Sealed 12th September 1995

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County - Gloucestershire
Parish - Tirley
Charity - Tirley Village Hall

CD(T)
3,010,356

Adjudged not chargeable with Stamp Duty

Scheme including appointment of Trustees

CHARITY COMMISSION

In the matter of the Charity called Tirley Village Hall, in the Parish of Tirley, in the County of Gloucestershire regulated by a conveyance and trust deed dated the 9th March 1931; and
In the matter of the Charities Act 1993.

THE CHARITY COMMISSIONERS FOR ENGLAND AND WALES HEREBY ORDER that the following Scheme be approved and established as the Scheme for the regulation of the above-mentioned Charity:-

SCHEME

1. Administration of Charity. (1) The above-mentioned Charity and the property thereof specified in the schedule hereto and all other the property (if any) of the Charity shall be administered and managed in conformity with the provisions of this Scheme by the Committee of Management hereinafter constituted as the charity trustees thereof: Provided that until the end of the first annual general meeting to be held as hereinafter provided after the date of this Scheme the Charity shall be administered by the existing Trustees of the Charity in accordance with the provisions of this Scheme.

(2) The name of the Charity shall be The Tirley Village Hall or such other name as the Committee of Management from time to time by resolution may decide with the prior approval of the Charity Commissioners.

2. Vesting. The land with the buildings thereon specified in the said schedule is hereby vested in the Official Custodian for Charities for all the estate and interest therein belonging to or held in trust for the Charity.

OBJECT

3. Object of Charity. (1) The object of the Charity shall be the provision and maintenance of a village hall for the use of the inhabitants of the Parish of Tirley and the

neighbourhood thereof (the area of benefit) without distinction of political, religious or other opinions, including use for meetings, lectures and classes, and for other forms of recreation and leisure-time occupation, with the object of improving the conditions of life for the said inhabitants.

(2) The said land and building shall be held upon trust for the purposes of a village hall as aforesaid.

COMMITTEE OF MANAGEMENT

4. Constitution. Subject as hereinafter provided, the Committee of Management (the Committee) shall consist when complete of ten persons (the Members) being

4 Elected Members and
6 Representative Members.

5. Elected Members. Subject as hereinafter provided for casual vacancies, the Elected Members shall be appointed at the annual general meeting to be held as hereinafter provided and shall hold office from the end of the annual general meeting at which they are appointed.

6. Representative Members. (1) One Representative Member shall be appointed by each of the following organisations:

Tirley Parish Council
Tirley Keep Fit Club
Tirley Playschool
Tirley Yoga Group
Tirley Youth Club
Tirley Mum and Toddler Group

(2) Each organisation shall notify the name of the person appointed by it to the secretary of the Committee.

(3) The appointment of a Representative Member may be made not more than one month before the annual general meeting and the term of office of a Representative Member so appointed shall commence at the end of that meeting.

(4) If an organisation entitled to appoint a Representative Member fails to do so within the said period of one month before the annual general meeting the appointment shall be made as soon as practicable after that meeting. The term of office of a Representative Member so appointed and of a Representative Member appointed to fill a casual vacancy shall commence on the day on which notification is received by the said secretary.

7. Co-opted Members. The Committee may appoint if they think fit not more than two Co-opted Members. Each appointment of a Co-opted Member shall be made at a meeting of the Committee to take effect from the date of that meeting.

8. Termination of membership. (1) Any member who is adjudged bankrupt or makes a composition or arrangement with his or her creditors or who is incapacitated from acting or who communicates in writing to the Committee a wish to resign shall thereupon cease to be a member.

(2) All the Members shall retire from office together at the end of the annual general meeting next after the date on which they came into office but they may be re-elected or re-appointed.

9. Additional Representative Members. The Committee shall have power by a resolution passed at a duly constituted meeting by the votes of not less than two-thirds of the Members for the time being to allow the appointment of an additional Representative Member by any organisation in the area of benefit not already named in this Scheme.

10. Alteration to constitution of Committee. The constitution of the Committee as hereinbefore provided may on the application of the Committee be altered from time to time by Order of the Charity Commissioners.

