

CHARITIES COMMISSION FOR ENGLAND & WALES

SCHEME

THE CHIEVELEY RECREATIONAL CENTRE
CHIEVELEY BERKSHIRE

DATED: 27TH FEBRUARY 1987

Governing document

SCHEME OF 27 FEBRUARY 1987 AS AMENDED BY RESOLUTION PASSED 19 JULY
2010.

Governing document

SCHEME OF 27 FEBRUARY 1987 AS FURTHER AMENDED BY RESOLUTION
PASSED 18 JUNE 2018

Governing document

SCHEME OF 27 FEBRUARY 1987 AS FURTHER AMENDED BY RESOLUTION
PASSED 19 JUNE 2019

Governing document

SCHEME OF 27 FEBRUARY 1987 AS FURTHER AMENDED BY RESOLUTION
PASSED 14 JUNE 2023

81(S)

87

Royal County – Berkshire
Parish - Chieveley
Charity- The Chieveley Recreational Centre

L 5(E.)
153,292

Adjudged not chargeable
with stamp duty

Scheme including appointment
of Trustees

CHARITY COMMISSION

In the matter of the Charity called The Chieveley Recreational Centre
in the Parish of Chieveley in the Royal County of Berkshire
regulated by a conveyance dated the 10th December 1948; 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 thereof specified in the schedule hereto and all other the property (if any) of the Charity shall be administered and managed 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 Charity shall be administered by the existing Committee of Management of the Charity in accordance with the provisions of the Scheme.

2. **Vesting.** The land with the building thereon 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 and maintenance of a village hall and recreation ground for the use of the inhabitants of the Parish of Chieveley (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 held upon trust for the purposes of a village hall and recreation ground 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 21 persons (hereinafter referred to as Members) being

Eight elected Members and
Thirteen 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:

Chieveley Parish Council,
Chieveley Cricket Club,
Chieveley Cub Scouts,
Chieveley Floral Group,
Chieveley Football Club,
Chieveley Girl Guide Company and Chieveley Brownie Pack jointly,
Chieveley Horticultural Society,
Chieveley Playgroup,
Chieveley Tennis Club,
Chieveley Whist Club,
Chieveley Branch of the Women's Institute,
Chieveley Toddler Group,
Evergreens,

(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 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.

(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-optative Members. The Committee may appoint if they think fit not more than two Co-optative Members. Each appointment of a Co-optative 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 Member's 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 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, 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.

INSURANCE

20. 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 and shall suitably insure against risks arising out of the ownership of property and the employment of persons.

APPLICATION OF INCOME

21. 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.

22. Surplus cash. Sums of cash at any time belonging to the Charity and not needed for immediate working purposes shall be invested in the name of the said Official Custodian unless the Commissioners otherwise direct.

ANNUAL GENERAL MEETING

21 Annual general meeting. (1) There shall be an annual general meeting in connection with the Charity which shall be held in the month of June 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 Committee of Management of the Charity. 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.

LETTING AND SALE

24. Letting. Subject to the condition that the use of the remainder of the said land and building for the object at the Charity shall not be unduly interfered with, the Committee may let any part thereof not for the time being required for use for the said object but the Committee shall not without the sanction of the Commissioners or a competent court create any tenancy wholly or partly in consideration of a time or for a term ending more than 22 years after it is granted or for less than the best rent obtainable.

25. Sale. If at any time the Committee decide that on the grounds of expense or otherwise it is necessary or advisable to discontinue the use of the whole or part of the said land and building for the purposes of a village hall, and that decision is confirmed by a resolution passed by a majority of the inhabitants of the area of benefit of 18 years of age and upwards attending and voting at a meeting of which public notice has been given in the area of benefit at least 14 days before the date thereof, the Committee may subject to the authority of a further Order or Orders of the Commissioners sell the said land and building or any part thereof and may do and execute all proper acts and assurances for carrying any such sale into effect.

26 Proceeds of sale. (1) Unless the Commissioners otherwise direct no Committee shall pay over the clear proceeds of any such sale as aforesaid for investment in the name of the said Official Custodian.

