

Sealed: 12th December 1963
No-4742 L
County: Hampshire
Parish: Alton
Place: Beech
Foundation: Beech Village Hall and Recreation Ground

Scheme

SCHEME MADE BY THE MINISTER OF EDUCATION UNDER SECTION 10 OF THE CHARITIES ACT 1960

As amended on 27 December 2024

The Foundation

1. In this Scheme the expressions "the Foundation" and "The Charity" mean the Foundation called the Village Hall and Recreation Ground at the Parish of Beech near Alton, in the County of Hampshire, founded and now regulated by a Deed dated 21st March 1932, and augmented by an Assent dated 28th October 1961, Charity Registration Number 301738.

Membership of the Foundation is open to all inhabitants of the area of benefit of eighteen years of age and upwards.

"Members" means members of the Foundation

"the Committee" means the Committee of Management of the Foundation

"Committee Members" means members of the Committee of Management of the Foundation

"the Charity Commission" means the Charity Commission for England and Wales

Administration of Foundation

2. The Foundation and its endowment (including the particulars specified in the Schedule hereto) shall be administered in conformity with the provisions of this Scheme by the Committee of Management, hereinafter constituted as the charity trustees thereof:

Provided that until the first Annual General Meeting to be held after the date of this Scheme the Foundation shall be administered by the existing Trustees in accordance with the provisions of this Scheme.

Committee of Management

3. (1) The Committee of Management (hereinafter called "the Committee") shall, when complete, and except as in this Scheme provided, consist of a minimum of FOUR and a maximum of TWELVE members, that is to say:

A minimum of THREE and a maximum of EIGHT Elected Members, to be appointed at the Annual General Meeting to be held as hereinafter provided;

A maximum of TWO Representative Member, may be appointed:

One by the Trustees of the Beech St. Peter's Church, Beech

One by the Committee or Trustees of any existing or newly formed Beech organization with aims not inconsistent with the purposes specified in this document except as provided for in section 4 of these rules; and

TWO Co-Opted Members may be appointed by the Committee at a duly constituted meeting.

(2) The Elected Members of the Committee shall be appointed for a term of office commencing at the end of the Annual General Meeting at which they are appointed and expiring at the end of the THIRD Annual General Meeting following the AGM at which they were appointed. At the end of their term of office, Elected Members may offer themselves for re-election, always provided that no member of the Committee may serve more than THREE consecutive terms.

(3) The Representative Members of the Committee shall be appointed at a meeting convened and held according to the ordinary practice of the appointing organizations and their names shall be notified by each appointing organization to the Secretary of the Committee and they shall, except in the case of such Members appointed to fill casual vacancies, each be appointed for a term of office of one year.

(4) The Co-Opted Members of the Committee shall each be appointed for a term of one year.

Alteration of Committee and Additional Representative Members

4. The constitution of the Committee as specified in the last foregoing clause may be altered from time to time in accordance with the Order of the Charity Commission dated 2nd May 2006.

Provided that in the event of any application for representation on the Committee being received from an existing or newly-formed organization at Beech having aims not inconsistent with the purposes specified in this Scheme, the Committee may upon a resolution passed at a duly constituted meeting of the Committee by a majority of not less than two thirds of all the Members of the Committee, allow such organization to appoint an additional Representative Member of the Committee in the same manner as if such organization had been specified in clause 3(1) of this Scheme, and for this purpose the total number of Members of the Committee may be increased accordingly.

Failure to Appoint

5. The proceedings of the Committee shall not be invalidated by any failure to appoint or any defect in the appointment, election or qualification of any member of the Committee.

Declaration by Members

6. No person shall be entitled to act as a Member of the Committee 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.

Members not to be personally interested in the Foundation

7. Except in special circumstances, with the approval in writing of the Charity Commission, no Member of the Committee shall take or hold an interest in any property belonging to the Foundation, 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 Foundation.

Determination of Members

8. Any Committee Member who is adjudicated a bankrupt, 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 of the Committee.

