

DATED 12th November 1953

23/11/53

IN THE MATTER OF THE TRUSTS OF
THE VILLAGE HALL AT BISHOPS
CLEEVE IN THE COUNTY OF
GLUCESTER.

TRUST DEED.

to be stamped 1/9

25 (3)



This TRUST DEED

is made the *twelfth* day of *November* One thousand nine hundred and fifty

three BY THE PARISH COUNCIL OF THE PARISH OF BISHOPS CLEEVE in the County of Gloucester (hereinafter called "the Trustees")

WHEREAS by a Conveyance dated the *twelfth* day of *November* One thousand nine hundred and fifty three and made between the Reverend Kenneth Crayden Edmunds B.A. of The Rectory Bishops Cleeve aforesaid Clerk in Holy Orders of the first part The Church Commissioners for England of the second part the Diocesan Board of Patronage of the third part and the Trustees of the fourth part the property described in the First Schedule hereto was conveyed unto the Trustees in fee simple upon such trusts and with and subject to such powers and provisions declared concerning the same by a Trust Deed therein referred to as already prepared being this Deed

NOW THIS DEED WITNESSETH that the Trustees stand possessed of the property described in the First Schedule hereto upon the trusts and subject to the powers and provisions set out in the Second Schedule hereto

IN WITNESS whereof ALICK EDWARD DENNEY and PHILIP ARTHUR EMBLEY two members of the Parish of ^{*Cleeve*} Bishops Cleeve aforesaid have on behalf of the said Council hereunto set their hands and seals the day and year first before written

THE FIRST SCHEDULE above referred to

ALL THOSE two pieces of land situate in the Parish of Bishops Cleeve in the County of Gloucester and being Numbers 256 (containing an area of Two roods and Eight perches or thereabouts) and 313 (containing an area of One rood and Twenty six perches or thereabouts) on the Ordnance Survey map for the said Parish Together with the building known as the Old Tithe Barn and other buildings erected thereon all which said property was for the purpose of general identification only delineated and edged pink ^{*and blue*} on the plan drawn on the said Conveyance of the *twelfth* day of *November* One thousand nine hundred and fifty three

THE SECOND SCHEDULE above referred to

1. The property conveyed by the recited Conveyance shall be held upon trust in the first place to carry out the terms of a provisional Agreement for Exchange dated the *twelfth* day of *November* One thousand nine hundred and fifty three and made between the Trustees of the one part and The Cheltenham and Hereford Breweries Limited of the other part upon the

approval of the Minister of Education being given thereto and subject thereto the said property conveyed by the recited Conveyance shall be held upon trust for the purposes of physical and mental training and recreation and social moral and intellectual development through the medium of reading and recreation rooms library lectures classes recreation and entertainments or otherwise as may be found expedient for the benefit of the inhabitants of the Parish of Bishops Cleeve in the County of Gloucester and its immediate vicinity without distinction of sex or of political religious or other opinions subject to the provisions of these presents

2. The general management and control of the Trust Premises and the arrangements for their use shall be vested in a Committee of Management (hereinafter called "the Committee") consisting of not more than Twenty Members (exclusive of members co-opted under the power hereinafter contained) of whom Seven shall be elected at the first general meeting referred to in Clause 3 hereof in the first instance and on each subsequent appointment of members at the Annual General Meeting. The organisations mentioned in the Second column of the Third Schedule hereto shall each have the right to appoint one member of the Committee both in the first instance and on the occasion of each annual appointment of members. The persons whose names appear in the first column of the Third Schedule hereon have been appointed by the organisations mentioned opposite their respective names in the second column of that schedule and shall together with the members elected at the first General Meeting as aforesaid be the first members of the Committee. Until the first General Meeting has been held the persons named in the first column of the Third Schedule shall have power to act. In addition to the members of the Committee appointed and elected as above the Committee shall have power to co-opt not more than five members to represent interests in the said Parish not represented by any organisation.

