

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

with effect from 1 July 2022

Agreed at the meeting of managing trustees on 29 May 2022
and by Effingham Parish Council on 26 April 2022

Revision to clause 6 (1) agreed at the meeting of the trustee on 4 June 2024

Original signed in 2009 by 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 trustee" means Effingham Parish Council as the sole trustee of the charity acting under this scheme.

"member" means a member of Effingham Parish Council as the sole trustee of the charity

ADMINISTRATION

1. Administration

The charity is to be administered by the trustee 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 TRUSTEE

4. Powers of the trustee

In addition to any other powers which it has, the trustee 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 trustee and the sum (if any) to be paid for such use.
- (2) Power to delegate the performance of any act consistent with the rules and regulations made by the trustee, subject always to the authority of the trustee, to a committee consisting of up to 10 members, including at least 2 members of the trustee together with up to 8 natural persons who are not members of the trustee, where:
 - (a) Members of the committee must be appointed at a meeting of the trustee; and
 - (b) The committee may elect a chairman and a vice-chairman; and
 - (c) All members of the committee must act according to the best interest of the charity on all matters and will observe the same procedure for dealing with any conflicts of interest as that which is set out for members of the trustee in clause 11 of this scheme.

The committee must promptly report their acts and proceedings to the trustee. The committee must not incur expenditure on behalf of the charity except in accordance with a budget previously agreed by the trustee.

From the date this scheme comes into effect until such time as members are appointed by an ordinary meeting of the trustee, the members of this committee will be two members of the trustee, Cllr Paula Moss and Cllr Bronwen Roscoe, together with Dr Christopher Hogger.

- (3) Power to establish advisory committees and to make regulations setting out the constitution, roles and responsibilities of any such committee.

THE TRUSTEE

5. The trustee

Effingham Parish Council is the sole trustee of the charity.

6. Chairman and Vice-Chairman

- (1) The vice-chairman and chairman of Effingham Parish Council shall normally be the chairman and vice-chairman respectively of the Trustee. If either the vice-chairman or chairman of Effingham Parish Council decline to hold the office of chairman or vice-chairman of the Trustee, the members of the Trustee must elect one of their number to be the chairman or vice-chairman of the Trustee.
- (2) The chairman, or the vice-chairman if the chairman is not present, will chair meetings of the trustee.

- (3) The members present at a meeting of the trustee must elect one of their number to chair the meeting if neither the chairman nor the vice-chairman is present, or if the offices of chairman and vice-chairman are vacant.

7. Secretary or clerk

The trustee may appoint a secretary or clerk to keep a proper record of meetings.

MEETINGS OF THE TRUSTEE

8. Meetings

Meetings of the trustee may be held in person or by electronic means.

9. Ordinary meetings

- (1) The trustee 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 the vice-chairman, or any 2 members, may call an ordinary meeting at any time.

10 Special meetings

- (1) The chairman, or the vice-chairman, or any 2 members, may call a special meeting at any time.
- (2) Special meetings require at least 4 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.

11. Conflicts of Interest

- (1) All members must declare any interest that he or she has by reason of:
 - (a) membership of any organisation which holds a licence with the charity or a lease of the charity's premises
 - (b) management responsibility in any organisation which holds a licence with the charity or a lease of the charity's premises
 - (c) pecuniary interest in any organisation which holds a licence with the charity or a lease of the charity's premises or a business contract with the charity.
- (2) The declarations of interest shall be entered into a register of interests.
- (3) At any meeting of the trustee members must declare any new interest that he or she has which has not previously been declared, and this must be added to the register of interests.

- (4) If there is a matter for discussion at a meeting of the trustee which relates to a registered interest held by a member and declared under clauses (1) (b) or (1) (c) above, or some other personal interest which could give rise to a conflict with his or her duty to act solely in the best interest of the charity on the matter, then the member must absent themselves from discussion on that matter and must not vote or be counted as part of the quorum in any decision of the trustee on the matter.

12. Quorum

No business may be transacted at a meeting unless one-third of the whole number of members are present and in no case shall the quorum of a meeting be less than 3.

13. Voting

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

14. Record of meetings

The trustee must keep a proper record of all meetings of the trustee.

ANNUAL GENERAL MEETING

15. 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 trustee.
- (2) All inhabitants of the area of benefit of 18 years and upward must be allowed to attend and speak at the meeting. The trustee may allow inhabitants who are under 18 to attend the meeting, and to speak at the chairman's discretion.
- (3) Public notice of the meeting must be given in the area of benefit at least 14 days before the meeting.
- (5) The chairman of the trustee, or the vice-chairman if the chairman is not present, will chair the annual general meeting. The members present must elect one of their number to chair the meeting if neither the chairman nor the vice-chairman is present.
- (6) At the meeting the trustee must present the report of the trustee and the accounts for the last financial year.

CHARITY PROPERTY

16. Use of income and capital

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

17. 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 SY747230
2. Land with the building thereon known as the Cricket Ground registered at HM Land Registry under title number SY139050
3. That part of the land in Effingham registered at HM Land Registry under title number SY139050 from which the land now registered at HM Land Registry under title number SY375391 was taken