Casual Vacancies

9. (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 such a vacancy in the office of Representative or Co-optative Member shall be notified as soon as possible to the proper appointing body or filled by the Committee, as the case requires.
(2) A casual vacancy in the office of Elected Member may be filled by the Committee, and a Member appointed to fill such a casual vacancy shall hold office only for the unexpired term of office of the Member in whose place he is appointed.
(3) Any competent Member may be re-appointed subject to the provisions of Section 3 of this scheme.

Meetings of Committee

10. The Committee shall hold at least two ordinary meetings in each year and a special meeting may be summoned at any time by any two Members upon seven clear days' notice being given to all the other Members of the matters to be discussed.

Chairman

11. (1) The Committee at their first meeting in each year after the Annual General Meeting 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, if any, shall always be eligible for re-election.

(2) If the Chairman and Vice-Chairman, if any, are absent from any meeting, the Members present shall before any other business is transacted, choose one of their number to preside at that meeting.
12. Every matter shall (except as in this Scheme provided) be determined by the majority of the Members of the Committee present and voting on the question and in case of equality of votes the Chairman of the meeting shall have a second or casting vote.

Annual General Meeting

13. (1) There shall be an Annual General Meeting in connexion with the Foundation which shall be held in the month of September in each year or as soon as practicable thereafter.

(2) All inhabitants of the area of benefit of eighteen years of age and upward shall be entitled to attend and vote at the Annual General Meeting.

(3) The Annual General Meeting shall be convened by the Committee who shall cause a public notice thereof to be given in the said Parish at least seven days before the date thereof.

(4) The persons who are present at the first Annual General Meeting after the date of this Scheme shall, before any other business is transacted, 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 is not present, the persons present shall before any other business is transacted, appoint a Chairman of the Meeting.

(5) The Committee shall present to each Annual General Meeting the report and accounts of the Foundation for the preceding year

Objects of the Foundation

14. The objects of the Foundation shall be the provision and maintenance of a village hall and recreation ground for the use of the inhabitants of Beech and the neighbourhood without distinction of sex or of political, religious or other opinions. and in particular for use for meetings, lectures and classes, and for other forms of recreation (including physical recreation) and other leisure-time occupation, with the object of improving the conditions of life for the said inhabitants.

Use by other Bodies or Persons

15. (1) Subject and without prejudice to any use by the Committee for the purposes specified in this Scheme, the Village Hall and Recreation Ground shall be used for the said purposes by such bodies or persons as the Committee determine, free of rent, but subject to a payment in respect of the expenses of and incidental to, the maintenance and use thereof, and otherwise upon such terms as may be agreed.

(2) The Committee may from time to time permit the Village Hall and Recreation Ground to be used otherwise than for the said purposes, subject to a payment sufficient at least to defray the expenses incidental to the use in each Case, but so as not substantially to interfere with its use for the said purposes.

Application of Income

16. After payment of any expenses of administration, the net income of the Foundation, whether arising from the use of the Village Hall and Recreation Ground by other bodies or persons or otherwise, shall be applied by the Committee in one or other ways:-
 - (a) In the maintenance and insurance of the Village Hall and Recreation Ground the payment, of rates, taxes and other expenses in connection with its use for the aforesaid purposes.
 - (b) In otherwise, furthering the said purposes.

Rules and Regulations

17. Within the limits proscribed by this Scheme the Committee may from time to time make and alter rules and regulations for the conduct of their business and for the summoning and conduct of their meetings, the deposit of money at a proper bank, the custody of documents, and in particular with reference to:
 - (a) The terms and conditions upon which the Village Hall and Recreation Ground may be used for any of the aforesaid purposes and the sum (if any) to be paid for such use;

- (b) The appointment as Clerk or Secretary (to hold office at their pleasure) of one of themselves without salary or some other fit person at such salary, if any, as they may decide;
- (c) The appointment of an Auditor, Treasurer, and such other unpaid officers as they may consider necessary and the fixing of their respective terms of office;
- (d) The engagement and dismissal of such paid officers and servants as the Committee may consider necessary; and
- (e) The number of Committee Members who shall form a quorum at meetings of the Committee:

Provided that the number of Committee Members who shall form a quorum shall not be less than one-third of the total number of the Committee Members for the time being.

