Sealed 15th July 1998

W 167(S)
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County - Devon
Parish - Christow
Charities - 1. Christow Village Hall
2. Teign Valley
Community Hall

CD(T)
1,051,522

Scheme including appointment of
Trustees

C H A R I T Y C O M M I S S I ON

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In the matter of the following Charities, in the Parish of Christow, in the County of Devon:

1. The Charity known as Christow Village Hall, regulated by a Scheme of the Charity Commissioners of the 31st March 1988;
2. The Charity called Teign Valley Community Hall, regulated by declaration of trust dated the 29th April 1995; and

In the matter of the Charities Act 1993.

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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

1. Administration of Charities. (1) 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 (hereinafter referred to as the Charity) in conformity with the provisions of this Scheme by the Committee of Management herein 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 numbered 2 above in accordance with the provisions of this Scheme.

(2) The name of the Charity shall be Teign Valley Community 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. Discharge of Custodian Trustee. The body corporate called Christow Parish Council in whom the land numbered 1 in the Schedule hereto belonging to the Charity is vested as Custodian Trustee is hereby discharged from its Custodian Trusteeship as respects the said land and the Custodian Trusteeship of the Charity is terminated.

3. Vesting. The land with the building thereon numbered 1 and 2 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

4. Object of Charity. (1) The object of the Charity shall be the provision and maintenance of a community hall for the use of the inhabitants of the Parishes of Ashton, Bridford, Christow, Doddiscombsleigh and Trusham (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 community hall as aforesaid.

COMMITTEE OF MANAGEMENT

5. Constitution. Subject as hereinafter provided, the Committee of Management (the Committee) shall consist when complete of 18 persons (the Members) being

6 Elected Members and
12 Representative Members.

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

Ashton Parish Meeting
Bridford Parish Council
Christow Parish Council
Doddiscombsleigh Parish Meeting
Trusham Parish Meeting
Haldon and Teign Valley Mission Community
Each of six currently active hall user groups which:

a) is a sport, exercise, community support, heritage, arts or other such social group
b) is primarily based in the area of benefit and
c) has used the hall on at least four occasions in the 12 months preceding the AGM after which their term office shall commence.

(2) At least two months prior to the AGM all organisations fitting the criteria set out above will be sent a written invitation to appoint a Representative Member for the following year.

(3) Each organisation that wishes to appoint a Representative Member shall notify the name of the person appointed by it to the secretary of the Committee at least two weeks prior to the AGM.

(4) In the event that more than six currently active hall user groups wish to appoint a Representative Member, the six groups to be allocated a place on the committee will be decided at the AGM by an impartial random procedure such as the drawing names from a hat

(5) 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.

(6) 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.

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. 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) Any Member who fails to attend meetings for more than six months without a cause deemed reasonable by the Chair shall be required to resign. In the case of an Appointed Member their organisation will be invited to appoint a new representative for the remainder of the year.

(3) 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 reappointed.

10. 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 that meets the criteria set out in paragraph 7. (1).

11. Removal of 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 remove from any organisation the right to appoint a Representative Member. Such resolution shall not take effect unless and until it is ratified by a majority of people attending and voting at the next Annual General Meeting of the Charity. The Committee shall give notice of its intention to remove the power of appointment to the organisation concerned at least 28 days before the next Annual General Meeting, at which the Committee will give its reasons for removing the power and permit a representative of the organisation to address the meeting in support of retaining the power.

12. 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.

13. 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.

14. 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

15. 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

16. 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.

17. 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.

18. 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.

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

20. Accounts and annual report. The Committee shall comply with their obligations under Part VI of the Charities Act 1993 with regard to:

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

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

(3) the preparation of an annual report;

(4) where applicable, the auditing or independent examination of the statements of account of the Charity; and

(5) where applicable, the transmission of the statements of account and the annual report to the Commissioners.

21. Annual return. The Committee shall, where applicable, comply with their obligations under the Charities Act 1993 with regard to the preparation of an annual return and its transmission to the Commissioners.

22. 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.

23. Sub-committee. The Committee may appoint one or more sub-committees consisting of such number of Members as the Committee thinks fit for the purpose of performing any function or duty which in the opinion of the Committee would be more conveniently undertaken or carried out by a sub-committee. All acts and proceedings of such committees shall be fully and promptly reported to the Committee.

## INSURANCE

24. 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

25. 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.

26. 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

27. Annual general meeting. (1) There shall be an annual general meeting in connection with the Charity which shall be held in the month of September 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, 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

28. 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.

29. Power of amendment. (1) Subject to the provisions of this clause, the Committee may amend the provisions of this Scheme.

(2) The Committee may resolve to add the names of other organisations operating in the area of benefit to the list in clause 7 of this Scheme. The resolution must be passed at an ordinary meeting of the Committee by not less than two-thirds of the Members of the Committee.

(3) Any other amendment must be made under the authority of a resolution passed at the annual general meeting. The notice of the meeting must include notice of the resolution, setting out the terms of the amendment proposed.

(4) The Committee must not make any amendment which would:

(a) vary this clause;

(b) vary clause 4 (Object of Charity);

(c) confer a power to dissolve the Charity;

(d) enable them to spend permanent endowment of the Charity.

(5) The Committee must obtain the prior written approval of the Commissioners to any amendment which would:

(a) vary the composition of the Committee or the terms on which members hold office (other than amendments made under sub-clause 2 of this clause);

(b) vary the power for the remuneration of Members in clause 15 of this Scheme;

(c) vary the Committees' power of investment.

(6) The Committee must:

(a) promptly send to the Commissioners a copy of any amendment made under this clause; and

(b) keep a copy of any such amendment with 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.

S C H E D U L E

1. Land containing 487.07 square metres or thereabouts situate at Christow in the County of Devon having a frontage of 107 or thereabouts on the road leading from Christow to Gidley's Turn being part of the land numbered 753 on the Ordnance Survey map (1905 edition) with the building thereon known as the Village Hall being the land comprised in a deed of gift dated the 2nd November 1957 and made between The Right Honorable Pownoll Irving Edward Viscount Exmouth of the first part, Angus Chambers Lyell and two others of the second part and George Thomas Archer and three others of the third part.

2. Land forming part of the Recreation Field at Christow in the County of Devon being the land comprised in a Conveyance dated 28th August 1997 and made between The Parish Council of Christow of the one part and Michael James Oldrieve and two others of the other part, as shown edged red in the said Conveyance.

Sealed by Order of the Commissioners this 15th day of July 1998.