(2) Thereafter, the Committee shall apply the clear income and subject to the approval of the Commissioners the property of the Charity in furthering the

object of the Charity or for such other charitable purposes for the general benefit of the inhabitants of the area of benefit as the Committee think fit.

GENERAL PROVISIONS

27. 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 the Scheme.

28. 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

Land containing 9 acres or thereabouts situate at Chieveley in the Royal County of Berkshire having a frontage of 250 metres or thereabouts on the east to the road leading from Chieveley to Peasemore with the buildings thereon known as Chieveley Recreational Centre being, the land comprised in the above-mentioned conveyance dated the 10th December 1948 made between Ethel Frances Marion Rayner of the first part Walter Edgington and two others of the second part and Gerald Eustace Howell Palmer and two others of the third part and recorded in the books of the Charity Commissioners of the 1st April 1949 pursuant to section 29(4) of the Settled Land Act 1925.

£6,882 cash on deposit account at the Newbury branch of Lloyds Bank plc.

£4,395 cash on current account at the said branch of the said bank.

This schedule is made up to the 10th October 1986.

Sealed by Order of the Commissioners this 27th day of February 1987.

CHIEVELEY VILLAGE HALL AND RECREATION CENTRE

HIGH STREET. CHIEVELEY. BERKS. RG208TF

6 Barton Copse
Chieveley, Newbury,
RG208RN
01635 248801
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20th July 2010

RESOLUTIONS PROPOSED & PASSED AT THE ANNUAL GENERAL MEETING 19TH JULY 2010.

The Annual General Meeting of the Chieveley Village Hall and Recreation Centre was held on Monday 19th July. 8 Representative Members and 7 Elected Members of the Committee of management were present. The following Resolutions were tabled and resolved:

Resolution 1

Resolved that:

- It is noted that the following organisations listed in paragraph 6 of the Scheme dated 27th February 1987 are currently in abeyance:
 - o Chieveley Cub Scouts
 - o Chieveley Football Club
 - o Chieveley Girl Guide Company and Chieveley Brownie Pack
 - o Evergreens
- It is agreed that the following organisations, as successors to those listed in paragraph 6 of the Scheme, are entered as trustees under their new names:
 - o Chieveley Gardening Club *vice* Chieveley Horticultural Society
 - o Chieveley Pre-School *vice* Chieveley Playgroup
- In accordance with paragraph 9 of the Scheme it is agreed that the following organisations be empowered to appoint Representative Members:
 - o Newbury and District Dog Training Society
 - o Cold Ash Football Club

Proposed by: Denis Butcher

Seconded by: George Goody

Unanimously agreed by all the Trustees attending the AGM.

Resolution 2

Resolved that:

The Committee of Management appoint an Executive Committee to discharge routine management functions on its behalf.

The composition of that Committee, which will include the Chairman and Treasurer, be

agreed at each annual General Meeting.

The Executive Committee be empowered to conduct the routine management of the Centre, including the authorisation of expenditure, provided that:

- (i) No activities are authorised or undertaken that might conflict with the Objects of the Charity.
- (ii) No expenditure is authorised that might call into question the financial viability of the Charity.
- (iii) The Committee of Management be kept informed of the activities of the Executive Committee by:
 - (a) The holding of at least one meeting a year, in addition to the General Meeting.
 - (b) The provision, on request, of all papers and minutes of Executive Committee meetings to members of the Management Committee not forming part of the Executive Committee.

Proposed by: Liz Cottrell

Seconded by: Chris Vaughan

Unanimously agreed by of Trustees present.

Michelle Passmore

Joint Secretary of the Chieveley Village Hall

CHIEVELEY VILLAGE HALL AND RECREATION CENTRE

HIGH STREET. CHIEVELEY. BERKS. RG20 8TF

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24th June 2018

RESOLUTION PROPOSED & PASSED AT THE ANNUAL GENERAL MEETING 18TH JUNE 2018.

