association, together with such evidence and statement of costs incurred or anticipated as she/he may possess, when it shall be duly considered and decided on its merits. It shall then be competent for the meeting to vote a sum in payment of the whole or part of such expenses or costs from the Association funds, it being always provided and understood that in all cases where a Solicitor appears before a Bench of Magistrates or other body, by virtue of the Executive Committee's authorisation, he/she shall expressly state that she/he is instructed by the Association.
- 25) No assistance shall be given to any member where the Executive Committee so determine that such action will or may prejudice the interests of other Members now or in the future.
- 26) That no prosecution likely to be chargeable on the funds of the Association shall be commenced at the suit or instigation of any Member of the Association until particulars thereof have been submitted to be approved by the Executive Committee and that in any event of a Member so commencing such prosecution, he/she shall not be paid his/her expenses out of the funds of the Association.
- 27) No refunds will be due to members who leave the Association for whatever reason during the year.

- 28) That this Association, while it recognises the protection of the property of members, shall not lose sight of the protection of their persons, but will be ready at all times to receive information of brutal assaults and outrages committed upon the person of any member of the Association or any member of their household and staff whilst in pursuance of their business and the Association shall take steps with reference thereto as the circumstances may seem to require.
- 29) That in case of applications to the Licencing Authority, or any Court, for the granting, revoking, varying of any licence by removing the dps or by changing any of the terms and conditions to which the licence is subject, suspension or cancellation of a Licence held by any member of the Association, the Association shall use its discretion as to whether it interferes.

EXTRAORDINARY GENERAL MEETINGS

- 30) That the Executive Committee, shall, upon being required to do so, convene an Extraordinary General Meeting of the Members of this Association within fourteen days after receipt of a requisition signed by not less than five duly qualified Members, such requisition stating the precise object of the proposed meeting.

RULES OF DEBATE

- 31) All business shall be conducted under the control of the meeting chairperson. In circumstances where is felt by the Chairperson to be conducive to the good conduct of the meeting the Chairperson may direct the following procedure:
 - Proposers of a motion shall be allowed to address the meeting, without prejudice to its ultimate decision. For TEN MINUTES on the introduction of the subject. The Seconder and any subsequent speaker for FIVE MINUTES and no Member shall be allowed to speak more than ONCE on any motion except the Proposer, who shall be allowed FIVEMINUTES for reply, and (or except) by way of explanation or to call attention to a point of order. At the conclusion of the debate a vote shall be taken by all Members present.
- 32) Where this procedure is adopted by the Chairperson, there shall be no addition, alteration or deletion of these rules, unless the same are decided on at an Annual General Meeting, or an Extraordinary General Meeting convened for that purpose.

REMOVAL FROM MEMBERSHIP AND DISCIPLINARY MATTERS

- 33) Members are particularly requested to study these rules carefully, as a plea of ignorance of same cannot be entertained by the Association. The Association's policies and statements of understanding are set out on the Association's website. Members agree to accept and comply with the policies and statements of understanding. Failure to comply with the policies, statements of understanding and procedures of the Association will render the member subject to the procedures set out below.
- 34) Breaches of the rules, policies, statements of understanding or conduct which the Executive Committee considers as gross misconduct and brings the KLVA into disrepute may result in disciplinary proceedings being commenced against the member. In such circumstances the Executive Committee will notify the member of the alleged breach or alleged conduct being considered as gross misconduct and arrange an Executive Committee hearing to give the member an opportunity to address the Executive Committee. The Chairperson will have absolute discretion as to

the conduct of the meeting including the right to exclude the member from the meeting if the behaviour of the member is such as to disrupt the meeting in the view of the Chair. The member will be excluded from the meeting whilst the Executive Committee consider any evidence and submissions by the member whilst making their decision.

- 35) The Executive Committee may take no action or may suspend the member from membership for a period no more than 3 months or may remove the member from membership at their absolute discretion.
- 36) Members who have been suspended may not attend meetings or vote during the period of their suspension. Any fees due or paid for the period whilst suspended remain due or paid and no refund or reduction will apply during the period of suspension. The privileges and benefits of the membership shall be forfeited during the period of suspension.
- 37) Members who have been removed from membership will be removed immediately on the decision of the Executive Committee. Once removed from membership the person will not be eligible to apply for membership for a period of 12 months from the date of the Executive Committee decision. Any fees due or paid remain due or paid and no refunds or reductions will apply following the Executive Committee decision. The name of such member shall be removed from the register of members and the privileges and benefits of the membership shall be forfeited.
- 38) A Member may request the Executive Committee to consider a resolution to be passed calling for the resignation of any member or members whom they consider to have been guilty of misconduct or of behaviour prejudicial to the interest of the Association. The chairperson will request details in writing of the alleged misconduct or alleged behaviour prejudicial to the interest of the Association. Where considered appropriate, the Executive Committee will notify the member or members who are alleged to be guilty of misconduct or of behaviour prejudicial to the interest of the Association and that they are required to attend an Executive Committee hearing to give the member an opportunity to address the Executive Committee. The Chairperson will have absolute discretion as to the conduct of the meeting including the right to exclude the member(s) making the allegation(s) and the member(s) responding to the allegations from the meeting if the behaviour of the member(s) is such as to disrupt the meeting in the view of the Chair. The member(s) will be excluded from the meeting whilst the Executive Committee consider any evidence and submissions whilst making their decision.
- 39) The Executive Committee may take no action or may suspend the member from membership for a period no more than 3 months or may remove the member from membership at their absolute discretion.

MEETINGS

- 40) Meetings may be held in person or online at the discretion of the Chairperson.

Signed..........(Chairperson) dated 22.06.2024

Signed.....(Vice Chairperson) dated