PARISH HALL NEWTON St CYRES

CHARITY COMMISSION

In the matter of the Charity known an the Parish Hall, in the Parish of Newton St. Cyres, in the County of Devon, comprised In a deed of gift dated the 30th December 1926; and In the matter of the Charities Act. 1960.

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**. - The above-mentioned Charity and the property shall be administered and managed in accordance with the provisions of' the above-mentioned Scheme of the 5th February 1968 as varied or affected by the provisions of this Scheme.

2. **Vesting** - The land with the building the 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 of maintenance of a village hall for the use of the inhabitants of the Parish of Newton St. Cyres (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.

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

COMMITTEE OF MANAGEMENT

4. Constitution.

Subject as hereinafter provided, the Committee of Management (hereinafter referred to as the Committee) shall consist of :

Chairman, Vice-Chairman, Secretary, Treasurer.
Eight other Elected Members.
Two Ex-officio or Nominated Members and (if elected) President and Vice-Presidents.

In addition to these elected and ex-officio or nominated members, all organisations based in Newton St Cyres and organisations from elsewhere that are regular users of the Hall have the right to nominate a Representative Member. Representative Members are entitled to attend meetings, but do not have voting rights and are not trustees of the charity.

5. **Ex-officio or Nominated Members. -** The Incumbent of the benefice that includes Newton St Cyres, and the Chairman of the Parish Council of Newton St. Cyres both for the time being and by virtue of their respective posts have the right to become ex-officio members of the Committee of Management or to nominate a person who may decide either to be a full member of the Committee and Trustee or to become a Representative Member.

6. **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.

7. **Representative Members** Organisations shall notify the name of any nominated Representative Member to the Secretary of the Committee in writing and also inform the Secretary of any changes in the nomination

8. **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.

9. **Determination of membership**.

   (1) Any Member who is adjudged bankrupt or 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) A Representative Member may be removed from office by the organisation by which he was appointed and shall cease to be a Member on the day on which notification of the removal is received by the secretary of the Committee from that organization.

   (3) Except as regards Ex-officio and Representative Members, all Members shall cease to be Members at the end of the annual general meeting. But except as in this clause provided each Member may be re-appointed

10. **Alteration of 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 or 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 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 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) If the Chairman and vice-chairman (if any) are absent from any meeting of the Committee the Members shall choose one of their number to be chairman of the meeting before any other business is transacted.

17. Voting. - Every matter shall be determined by the majority or votes of the elected and ex-officio Members present and voting on the question. In case of equality of votes the chairman of the meeting shall have a second or casting vote.

18. Minutes and accounts. - A minute book and books of account shall be provided and kept by the Committee.

19. 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 building 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,

(2) the appointment of an auditor 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) there shall be a quorum when at least one third of the elected and ex-officio Members for the time being are present at a meeting.

20. 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 maintaining, repairing and sufficiently insuring 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.

21. Surplus cash - sums of cash at any time belonging to the Charity and not needed for immediate working purposes shall be invested in trust for the Charity.

ANNUAL GENERAL MEETING.

22. Annual General Meeting

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

(2) All Inhabitants of the area of benefit of eighteen years or 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 Constance May Quicke, Flat 1 Newton House, Newton St. Cyres 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 fourteen 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 for the time being of the Committee but if he is not present, before any other business is transacted the persons present shell 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.

GENERAL PROVISIONS.

23. 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.

24. Questions under Scheme - Any question as to the construction of this Scheme or to the regularity or the validity or 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 purposes as they think sufficient.

SCHEDULE

Land containing 15 perches or thereabouts situate in the Parish of Newton St. Cyres in the County of Devon having a frontage on the west to West Town Road being part of the land numbered 473 on the Ordnance Survey map (1905 edition) and being the land comprised in the above-mentioned deed of gift dated the 30th December 1926 made between Noel Arthur Godolphin Quicke of the one part and. the said Noel Arthur Godolphin Quicke, and two others of the other part with the building since erected thereon known as the Parish Hall.

Sealed by order of the Commissioners this 5th May of February 1968

Incorporating modifications to Scheme agreed by Charity Commissioners in 2005 and modification agreed in 2009