11. Casual vacancies. (1) Upon the occurrence of a casual vacancy the Committee shall cause a note thereof to be entered in their minute book at their next meeting and in the case of a vacancy in the office of Representative Member shall cause notice thereof to be given as soon as possible to the organisation entitled to fill the vacancy.

(2) A casual vacancy in the office of Elected Member may be filled at a meeting of the Committee to take effect from the date of that meeting.

12. Failure to appoint. The proceedings of the Committee shall not be invalidated by any vacancy among its Members or by any failure to appoint or any defect in the appointment or qualification of a Member.

13. Declaration by Members. No person shall be entitled to act as a Member whether on a first or on any subsequent entry into office until after signing in the minute book of the Committee a declaration of acceptance and of willingness to act in the trusts of this Scheme.

14. Members not to be personally interested. Except in special circumstances with the approval in writing of the Commissioners no Member shall take or hold any interest in any property belonging to the Charity otherwise than as a trustee for the purposes thereof, or receive any remuneration, or be interested in the supply of work or goods, at the cost of the Charity.

MEETINGS AND PROCEEDINGS OF THE COMMITTEE

15. Meetings of the Committee. The Committee shall hold at least two ordinary meetings in each year. A special meeting may be summoned at any time by the chairman or by any two Members upon seven clear days' notice being given to all the other Members of the matters to be discussed.

16. Chairman. (1) At the first meeting in each year after the annual general meeting the Committee shall elect one of their number to be chairman of their meetings until the commencement of the first meeting after the annual general meeting in the following year and may also elect one of their number to be vice-chairman. The chairman and vice-chairman shall always be eligible for re-election.

(2) If the chairman and vice-chairman (if any) are absent from any meeting of the committee the Members present shall choose one of their number to be chairman of the meeting before any other business is transacted.

17. Voting. Except as hereinbefore provided every matter shall be determined by the majority of votes of the Members present and voting on the question but in the case of equality of votes the chairman of the meeting shall have a second or casting vote.

18. Minutes. The Trustees shall keep, in books maintained for the purpose, minutes of the proceedings of their meetings.

19. Accounts and annual report. (1) Until such time as Part VI of the Charities Act 1993 comes into force, statements of account in relation to the Charity shall be prepared and transmitted to the Commissioners in accordance with the Charities Act 1960, except if and in so far as the Charity is excepted by Order or regulations.

(2) Upon Part VI of the Charities Act 1993 coming into force, the Trustees shall comply with their obligations under that Act with regard to:

(a) the keeping of accounting records for the Charity;

(b) the preparation of annual accounts for the Charity;

(c) the auditing or independent examination of the statements of account of the Charity;

(d) the transmission of the statements of account of the Charity to the Commissioners; and

(e) the preparation of an annual report and its submission to the Commissioners.

20. Annual return. The Trustees shall comply with their obligations under the Charities Act 1993 with regard to the preparation of an annual return and its transmission to the Commissioners.

21. Rules. Within the limits prescribed by this Scheme the Committee may from time to time make and alter rules for the conduct of their business and for the summoning and conduct of their meetings and in particular with reference to -

(1) the terms and conditions upon which the said buildings may be used for the purposes specified in the Scheme by persons or bodies other than the Committee and the sum (if any) to be paid for such use;

(2) the appointment of an auditor, treasurer and such other unpaid officers as the Committee may consider necessary and the fixing of their respective terms of office;

(3) the engagement and dismissal of such paid officers and servants as the Committee may consider necessary; and

(4) the number of Members who shall form a quorum at meetings of the Committee, provided that the number of Members who shall form a quorum shall not be less than one-third of the total number of Members for the time being.

INSURANCE

22. Insurance. The Committee shall insure the said building and the furniture and effects therein to the full value thereof against fire and other usual risks arising out of the ownership of property and the employment of persons.

APPLICATION OF INCOME

23. Receipts and expenditure. (1) The income of the Charity including all payments for the use of the said building and all donations for the benefit thereof shall be paid into a trust account at such bank as the Committee shall from time to time prescribe.

(2) The moneys standing to the credit of the said account shall be applied as the Committee shall decide in insuring as aforesaid, in maintaining and repairing the said building and the furniture and effects therein and in paying all rent (if any), rates taxes, salaries of paid officers and servants and other outgoings and in otherwise furthering the object of the Charity.

