

DORNEY VILLAGE HALL GOVERNING DOCUMENT (TRUST DEED)
Updated 12th March 2020

Sealed, 7th July 1970.
No. 6567 L.

County - BUCKINGHAM
Parish DORNEY
Foundation - VILLAGE HALL

Scheme

SCHEME MADE BY THE SECRETARY OF STATE FOR EDUCATION AND SCIENCE UNDER SECTION 18 OF THE CHARITIES ACT 1960.

The Foundation

1. In this Scheme the expression "the Foundation" means the Foundation called the Village Hall, in the Parish of Dorney, in the County of Buckingham founded and now regulated by a Conveyance dated 1st October 1930.

Administration and Title

2. The Foundation and its endowment shall be administered in conformity with the provisions of this Scheme under the title of DORNEY VILLAGE HALL 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 Foundation shall be administered by the existing Committee thereof in accordance with the provisions of this Scheme.

Village Hall

3. The object of the Foundation shall be the provision and maintenance of a village hall for the use of the inhabitants of Dorney and the neighbourhood (hereinafter called "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.

Committee of Management

4.(1) The Management Committee (hereinafter referred to as “the Committee”) shall be comprised of:

(a) up to 6 elected members appointed at the Annual General Meeting (held in accordance with Clause 15), including members appointed to fill casual vacancies (in accordance with Clause 8.(2));

(b) up to 12 representative members, one to be appointed if they choose to do so by each of the organisations listed below or recognised by the Committee in accordance with Clause 5:

Dorney Parish Council

Dorney Parochial Church Council

Dorney Commoners

Dorney Parent Teachers Association

Dorney Playground

Dorney & District Horticultural Society

Dorney Badminton Club

The name of each representative member shall be notified to the Secretary of the Committee by the organistaion by which he is appointed.

(c) up to 4 co-opted members appointed by the committee, if they think fit, at a duly constituted meeting.

(2) A person who has previously been a Member of the Committee may be re-appointed.

Additional Representative Members

5. The Committee may, 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, allow any organisation operating in the area of benefit which is not empowered to appoint a Representative Member by or under clause 4 of this Scheme to appoint such a Member.

Commencement of Membership

6. The period of office of a Member of the Committee shall commence -

(a) in the case of an Elected Member (other than such a Member appointed to fill a casual vacancy), at the end of the Annual General Meeting at which he is appointed;

(b) in the case of a Representative Member appointed within one month before an Annual General Meeting, at the end of the Annual General Meeting next after his appointment;

and in the case of any other Representative Member, on the day on which notification of his appointment is received by the Secretary of the Committee from the organisation appointing him; and

(c) in the case of a Co-optative Member, at the end of the meeting at which he is appointed.

Determination of Membership

7. (1) Any Member of the Committee who is adjudicated a bankrupt, or who makes a composition or arrangement with his 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 Members of the Committee shall cease to hold office at the end of the Annual General Meeting next after the date on which they came into office.

Casual Vacancies

8. (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 such a vacancy in the office of Representative Member shall be notified as soon as possible to the proper appointing organisation

(2) A casual vacancy in the office of Elected Member may be filled by the Committee and the period of office of a Member appointed to fill such a vacancy shall commence at the end of the meeting at which he is appointed.

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 any Member.

Declaration by Members

10. No person shall be entitled to act as a Member of the Committee, 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.

Members not to be personally interested

11. Except in special circumstances with the approval in writing of the Secretary of State for Education and Science, no Member of the Committee shall take or hold any interest in any property belonging to the Foundation, 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 Foundation.

Meetings of Committee

12. 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.

Chairman

13. (1) The Committee at their first meeting in each year after the Annual General Meeting 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 the Vice-Chairman, if any, shall always be eligible for re-election.

(2) If the Chairman and the Vice-Chairman, if any, are absent from any meeting, the Members present shall, before any other business is transacted, choose one of their number to preside at that meeting.

Voting

14. Every matter shall (except as in this Scheme provided) be determined by the majority of the Members of the Committee present and voting on the question and in case of equality of votes the Chairman of the meeting shall have a second or casting vote.