Minutes and Accounts

- 18. The Committee shall provide and keep a minute book and books of account and all proper accounts in relation to the Foundation shall in each year be made out and certified in such form as the Charity Commission may require, and copies sent to the Charity Commission.

Vesting Property

- 19. The Committee and all other persons capable of being bound by this Scheme shall, unless the Charity Commission otherwise in writing directs, do all such acts as may be necessary in order to vest in and transfer to the Official Custodian for Charities, all freehold and leasehold lands and hereditaments and all stocks, shares, funds, and securities at any time belonging to the Foundation.

Further Endowments

- 20. The Committee may accept any donations or endowments for the general purposes of the Foundation and they may also accept donations or endowments for any special objects connected with the Foundation not inconsistent with, or calculated to impede the due working of the provisions of this scheme.

Surplus Cash

- 21. Any sum of cash at any time belonging to the Foundation and not needed as a balance for working purposes shall (unless otherwise directed by the Charity Commission) be treated as capital and invested.

Dissolution clause – Members

22. (1) If the members resolve to dissolve the charity the trustees will remain in office as charity trustees and be responsible for winding up the affairs of the charity in accordance with this clause.
- (2) The trustees must collect in all the assets of the charity and must pay or make provision for all the liabilities of the charity.
- (3) The trustees must apply any remaining property or money:
- (a) directly for the objects;
 - (b) by transfer to any charity or charities for purposes the same as or similar to the charity;
 - (c) in such other manner as the Charity Commission for England and Wales ('the Commission') may approve in writing in advance.
- (4) The members may pass a resolution before or at the same time as the resolution to dissolve the charity specifying the manner in which the trustees are to apply the remaining property or assets of the charity and the trustees must comply with the resolution if it is consistent with paragraphs (a) – (c) inclusive in sub-clause (3) above.
- (5) In no circumstances shall the net assets of the charity be paid to or distributed among the members of the charity (except to a member that is itself a charity). The trustees must notify the Commission promptly that the charity has been dissolved. If the trustees are obliged to send the charity's accounts to the Commission for the accounting period which ended before its dissolution, they must send the Commission the charity's final accounts.

Questions under Scheme

23. If any question arises as to the construction of this Scheme. or as to the regularity or the validity of any acts done or about to done under this Scheme, it shall be determined by the Charity Commission, upon such application made to it for the purpose as it thinks sufficient, and such determination shall be binding on the Committee and all persons claiming under the Foundation.

Interpretation

24. The Interpretation Act 1978 shall apply for the interpretation of this Scheme as it applies for the interpretation of an Act of Parliament.

Date of Scheme

25. The date of this Scheme shall be the date on which it is established by an Order of the Minister of Education.

SCHEDULE OF PROPERTY

- (1) Site and buildings of the Village Hall, situated in Beech, near Alton in the County of Hampshire. Land Registry Title number SH27813 as of 28th November 2008
- (2) Land known as Beech Recreation Ground, situated in Beech aforesaid. Land Registry Title number SH27812 as of 28th November 2008

The Minister of Education orders that the foregoing Scheme be established. Given under the official Seal of the Minister of Education on 12th December 1963. Authorised under Section 3 of the Education Act 1944.

Amended on 27 December 2024 by:

- The addition of Clause 22 pursuant to consent given by the Charity Commission on 10 December 2024 and approved by an Extraordinary General Meeting of members on 27 December 2024.
- Further amendments made by the Committee of Management pursuant to an Order of the Charity Commission dated 2nd May 2006 and approved by an Extraordinary General Meeting of members on 27 December 2024.

Signed by



Jane Freeman-Hunt
Chair, Management Committee
Beech Village Hall & Recreation Ground