

THE CHARITY COMMISSION FOR ENGLAND AND WALES

Under the power given in the Charities Act 1993

Orders that from today, the

28 August 2009

this

SCHEME

will govern the charity

formerly known as

KING GEORGE'S FIELD AND HALL (305018)

and now to be known as

EFFINGHAM VILLAGE RECREATION TRUST (305018)

at

Effingham, Surrey

**SCHEME revised by
EFFINGHAM VILLAGE RECREATION TRUST
Meeting of Trustees
17 April 2018**



Authorised Officer

Sealing: 742/0910
Case No: C-238011-COE6

Definitions

In this scheme:

"the charity" means the charity identified at the beginning of this scheme.

"the area of benefit" means the Parish of Effingham and its immediate neighbourhood.

"the trustees" means the trustees of the charity acting under this scheme and "trustee" means one of the trustees.

ADMINISTRATION

1. Administration

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

2. Name of the charity

The name of the charity is Effingham Village Recreation Trust.

OBJECT

3. Object of the charity

- (1) The object of the charity is, for the public benefit, to provide or assist in the provision, support and or maintenance of facilities for recreation and other leisure-time occupation for the inhabitants of the area of benefit, in particular through the provision of a village hall and recreation grounds.
- (2) The land numbered 1 in the schedule to this scheme is part of the national memorial to His Late Majesty King George V and must be retained for use as a public recreation ground and village hall under the name of King George's Field and King George's Hall.
- (3) The land numbered 2 and 3 in the schedule to this scheme must be retained for use for the object of the charity.

POWERS OF THE TRUSTEES

4. Powers of the trustees

In addition to any other powers which they have, the trustees may exercise the following powers in furtherance of the objects of the charity:

- (1) Power to make rules and regulations consistent with this scheme for the management of the charity. The rules may include the terms and conditions upon which the facilities provided by the charity may be used by persons or bodies other than the trustees and the sum (if any) to be paid for such use.
- (2) Power to delegate the performance of any act, including the exercise of any power or discretion, to a committee consisting of any two or more of the trustees. (The trustees must exercise reasonable supervision over the committee and the committee must promptly report their acts and proceedings to the trustees.) The committee must not incur expenditure on behalf of the charity except in accordance with a budget previously agreed by the trustees.
- (3) Power to establish advisory committees and to make regulations setting out the constitution, roles and responsibilities of any such committee.

TRUSTEES

5. Custodian trustee

Effingham Parish Council continues to be the custodian trustee of the charity.

6. Trustees

- (1) There should be:

4 nominated trustees and
Not more than 3 co-opted trustees

appointed in accordance with clauses 7, 8 and 9 of this scheme.

- (2) Trustees shall not have any conflicting interests (personal or pecuniary) which would seriously conflict with their duty to act in the charity's best interest at all times. Such conflicting interests include:

Membership or shares in companies or organisations which have a direct pecuniary interest in the charity

Membership of an organisation which holds a licence or lease to use the facilities of the charity

7. Nominated trustees

Nominated trustees must be appointed by the Effingham Parish Council.

8. Method of appointment of nominated trustees

- (1) Any appointment must be made at a meeting held according to the ordinary practice of the Effingham Parish Council.
- (2) Each appointment must be made for a term of up to 4 years.
- (3) The appointment will be effective from the later of:
 - (a) the date of the vacancy; and
 - (b) the date on which the trustees or their secretary or clerk are informed of the appointment.
- (4) The person appointed need not be a member of the Council.

9. Co-opted trustees

- (1) The appointment of a co-opted trustee must be made by the trustees at a special meeting called under clause 17.
- (2) An appointment may, but need not, be made before the date on which the term of office of an existing co-opted trustee comes to an end, to take effect on that date. In these circumstances:
 - (a) the appointment may not be made more than 3 months before the date on which the existing co-opted trustee's term of office is due to end; and
 - (b) any co-opted trustee whose term of office is about to come to an end must not vote in favour of their own re-appointment.
- (3) Each appointment must be for a maximum term of 3 years. The person must, in the opinion of the trustees, be resident in or have some other connection with the area of benefit.

10. New trustees

The trustees must give to each new trustee, on their first appointment:

- (1) a copy of the governing documents of the charity, including this scheme and any amendments made to it;
- (2) a copy of the charity's latest report and statement of accounts.