Annual General Meeting

15. (1) There shall be an Annual General Meeting in connection with the Foundation which shall be held each year in the month of May or as soon as practicable thereafter.

(2) All inhabitants of the area of benefit of eighteen years of age and upward shall be entitled to attend and vote at the Annual General Meeting.

(3) The first Annual General Meeting after the date of this Scheme shall be convened by the existing Committee and 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 seven days before the date thereof.

(5) The persons who are present at the first Annual General Meeting after the date of this Scheme shall, before any other business is transacted, appoint a chairman of the meeting. The Chairman of subsequent Annual General Meetings shall be the chairman for the time being of the Committee, but, if he is not present, the persons present shall, before any other business is transacted, appoint a chairman of the meeting.

(6) The committee shall present to each Annual General Meeting the report and accounts of the Foundation for the preceding year.

Sale of Property

16. Under the authority of an order dated 18th February 1970 made by the Secretary of State for Education and Science under Section 23 of the Charities Act 1960, the existing Committee may, within one year from the said 18th February 1970, sell the land conveyed by the Conveyance dated 1st October 1930 referred to in Clause 1 of this Scheme, together with the hall and other buildings erected thereon for a sum of not less than £2,700 and the existing Committee shall do and execute all proper acts and assurances for carrying such sale into effect.

Application of Proceeds of Sale

17. The net proceeds of the sale authorised by the last preceding clause shall be applied by the existing committee, or handed over to the Committee as the case may be, towards the acquisition of other land and the erection thereon of buildings suitable for use for the purposes specified in clause 3 of this Scheme.

Application of Income

18. After payment of any expenses of administration, the net income of the Foundation, whether arising from the use of the Village Hall by other bodies or persons or otherwise, shall be applied by the Committee in one or other or both of the following ways: -

- (a) in the maintenance, repair and insurance of the Village Hall and the furniture and effects therein and the payment of rates, taxes, salaries of paid officers and servants and other outgoings in connexion therewith;
- (b) in otherwise furthering the object of the Foundation.

Surplus Cash

19. Any sum of cash at any time belonging to the Foundation and not needed as a balance for working purposes shall be invested unless the Secretary of State for Education and Science otherwise directs.

Power to make Rules

20. 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, the deposit of money at a proper bank, the custody of documents, and in particular with reference to:-

- (a) the terms and conditions upon which the Village Hall may be used for the purposes specified in this Scheme by persons or bodies other than the Committee and the sum (if any) to be paid for such use.
- (b) the appointment as secretary (to hold office at their pleasure) of one of themselves without salary or some other fit person at such salary, if any, as the Committee may from time to time determine;
- (c) 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;

- (d) the engagement and dismissal of such paid officers and servants as the Committee may consider necessary and
- (e) the number of Members, being not less than one-third of the total number of Members for the time being, who shall form a quorum at meetings of the Committee.
- (f) the creation of sub-committees, comprised of specified Members, for specified purposes.

Minutes and Accounts

21. A minute book and books of account shall be provided and kept by the Committee.

Vesting Property

22. The committee and all other persons capable of being bound by this Scheme shall, unless the Secretary of State for Education and Science otherwise in writing directs, do all such acts as may be necessary in order to vest in and transfer to the Official Custodian for Charities all freehold and leasehold lands and hereditaments and all stocks, shares, funds and securities at any time belonging to the Foundation.

Donations

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

Questions under Scheme

24. If any question arises 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, it shall be determined by the Secretary of State for Education and Science, upon such application made to him for the purpose as he thinks sufficient, and such determination shall be binding on the Committee and all persons claiming under the Foundation.

Interpretation

25. The Interpretation Act 1889 shall apply for the interpretation of this Scheme as it applies for the interpretation of an Act of Parliament.

Date of Scheme

26. The date of this Scheme shall be the day on which it is established by an Order of the Secretary of State for Education and Science.

The Secretary of State for Education and Science orders that the foregoing Scheme be established. Given under the Official Seal of the Secretary of State for Education and Science on 7th July 1970.