3. There shall be an Annual General Meeting to be convened by the Committee between First March and Fifteenth April in each year the first of such meetings (hereinafter called "the First General Meeting") to be convened in the month of *March* One thousand nine hundred and fifty *four* by one week's notice to be affixed to some conspicuous part of the Trust Premises or other conspicuous place or places in the Parish of the inhabitants of the age of Eighteen years or upwards of either sex of the said Parish of Bishops Cleeve for the purpose of receiving the Report and Accounts of the Committee and for accepting the resignations of members of the Committee and for the purpose of electing *five* members

under Clause 2 hereof and for taking such action as it may decide under Clause 7 hereof provided nevertheless that if in any year an Annual General Meeting shall not be convened and held by the end of the month of April the Annual General Meeting for that year shall be held as soon as practicable after the month of April and such meeting may be convened by the Clerk to the Trustees if the Committee shall fail to convene it during the said month

*changed to
September,
agreed by
charity Commission
2009*

4. The Committee shall have power by a Resolution of the Committee passed at a meeting at which not less than two-thirds of all the members of the Committee vote in favour of the Resolution to allow any existing organisation in the said Parish not mentioned in the second column of the Second Schedule hereto and any other organisation which may hereafter be formed in the said Parish having aims of a social recreational or educational character consistent with those upon which the Trust Premises are held hereunder to appoint an additional member of the Committee in the same manner as if such organisation had been mentioned in the second column of the Second Schedule hereto and for this purpose the total number of members of the Committee as provided for in Clause 2 hereof may be increased but no such resolution shall be effective until it has been approved in writing by the Minister of Education

5. All members of the Committee shall retire annually at the Annual General Meeting Every organisation entitled to appoint a member of the Committee to take the place of a member retiring at an Annual General Meeting shall make the appointment at any time within one month before the Annual General Meeting at which the retiring member of the Committee shall retire

6. A casual vacancy arising from the death or resignation or removal of a member of the Committee shall be filled by the organisation by which such member shall have been appointed and the person appointed shall retire at the time when the vacating member would have retired. In the event of a vacancy arising through the death resignation or removal of a member of the Committee elected by the Annual General Meeting the Committee shall have power to fill such vacancy until the next Annual General Meeting

7. If any organisation entitled to appoint a member of the Committee ceases to exist or fails to make an appointment in manner aforesaid before the Annual General Meeting in any year the Annual General Meeting shall decide in what way if at all the vacancy shall be filled

8. The proceedings of the Committee shall not be invalidated by any vacancy among its members or by any defect in the appointment or qualification of any member

9. The Committee may from time to time make and alter Rules and Regu-

lations for the conduct of its business and for the summoning conduct and recording in a Minute Book of its meetings and in particular with reference to :-

- (a) The terms and conditions upon which the Trust Premises may be used for entertainments meetings social gatherings and other purposes and the sum (if any) to be paid for such use
- (b) The appointment of an Auditor Treasurer and such other unpaid officers as it may consider necessary and the fixing of their respective terms of office
- (c) The engagement and dismissal of such paid officers and servants for the Trust Premises as it may consider necessary
- (d) The number of members who shall form a quorum at its meetings provided that the number of members who shall form a quorum shall never be less than a third of the total number of members of the Committee

*agreed by trustees
to be 50% of
trustees.*

*now Natwest bank
The Promenade
Cheltenham*

10. All payments in respect of the use of the Trust Premises and all donations for the benefit thereof shall be paid into a Trust Account at Midland Bank Limited Promenade Cheltenham or at such other Bank as shall from time to time be substituted therefor by the Committee any such substitution to be endorsed upon this Trust Deed together with a copy of the resolution relating thereto

11. The moneys standing to the credit of the said Account shall be applied as the Committee shall decide in repairing and insuring the Trust Premises or the furniture and effects therein and in paying all rent (if any) rates taxes salaries of paid officers and servants and other outgoings in providing furniture games books newspapers periodicals and other literature and means of recreation and otherwise for the upkeep and improvement of the Trust Premises

12. The Committee shall provide the Trustees with sufficient funds to meet all such expenditure (if any) in connection with the Trust Premises as the Trustees may be liable for and shall keep the Trustees indemnified against all liability (if any) in respect thereof

