

# Compton Dando Parish Hall

## Governing document

This is the governing document of the Charity, namely the Schedule to the Conveyance dated 7<sup>th</sup> December 1955 as amended on 17<sup>th</sup> May 2016.

### 1. Charity and objects

The property hereby conveyed (herein called "the Trust Property") 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 recreations and entertainments or otherwise as may be found expedient for the benefit of the inhabitants of the Parish of Compton Dando in the County of Somerset (hereinafter called "the said Parish") and its immediate vicinity without distinction of sex or of political religious or other opinions ("Objects").

### 2. Administration, repairs and insurance

2.1 The Charity, the Trust Property and other land acquired by the Charity and other property of the Charity must be administered by the Council as sole charity trustee. The Council is the charity trustee within the meaning of Section 177 of the Charities Act 2011. The Council must act reasonably and prudently in all matters relating to the Charity and must always pursue the interests of the Charity to the exclusion of other Council interests.

2.3 The Council must:

2.2.1 ensure that the Trust Property and other property of the Charity is at all times kept in repair and sufficiently insured against all insurable risks including fire, theft and public liability and must whenever necessary procure a professional valuation for such purposes and

2.2.2 take out such insurance as the Council considers necessary to protect the Charity's property including but not limited to public liability insurance and employer's liability insurance.

### 3. Powers of the Council

The Council has the following powers, which may be exercised only in promoting the Objects:

3.1 to raise funds and invite and receive contributions and endowments (whether for general or special purposes). In raising funds the Council must not undertake any trading activities

which are liable to tax other than charity trading and must conform to relevant requirements of the law

- 3.2 to buy, take on lease or in exchange, hire or otherwise acquire any property necessary for the achievement of the Objects and to maintain and equip it for use
- 3.3 subject to Clause 12 and subject to the restrictions imposed by the Charities Act 2011, to sell, lease or otherwise dispose of all or any part of the Trust Property and other property belonging to the Charity
- 3.4 to deposit or invest funds in any manner (but to invest only after obtaining advice from a financial expert)
- 3.5 to borrow money by mortgage or otherwise or to seek grant aid as may be required for maintaining, extending or improving the Trust Property or any part thereof or erecting any building thereon or for any work carried on therein and to charge the whole or any part of the Trust Property and other property at any time belonging to the Charity with repayment of the money so borrowed or granted (but only in accordance with the restrictions imposed by the Charities Act 2011)
- 3.6 to employ staff (who must not be members of the Council) and to make all reasonable and necessary provision for the payment of pensions and superannuation for staff and their dependants
- 3.7 to co-operate with other charities, voluntary bodies and statutory authorities operating in furtherance of the Objects or of similar charitable purposes and to exchange information and advice with them
- 3.8 without prejudice to clause 4.2, to appoint, constitute and provide clear terms of reference for, such committees as the Council may think fit. Such committees must be answerable to the Council and all their acts and proceedings must be fully and promptly reported to the Council
- 3.9 to do anything else within the law which promotes or helps to promote the Objects.

#### **4. Meetings of the Council and its Parish Hall sub-committee**

4.1 The following provisions apply to meetings of the Council as sole trustee of the Charity:

- 4.1.1 The Council must hold at least two ordinary meetings in each year. All meetings must be held separately from, and at different times to, meetings of the Council otherwise than as sole trustee of the Charity.

- 4.1.2 Meetings of the Council may be called at any time by the chairman or any two members of the Council upon not less than ten days' notice having been given to all other members.
  - 4.1.3 A special meeting may be called at any time by the chairman or any two members of the Council upon not less than seven clear days' notice being given to all other members of the Council of the matters to be discussed.
  - 4.1.4 If the chairman is absent from any meeting, the vice-chairman (if any) shall preside; otherwise the members present must, before any other business is transacted, choose one of their number to be chairman of the meeting.
  - 4.1.5 Every issue may be determined by a simple majority of the votes cast at a meeting of the Council.
- 4.2 The Council shall delegate the day to day running of the Trust Property to a committee of the Council to be called the Parish Hall Committee. The following provisions apply to the Parish Hall Committee:
- 4.2.1 the terms of reference of the Parish Hall Committee shall be:
    - (a) the management of all bookings of the Trust Property
    - (b) the day to day maintenance of the Trust Property
    - (c) the payment of bills up to £500 in each case, and
    - (d) the representation of users of the Trust Property.
  - 4.2.2 All cheques in payment of bills shall be signed by two members of the Parish Hall Committee one of whom must be a Parish Councillor.
- 4.3 The Parish Hall Committee shall comprise:
- 4.3.1 not less than 2 and no more than 4 Parish Councillors, and
  - 4.3.2 not less than 4 and no more than 8 representatives of users of the Trust Property elected in accordance with clause 4.4.
- 4.4 The Council shall maintain a list of user bodies that they consider to be supportive of the Charity's objects and which have indicated a wish to appoint a member of the Parish Hall Committee. The listed user bodies shall have the right to elect members of the Parish Hall Committee at an annual general meeting. The following provisions apply to the list of user bodies:

