

**THE CHARITY COMMISSIONERS FOR ENGLAND AND WALES**

Under the power given in the Charities Act 1993

Order that from today, the

**10 October 2006**

the following

**SCHEME**

will govern the charity

known as

**GREAT EASTON PARISH HALL FUND (295400)**

at

Parish of Great Easton

Commissioners' References:

Sealing: W158(S)/06

Case No: 539001

## **1. Definitions**

In this scheme:

“the area of benefit” means Great Easton and the surrounding neighbourhood.

“the charity” means the charity identified at the beginning of this scheme.

“former trusts” means the Charity Commission Scheme dated 26 May 1964.

“the trustee” means the Great Easton Parish Council.

## **2. Administration**

The charity is to be administered by the trustee in accordance with this scheme. This scheme replaces the former trusts of the charity.

## **3. Name of the charity**

The name of the charity is Great Easton Parish Hall Fund.

## **4. Object of the charity**

(1) The object of the charity is the provision and maintenance of a village hall for use by the inhabitants of the area of benefit without distinction of political, religious or other opinions, including use for:

- (a) meetings, lectures and classes, and
- (b) other forms of recreation and leisure-time occupation,

with the object of improving the conditions of life for the inhabitants.

(2) The land and building identified in the schedule to this scheme is vested in the Official Custodian for Charities for all the estate and interest therein belonging to or held in trust for the Charity.

## **5. Trustee**

The Great Easton Parish Council of the parish of Great Easton will be the trustee and it will act in accordance with its usual practice.

## **6. Annual general meeting**

(1) There must be an annual general meeting of the charity within two months after the end of the accounting year, or as soon as possible thereafter.

(2) All residents of the area of benefit of 18 years and upward must be allowed to attend and vote at the meeting. The trustee may allow residents who are under 18 to attend (but not vote at) the meeting.

(3) The first annual general meeting after the date of this scheme must be called by the existing trustee within 12 months of that date. Every other meeting must be called by the trustee.

- (4) Public notice of the meeting must be given in the area of benefit at least 14 days before the meeting.
- (5) At the meeting the trustee must present the report and accounts for the last financial year. The existing trustee will present the report and accounts to the first meeting.
- (6) Every matter must be decided by majority decision of those present and voting. The chairman of the meeting may cast a second or casting vote only if there is a tied vote.

## **7. Transfer of property**

The title to the land described in the schedule to this scheme is transferred by this scheme to the Official Custodian for Charities in trust for the charity.

## **8. Use of income and capital**

- (1) The trustee must firstly apply:
  - (a) the charity's income; and
  - (b) if the trustee think fit, expendable endowment
  - (c) when the expenditure can properly be charged to it, its permanent endowment

in meeting the proper costs of administering the charity and of managing its assets (including the repair and insurance of its buildings).
- (2) After payment of these costs, the trustee must apply the remaining income in furthering the object of the charity.
- (3) The trustee may also apply for the object of the Charity:
  - (a) expendable endowment for the object of the charity.
  - (b) Permanent endowment, but only on such terms for the replacement of the amount spent as the Commission may approve by order in advance.

## **9. Sale of land**

- (1) Subject to the provisions of this clause, the trustee may sell the land identified in the schedule. (The trustee must comply with the restrictions on disposal imposed by section 36 of the Charities Act 1993, unless the disposal is excepted from these restrictions by section 36(9)(b) or (c) or section 36(10) of that Act.)
- (2) The trustee may only sell the land if:
  - (a) the trustee decides that the land is no longer required for use as a village hall; and

- (b) the decision to sell is confirmed by a resolution passed at a meeting of the residents of the area of benefit of 18 years and upward. At least 14 days' notice of the meeting, setting out the terms of the resolution, must be given.
- (3) The trustee must invest the proceeds of any such sale in trust for the charity.

#### **10. Amendment of scheme**

- (1) The trustee (subject to the provisions of this clause) may from time to time amend the trusts if they are satisfied that it is expedient in the interests of the charity to do so.
- (2) The trustee must not make any amendment which would have the effect directly or indirectly of:
  - (a) altering or extending the purposes of the charity;
  - (b) authorising the trustee to do anything which is expressly prohibited by the trusts of the charity;
  - (c) causing the charity to cease to be a charity at law;
  - (d) altering or extending the power of amendment that is conferred by this clause
- (3) The trustee must obtain the prior written approval of the Commissioners before making any amendment which would have the effect directly or indirectly of:
  - (a) enabling them to spend permanent endowment or capitalise income of the charity;
  - (b) conferring a benefit of any kind on the current trustee or their successors;
  - (c) restricting the existing right of any person (other than the trustee) to appoint or remove a charity trustee, or trustee for the charity, or to intervene in the administration of the charity, without the consent of that person;
  - (d) varying the name of the charity.
- (4) An amendment may be made only by a resolution passed at a meeting of the trustee of which not less than 21 days notice has been given. The notice must set out the terms of the proposed amendment.
- (5) The trustee must:
  - (a) prepare a written memorandum of each amendment that it makes, which must be signed at the meeting at which the amendment is made by the person chairing the meeting;
  - (b) send to the Commissioners a certified copy of the memorandum within three months of the date of the meeting; and

- (c) retain the memorandum as part of the governing document.

**11. Questions relating to the Scheme**

The Commissioners may decide any question put to them concerning:

- (1) the interpretation of this scheme; or
- (2) the propriety or validity of anything done or intended to be done under it.

**SCHEDULE**

All that land with the building erected thereon known as the Parish Room, Great Easton in the County of Essex.