11. Register of trustees

- (1) The trustees must keep a register of the name and address of every trustee and the dates on which their terms of office begin and end. Every trustee must sign the register before acting as a trustee, whether on their first appointment or on any later re-appointment.
- (2) The trustees must promptly report any vacancy in the office of nominated trustee to the Council.

12. Termination of trusteeship

A trustee will cease to be a trustee if he or she:

- (1) is disqualified from acting as a trustee by section 72 of the Charities Act 1993; or
- (2) is absent without the permission of the trustees from all their meetings held within a period of 6 months and the trustees resolve that his or her office be vacated; or
- (3) gives not less than one month's notice in writing of his or her intention to resign (but only if at least 3 trustees will remain in office when the notice of resignation is to take effect).

13. Chairman

- (1) At their first ordinary meeting after the AGM in each year the trustees must elect one of their number to be chairman of their meetings.
- (2) The trustees present at a meeting must elect one of their number to chair the meeting if the chairman is not present or the office of chairman is vacant.

14. Honorary Treasurer

At their first ordinary meeting after the AGM in each year the trustees must elect one of their number to be Honorary Treasurer.

15. Secretary or clerk

The trustees may appoint a secretary or clerk, or at their first ordinary meeting after the AGM in each year the trustees may elect one of their number to be Honorary Secretary.

MEETINGS OF TRUSTEES

16. Ordinary meetings

- (1) The trustees must hold at least 3 ordinary meetings in each 12 month period.
- (2) Ordinary meetings require at least 7 days' notice.
- (3) The chairman, or any 2 trustees, may call an ordinary meeting at any time.

17. Special meetings

- (1) The chairman, or any 2 trustees, may call a special meeting at any time.
- (2) Special meetings require at least 4 days' notice, except that meetings to consider the appointment of a co-opted trustee require at least 10 days' notice.
- (3) The notice calling a special meeting must include details of the business to be transacted at the meeting.
- (4) A special meeting may, but need not, be held immediately before or after an ordinary meeting.

18. Quorum

No business may be transacted at a meeting unless at least 3 trustees are present.

19. Voting

- (1) Every matter must be decided by majority decision of the trustees present and voting at a duly convened meeting of the trustees.
- (2) The chairman of the meeting may cast a second or casting vote only if there is a tied vote.

20. Recording of meetings

The trustees must keep a proper record of their meetings.

21. Trustees to act jointly

The trustees must exercise their powers jointly, at properly convened meetings.

ANNUAL GENERAL MEETING

22. Annual general meeting

- (1) There must be an annual general meeting of the charity in June of each year, or as soon as possible thereafter, called by the trustees.
- (2) All inhabitants of the area of benefit of 18 years and upward must be allowed to attend and speak at the meeting. The trustees may allow inhabitants who are under 18 to attend the meeting.
- (3) Public notice of the meeting must be given in the area of benefit at least 14 days before the meeting.
- (5) The chair of the trustees will chair the annual general meeting. The trustees present must elect one of their number to chair the meeting if the chair of the trustees is not present.
- (6) At the meeting the trustees must present the report and accounts for the last financial year.

CHARITY PROPERTY

23. Use of income and capital

- (1) The trustees must firstly apply:
 - (a) the charity's income; and
 - (b) if the trustees think fit, expendable endowment; and
 - (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 or replacement and insurance of its buildings).
- (2) After payment of these costs, the trustees must apply the remaining income in furthering the object of the charity.
- (3) The trustees may also apply for the object of the charity:
 - (a) expendable endowment; and
 - (b) permanent endowment, but only on such terms for the replacement of the amount spent as the Commission may approve or direct in advance.

GENERAL PROVISION

24. Questions relating to the Scheme

The Commission may decide any question put to it concerning:

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

SCHEDULE

1. Land with the buildings thereon known as King George's Field and King George Hall in Effingham registered at HM Land Registry under title number ~~SY741434~~ SY747230



R. Mitchell

2. Land with the building thereon known as the Cricket Ground registered at HM Land Registry under title number SY139050

That part of the

3. Land in Effingham registered at HM Land Registry under title number ~~SY375391~~ SY139050

from which the land now registered at HM LAND Registry under title number SY375391 was taken.



R. Mitchell