24. Surplus cash. Sums of cash at any time belonging to the Charity not needed for immediate working purposes shall be invested in trust for the Charity.

ANNUAL GENERAL MEETING

25. Annual general meeting. (1) There shall be an annual general meeting in connection with the Charity which shall be held in the month of ~~November~~ in each year or as soon as practicable thereafter.

(2) All inhabitants of the area of benefit of 18 years of age and upward shall be entitled to attend and vote at the annual general meeting.

(3) The first annual general meeting shall be convened by the existing Trustees of the Charity every subsequent annual general meeting shall be convened by the Committee.

(4) Public notice of every annual general meeting shall be given in the area of benefit at least 14 days before the date thereof.

(5) Before any other business is transacted at the first annual general meeting after the date of this Scheme, the persons present thereat shall appoint a chairman of the meeting. The chairman of subsequent annual general meetings shall be the chairman or vice chairman (if any) for the time being of the Committee, but if they are not present, before any other business is transacted, the persons present shall appoint a chairman of the meeting.

(6) The Committee shall present to each annual general meeting the report and accounts of the Charity for the preceding year.

LETTING AND SALE

26. Letting. The Committee may let any part of the land belonging to the Charity which is not required for use for the object of the Charity, subject nevertheless to complying with the restrictions on disposition imposed by Section 36 of the Charities Act 1993 unless the lease is excepted from such restrictions under Section 36(9)(b) or (c) or Section 36(10) of that Act, provided that the letting does not unduly interfere with the use of the remaining land or buildings for that purpose.

27. Sale. If at any time the Committee decide that on the grounds of expense or otherwise it is necessary or advisable to discontinue the use of the whole or part of the said land and building for the purposes of a village hall, and that decision is confirmed by a resolution passed by a majority of the inhabitants of the area of benefit of 18 years of age and upward attending and voting at a meeting of which public notice has been given in the area of benefit at least 14 days before the date thereof, the Committee may sell the whole or any part of the said land and may do and execute all proper acts and assurances for carrying any such sale into effect subject nevertheless to complying with the restrictions on disposition imposed by Section 36 of the Charities Act 1993 unless the sale is excepted from such restrictions under Section 36(9)(b) or (c) or Section 36(10) of that Act.

28. Proceeds of sale. (1) Unless the Commissioners otherwise direct the clear proceeds of any such sale as aforesaid shall be invested in trust for the Charity.

(2) Thereafter, the Committee shall apply the clear income of the Charity in furthering the object of the Charity or for such other charitable purposes for the general benefit of the inhabitants of the area of benefit as the Committee think fit.

GENERAL PROVISIONS

29. Donations. The Committee may accept any donations or property for the general purposes of the Charity and they may also accept donations or property for any special objects connected with the Charity not inconsistent with the provisions of this Scheme.

30. Questions under Scheme. Any question as to the construction of this Scheme or as to the regularity or the validity of any acts done or about to be done under this Scheme shall be determined by the Commissioners upon such application made to them for the purpose as they think sufficient.

SCHEDULE

The following adjoining land situate at Tirley in the County of Gloucestershire.

1. Land containing .1 hectare or thereabouts having a frontage of 12 metres or thereabouts on the north east to the main road from Gloucester to Tirley being part of the land numbered 265 on the Ordnance Survey map (1903 edition) with the buildings thereon known as Tirley Village Hall being part of the land comprised in a conveyance made the 9th March 1951 between the Cheltenham and Gloucester Building Society of the first part Charles Creese of the second part and Arthur William Morgan and three others of the third part.

2. Land containing .1 hectare or thereabouts having a frontage of 13 metres or thereabouts on the north east to the main road from Gloucester to Tirley being part of the land numbered 265 on the Ordnance Survey map (1903 edition) being the land comprised in a deed of exchange dated the 23rd November 1965 between Maldwyn Lloyd Jones of the one part and Walter Cole and another of the other part.

£2595.54 on deposit account with the Tewkesbury branch of the Cheltenham and Gloucester Building Society.

£291.31 cash on current account at the Gloucester branch of the Midland Bank PLC.

This schedule is made up to the 18th May 1995.

Sealed by Order of the Commissioners this 12th day of September 1995.

L.S.

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