

BRENTOR VILLAGE HALL AND PLAYING FIELD

203375

CONSOLIDATED GOVERNING DOCUMENT

**PLEASE NOTE THAT THIS CONSOLIDATED
DOCUMENT DOES NOT REPLACE THE ORIGINAL
GOVERNING DOCUMENT AND ASSOCIATED
AMENDMENT DOCUMENTS WHICH ARE LODGED
WITH THE CHARITIES COMMISSION**

**THIS DOCUMENT SHOULD NOT BE USED FOR
OFFICIAL PURPOSES
AND IS ONLY
FOR EASE OF READING THE CURRENT RULES**

Sealed 18th April 1991

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County - Devon
Parish - Brentor
Charities - 1. Village Hall
2. Playing Field

CD(T1)
203,375 A/I

Adjudged not chargeable
with stamp duty

Scheme including
appointment of
Trustees

CHARITY COMMISSION

In the matter of the following Charities in the Parish of
Brentor in the County of Devon:-

1. The Charity called the Brentor Village Hall,
regulated by a Scheme of the Charity
Commissioners of the 11th December 1956;
2. The Charity known as the Playing Field, regulated
by a declaration of trust dated the 29th December
1955; 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 Charities:-

SCHEME

I. Administration of Charity. The above-mentioned Charities and the
property thereof specified in the schedule hereto and all other the property (if any) of the
Charities shall be administered and managed together as one Charity under the title of the
Brentor Village Hall and Playing Field (hereinafter referred to as the Charity) in conformity
with the provisions of this Scheme by the Committee of Management hereinafter
constituted as the charity trustees thereof within the meaning of section 46 of the Charities
Act 1960: Provided that until the end of the first annual general meeting to be held as
hereinafter provided after the date of this Scheme the Charities shall be administered by
the existing Trustees of the Charities in accordance with the provisions of the Scheme.

2. Vesting. The land with the buildings thereon specified in the said schedule and
belonging to the Charity numbered 2 above 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.

723-9-5-85(x1)

OBJECT

3. Object of Charity. (1) The object of the Charity shall be the provision and maintenance of a village hall, playing field and facilities ancillary thereto for the use of the inhabitants of the Parish of Brentor and the neighbourhood thereof (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 other leisure-time occupation, with the object of improving the condition of life for the said inhabitants.

(2) The land belonging to the Charity and any buildings thereon shall be held upon trust for the purposes of a village hall, playing field and facilities ancillary thereto as aforesaid.

COMMITTEE OF MANAGEMENT

4. Constitution. *Subject as hereinafter provided, the Committee of Management (hereinafter referred to as the committee) shall consist when complete of twelve persons (hereinafter referred to as Members) being*

*8 Elected Members and
4 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:*

*Brentor Parish Council
Brentor Parish Church Council
Friends of the Field
Representative of Brentor Clubs*

(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 not be made more than a 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 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 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 of 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 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 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 land and buildings 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, 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 half + 1 of the total number of Members for the time being.*

20. Sub-Committees. *Subject to such restrictions or conditions as it thinks fit, the Committee may delegate from time to time sub-committees consisting of not less than two members of the Committee the day to day running of the playing field and village hall. Provided that any act or proceedings of such sub-committees shall be reported back to the Committee as soon as possible. The committee may withdraw at any time all or any of the powers or duties of the sub-committee.*

INSURANCE

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

APPLICATION OF INCOME

22. Receipts and expenditure. (1) The income of the Charity including all payments for the use of the said land and buildings 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 the property of the Charity (including the repair of the said buildings 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.

23. 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

24. Annual General Meeting. (1) *There shall be an annual general meeting in connection with the Charity which shall be held in the month of May 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 Martyn Henry Bateman 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 for the time being of the Committee, but if he or she is 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.

GENERAL PROVISIONS

25. 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.

26. 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

Charity numbered 1 above

Land containing 0.48 of an acre or thereabouts situate in the Parish of Brentor in the County of Devon and numbered 245 on the Ordnance Survey map (1906 edition) with the buildings thereon formerly known as the Reading Room and now known as Brentor Village Hall.

48 Income Shares in the Charities Official Investment Fund.

£97.30 cash on deposit account at the Tavistock branch of Lloyds Bank Plc,
£2,000.52 cash on current account at the said branch of the said bank.

Charity numbered 2 above

Land containing 4.609 acres or thereabouts situate at Brentor in the County of Devon being the land numbered 693 on the Ordnance Survey map (1906 edition) with the buildings thereon being the land comprised in a conveyance made on the 23rd September 1987 between The Devonshire Playing Fields Company Limited of the one part and Walter Bramwell Davies and another of the other part.

£207.55 cash on deposit account at the Tavistock branch of Trustee Savings Bank.

£5.02 cash on current account at the said branch of the said bank.

This schedule is made up to the 22nd October 1990.

Note. The above-mentioned land belonging to the Charity numbered 1 above is vested in the Official Custodian for Charities by virtue of a Scheme of the Charity Commissioners of the 28th September 1934 as affected by the provisions of the Charities Act 1960.

Sealed by Order of the Commissioners this 18th day of April 1991.

L.S.
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ATTENDANCE

27. Attendance. Members of the Committee SHOULD attend four of the six meetings unless prearranged with the chair of the Committee due to illness or unforeseen circumstances. If a Member of the Committee is otherwise unable to fulfil their obligation, they may be required to step down.

28. Conflict/dispute between two members. After trying to resolve the issue, if an agreement cannot be reached, an independent party will look at both sides and come up with fresh ways to resolve the dispute Through mediation, both sides must agree to any solution so it is more likely to be a lasting agreement

Amendments to scheme/ governing document
Incorporated in the SCHEME document text as italics

22nd May 2019

Proposed and ratified at AGM. On 22nd May 2019

Sections amended – 4,6,19,20,24

Section added - 27

Approved by the following committee members:

Chair: Sheryl Burroughs

Vice Chair : Claire Percival

Treasurer : Susan Stephens

Committee :

Helen de Carles

Margaret Calder

Catherine Kelly

John Evens

Anne Clark

Dominic Carnell

Linda Bristow

5th May 2021

Proposed and ratified at a meeting held on 5th May 2021 at the Playing Field:

Section added – 28

Approved by the following committee members:

Chair: Sheryl Burroughs

Treasurer : Susan Stephens

Secretary : Rosine Arnold

Committee :

Helen de Carles

Margaret Calder

Catherine Kelly

Sandra Johnson

Melissa French

Jeanette Emmett

Anne Clark