The Annual General Meeting of the Chieveley Village Hall and Recreation Centre was held on Monday 18th June. 5 Representative Members and 6 Elected Members of the Committee of management were present. The following Resolution were tabled and resolved:

Resolution 1

Resolved that:

- It is noted that the following organisation as listed in the Resolution passed at the AGM July 19th 2010 has ceased using Chieveley Recreation Centre (CRC) premises:
 - o Chieveley Pre-School vice Chieveley Playgroup
- In accordance with paragraph 9 of the Scheme it is agreed that the following organisations be empowered to appoint Representative Members:
 - o Chieveley Cinema Club
 - o TexttheArt07
 - o Newbury Bridge Club
 - o Pilates
 - o Cold Ash Boys & Girls Football Club (previously named in 2010 Resolution as Cold Ash Football Club – a completely separate Club organisation)
 - o Chieveley Flower Club *vice* Chieveley Floral Group
 - o Chieveley Short Mat Bowls Club

Proposed by: Meg Hooper

Seconded by: Denis Butcher

Unanimously agreed by all Trustees present.

David Campbell

Acting Secretary of the Chieveley Recreational Centre

CHIEVELEY VILLAGE HALL AND RECREATION CENTRE

HIGH STREET. CHIEVELEY. BERKS. RG20 8TF

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19th June 2019

**RESOLUTION PROPOSED & PASSED AT THE ANNUAL GENERAL MEETING
19th JUNE 2019.**

The Annual General Meeting of the Chieveley Village Hall and Recreation Centre was held on Monday 18th June. 7 Representative Members and 6 Elected Members of the Committee of management were present. The following Resolutions were tabled and resolved:

Resolution 1

Resolved that:

- Application should be made to the Charity Commissioners to amend clause 15 to the following:
15. Meetings of the Committee. The Committee shall hold at least one ordinary meeting in each year and three meetings of the Executive. 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.

- And the amendment to the constitution dated 20th July 2010 is to be amended to the following:
(iii) The Committee of Management be kept informed of the activities of the Executive Committee by the provision, on request, of all papers and minutes of Executive Committee meetings to members of the Management Committee not forming part of the Executive Committee and the distribution of all minutes, regardless of request.

Proposed by: Mike Belcher

Seconded by: David Cook

Unanimously agreed by all Trustees present.

Hilary Cole raised a point of order. She felt that it should be made clear that only Trustees and Elected Members of the Committee were allowed to vote on various items. William thanked Hilary for the reminder and noted that this should also be made plain in the constitution and at further combined meetings.

Helen Singleton
Secretary of the Chieveley Recreational Centre

CHIEVELEY VILLAGE HALL AND RECREATION CENTRE

HIGH STREET. CHIEVELEY. BERKS. RG20 8TF

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Chieveley
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01635 247534
William@fourhoopers.co.uk

14th June 2023

RESOLUTION PROPOSED & PASSED AT THE ANNUAL GENERAL MEETING 14th June 2023

The Annual General Meeting of the Chieveley Village Hall and Recreation Centre was held on Wednesday 18th June 2023. 7 Representative Members and 1 Elected Member of the Committee of management were present with 4 non-members. The following Resolution was tabled and resolved:

Our Governing Document is old and contains clause 14 which forbids payment to a Trustee for services. It currently states:

“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.”

It is proposed to this AGM to amend this clause to state:

- 14 Limitation on Personal Interest. No Trustee is to be paid for fulfilling their role as a Trustee. 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. Where properly authorised by the Trustees or Executive, and within the regulations contained by the Charities Act a Trustee may be remunerated for services delivered to the Charity and an organisation in which a Trustee has an interest may be engaged for the delivery of services to the Charity, where beyond those expected of a trustee and at no more than fair market rate.

Proposed by William Hooper and seconded by Simon Lamb, all were in agreement.

RESOLUTION PROPOSED & PASSED AT THE MEETING of TRUSTEES 14th June 2023

The Meeting of Trustees of the Chieveley Village Hall and Recreation Centre was held on Wednesday 18th June 2023. 7 Representative Members and 1 Elected Member of the Committee of management were present. The following Resolution was tabled and resolved:

Resolution to Pay the Booking Manager, following the discussion of amendment to the Governing document in the preceding AGM.

465-24-3-86

The trustees acknowledge the Executive's decision that the role of Bookings Manager should be paid at a level to be determined from time to time by the Treasurer in recognition that the services are beyond those normally expected of a Trustee and these are no more than fair market rate.

William proposed that this resolution should be adopted. All were content.