- 4.4.1 where any application to be included in the list of user bodies is received from any existing or newly-formed body operating in the said Parish, the Council may, in its discretion; add such body to the list of user bodies.
  - 4.4.2 the Council may remove a body from such list of user bodies where it reasonably considers such removal to be in the best interests of the Charity.
  - 4.4.3 a minute of the relevant resolution, authenticated by the chairman, should be (a) placed with the title deeds and (b) kept with the charity trustees' working papers.
- 4.5 The Parish Hall Committee must hold at least four meetings in each year. All meetings must be held separately from, and at different times to, meetings of the Council as sole trustee of the Charity. The following provisions apply to all meetings of the Parish Hall Committee:
- 4.5.1 Meetings of the Parish Hall Committee may be called at any time by the chairman or any two committee members upon not less than ten days' notice having been given to all other members.
  - 4.5.2 A special meeting may be called at any time by the chairman or any two committee members upon not less than seven clear days' notice being given to all other committee members of the matters to be discussed.
  - 4.5.3 If the chairman is absent from any meeting, the vice-chairman (if any) shall preside; otherwise the members present must, before any other business is transacted, choose one of their number to be chairman of the meeting.
  - 4.5.4 There shall be a quorum when at least two Parish Councillors and one third of the number of other committee members are present at a meeting.
  - 4.5.5 Every issue may be determined by a simple majority of the votes cast at a meeting of the Parish Hall Committee. The chairman of the meeting may cast a second or casting vote only if there is a tied vote.
- 4.6 The Council must exercise reasonable supervision over the Parish Hall Committee and must ensure that all their acts and proceedings are fully and promptly reported to the Council.
- 4.7 The Parish Hall Committee must keep proper minutes of its meetings. The minute book must be available for inspection upon reasonable request by any member of the Council.

## **5. Recording of Meetings**

The Council must keep proper minutes of its meetings. The minute book must be available for inspection upon reasonable request by any member of the Council. The minute book must be retained by the Clerk to the Council.

## **6. Annual General Meeting and Special Meetings**

- 6.1 There shall be an annual general meeting in connection with the Charity which shall be held in such month of the year as the Council shall determine provided that annual general meetings must be held not more than fifteen months after the holding of the preceding annual general meeting.
- 6.2 All inhabitants of the said Parish of 18 years of age and upward shall be entitled to attend the annual general meeting.
- 6.3 Public notice of every annual general meeting shall be given in the said Parish at least 14 days before the date thereof.
- 6.4 The chairman of annual general meetings shall be the chairman for the time being of the Council, but if he or she is not present before any other business is transacted, the persons present shall appoint a chairman of the meeting.
- 6.5 The business of an annual general meeting shall be the presentation by the Council of the report and accounts of the Charity for the preceding year, the election of representatives of user bodies to the Parish Hall Committee and such other business as the chairman shall allow.

## **7. Accounts**

The Council must comply with their obligations under the Charities Act 2011 with regard to:

- 7.1 the keeping of accounting records for the Charity
- 7.2 the preparation of annual statements of account for the Charity
- 7.3 the auditing or independent examination of the statements of account for the Charity and
- 7.4 the transmission of the statements of account of the Charity to the Charity Commission.

## **8. Annual Report**

The Council must comply with its obligations under the Charities Act 2011 with regard to the preparation of an annual report and its transmission to the Charity Commission.

## **9. Annual Return**

The Council must comply with its obligations under the Charities Act 2011 with regard to the preparation of an annual return and its transmission to the Charity Commission.

## **10. Receipts and Expenditure**

The income of the Charity, including all donations and bequests, must be paid into an account operated by the Council in the name of the Charity at such bank or building society as the Council shall from time to time decide. Save for bills to be paid by the Parish Hall Committee, all cheques and orders for payment of money from such account shall be signed by at least two members of the Council.

## **11. Rules**

Within the limits prescribed by this governing document the Council may from time to time make and alter rules for the management of the Charity and in particular with reference to:

- 11.1 the terms and conditions upon which the Trust Property, or any other property belonging to the Charity, may be used by persons or bodies other than the Council for the purposes specified in this governing document and the sum (if any) to be paid for such use
- 11.2 the deposit of money at a proper bank or building society and the safe custody of documents
- 11.3 the appointment of an auditor or an independent examiner
- 11.4 the engagement or dismissal of such officers, servants and agents as the Council may consider necessary and the payment of such persons (not being members of the Council)
- 11.5 the summoning and conduct of meetings.

## **12. Dissolution**

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 Property in whole or in part for the purposes hereinbefore indicated it shall call a meeting of the inhabitants of eighteen years or upwards of the said Parish of which meeting not less than fourteen days' notice (stating the

terms of the Resolution that will be proposed thereat) shall be posted in a conspicuous place or places on the Trust Property 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 Ministry of Education let or sell the Trust Property 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 property 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 as may be approved by the Minister of Education and meanwhile such moneys shall be invested in the name of the Official Trustees 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 Property may properly be applied.



Date... 24/6/16

Councillor

Witnessed by the Proper Officer... SE Smith

Date... 21/06/2016



Date... 21.6.16

Councillor

Witnessed by the Proper Officer... SE Smith

Date... 21/06/2016