13. The Committee may upon the vote of a majority of its members and (when necessary) with the consent of the Minister of Education from time to time by mortgage or otherwise obtain such advances on the security of the Trust Premises or any part thereof as may be required for maintaining extending or improving the same or any part thereof or erecting any building thereon or for the work carried on therein and may continue or repay in whole or in part and from time to time any existing mortgage or charge on the said premises

14. If the Committee by a majority decides at any time that on the ground of expense or otherwise it is necessary or advisable to discontinue the use of the Trust Premises in whole or in part for the purposes hereinbefore indicated it shall call a Meeting of the inhabitants of the age of Eighteen years or upwards of the said Parish of Bishops Cleeve of which Meeting not less than Fourteen days' notice (stating that a Resolution will be proposed thereat) shall be posted in a conspicuous place or places on the Trust Premises and advertised in a newspaper circulating in the said Parish and if such decision shall be confirmed by a majority of such inhabitants present at such Meeting and voting the Committee may with the consent of the Minister of Education let or sell the Trust Premises or any part thereof All moneys arising from such letting or sale (after satisfaction of any liabilities properly payable thereout) shall with such consent as aforesaid be applied either in the purchase of other premises approved by the Committee and to be held upon the trusts for the purposes and subject to the provisions hereinbefore set forth (including this power) or as near thereto as circumstances will permit or towards such other charitable purposes or objects for the benefit of the inhabitants of the said Parish of Bishops Cleeve as may be approved by the Minister of Education and meanwhile such moneys shall be invested in the names of the Official Trustee of Charitable funds and any income arising therefrom shall either be accumulated (for such time as may be allowed by law) by investing the same and the resulting income thereof in like manner as an addition to and to be applied as the capital of such investments or shall be used for any purpose for which the income of the Trust Premises may properly be applied

15. If any Rules or Regulations made under the power in that behalf hereinbefore contained are inconsistent with the provisions of these presents the latter shall prevail.

THE THIRD SCHEDULE above referred to

Names and addresses of Representatives.

Organisations.

Rev. Kenneth Crayden Edmunds,
The Rectory, Bishops Cleeve.

Parochial Church
Council.

Stanley Thomas Slough,
2, Woodmans Way, Bishops Cleeve.

Parish Council.

Walter John Oldacre,
The Mill, Bishops Cleeve.

British Legion.

George Roberts,
Mayfield, Stoke Road,
Bishops Cleeve.

Old Folks
Association.

Mrs. Rose Hannah Ballinger,
Millham Field Farm,
Station Road, Bishops Cleeve.

Womens' Institute.

THE THIRD SCHEDULE above referred to (continued)

Names and addresses of Representatives.

Organisations.

John Gass,
Orchard Cottage, Evesham Road,
Bishops Cleeve.

Horticultural Society.

Gilbert William George Blake,
10, Tobyfield Road,
Bishops Cleeve.

Football Club.

Victor George Carpenter,
111, Bishops Park,
Bishops Cleeve.

Boy Scouts.

Mrs. Hilda Porter,
23, Bishops Drive,
Bishops Cleeve.

Girl Guides.

Mrs. Isobel Payne,
68, Two Hedges Road,
Bishops Cleeve.

Child Welfare.

Arthur Morgan Jones,
117a, Bishops Park,
Bishops Cleeve.

British Red Cross.
(Cheltenham Division).

Arthur Hunter,
Glenwood, New Road,
Southam.

S. Smith & Sons
(England) Limited, Wor

Dennis Charles Coleshill,
49, Meadoway, Bishops Cleeve.

Youth Club.

SIGNED SEALED AND DELIVERED by
ALICE EDWARDS DENNEY in
the presence of :-

A.E. Denney

6/1/54
 Clerk to Bishop Cleeve Parish Council

SIGNED SEALED AND DELIVERED by
PHILIP ARTHUR EMBLEY in
the presence of :-

Philip A. Embley

6/1/54
 Clerk to Bishop Cleeve Parish Council

Recorded in the books of the Ministry of
Education pursuant to the provisions of Section 29 (4)
of the Settled Land Act, 1926, as applied by Article 8
of the Minister of Education (Transfer of Functions)
Order, 1949.

K.H. Morris
9 JAN 1954