



+Tarvin Road  
Manley  
Frodsham  
Cheshire  
WA6 9EL

Charity No. 520081

Sealed 28<sup>th</sup> April 1965

County - CHESTER

No 4946

Parish - MANLEY

Stamp10s

Foundation- Village Hall

*Scheme (including appointment of Trustees)*

Scheme made by the Secretary of State for Education and Science under Section  
18 of the Charities Act 1960

The Foundation

1. In this Scheme the expression "The Foundation" means the Foundation of the Village Hall, in the Parish of Manley, in the County of Chester, founded and now regulated by a Deed of Gift dated 30th December 1926, and augmented by a Deed dated 30<sup>th</sup> August 1946.

Administration and Title

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 under the title of THE MANLEY VILLAGE HALL.

Custodian Trustee.

3. The Manley Parish Council is hereby appointed to be the trustees of the Foundation and the provisions of the Section 4(2) of the Public Trustee t 1906, shall apply to the said Council and to the Committee of Management hereinafter constituted, respectively, in like manner as they apply to the Public Trustee and managing trustees.

Managing Trustees

4. Subject as aforesaid, the trustees of the Foundation shall be the members for the time being of the Committee of Management hereinafter constituted:

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

Committee of Management.

5. (1) The Committee of Management (hereinafter called "the Committee") shall, when complete, and except as in this Scheme provided, consist of **twenty-five** members, that is to say:-

SEVEN Elected Members, to be appointed at the Annual General Meeting to be held as hereinafter provided:

FIFTEEN Representative members, to be appointed –one from each of the following

1. Manley Parish Council
2. Manley School
3. Mouldsworth Parish Council
4. Manley Preschool
5. PCC St Johns, Manley and Alvanley
6. Church Fellowship
7. Roman Catholic Church St Cuthberts, Mouldsworth
8. Country dancers/Morris Dancers
9. Ashton Hayes Village Theatre Club
10. Gardening club
11. Manley and Alvanley WI / Manley Ladies
12. Bowling Club
13. Tennis Club
14. Snooker & Billiards Players
15. Social Club

And

THREE Co-optative Members, to 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 Annual General Meeting in the following year.

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

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

#### Alteration of the Committee and Additional Representative Members.

6. The constitution of the Committee as specified in the last forgoing clause , may on the application of the Committee, be altered from time to time by Order of the Secretary of State for Education and Science (hereinafter called ' the Secretary of State'):

Provided that in the event of any application for representation on the Committee being received from any existing or newly formed organisation in the Parish of Manley and the surrounding neighbourhood having aims not consistent with the purposes specified in this Scheme, the Committee may, with the consent of the Secretary of State and upon a resolution passed at a fully constituted meeting of the Committee by a majority of not less than two-thirds of all the Members of the Committee, allow such organisation to appoint an additional Representative Member of the Committee in the same manner as if such organisation had been specified in clause 5(1) of this Scheme, and for this purpose the total number of Members of the Committee may be increased accordingly.

#### Failure to Appoint

7. 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.

#### Declaration of Members

8. No person shall be entitled to act as a member of the Committee, whether on a first or any subsequent entry into office, until after signing the minute book of the Committee a declaration of acceptance and willingness to act in the trusts of this Scheme.

#### Members not to be personally interested in the Foundation

9. Except in special in special circumstances, with the approval in writing of the Secretary of State, no Member of the Committee shall take or hold any 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 of work or goods, at the cost of the Foundation.

#### Determination of Membership

10. Any 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.

#### Casual Vacancies

11. (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 of the Member in whose place he/she is appointed.

(3) Any competent member may be re-appointed.

#### Meetings of Committee

12. 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.

13. (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 as 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.

#### Voting

14. 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 the case of equality of votes the Chairman of the meeting shall have a second or casting vote.

#### Annual General Meeting

15. (1) There shall be an Annual General Meeting of the Foundation in connection with the Foundation: the first Annual General Meeting for the purposes of this scheme, and subsequent Annual General Meetings shall be held in the month of **May or June**, (or **within 90 days of the Financial Year End**), 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 first Annual General Meeting shall be convened by the Manley Parish Council and subsequent Annual General Meetings by the Committee. Public notice of such meetings shall 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.

#### Village Hall

16. The object of the Foundation shall be the provision and maintenance of a Village Hall for the use of the inhabitants of Manley 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 and leisure time occupation, with the object of improving the conditions of life for the said inhabitants.

#### Use by other Bodies or Persons

17. (1) Subject and without prejudice to any use by the Committee for the purposes specified in this Scheme, the Village Hall 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 of the Hall, and otherwise upon such terms as may be agreed.

(2) The Committee may from time to time permit the Village Hall to be used otherwise than for the said purpose 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

18. After payment of any expenses of administration, the net income of the Foundation, whether arising from the use of the Village Hall by other bodies or persons or otherwise, shall be applied by the Committee in one or other, or both, of the following ways:-

- (a) In the maintenance and insurance of the Village Hall and the payment of rates, taxes and other expenses in connection with its use for the aforesaid purposes:
- (b) In otherwise furthering the said purpose.

### Rules and Regulations

19. Within the limits prescribed by this Scheme the Committee may from time to time to 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 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 may be approved by the Secretary of State.
- (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 Members who shall form a quorum at meetings of the Committee:

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

### Minutes and Accounts

20. The Committee shall provide and keep a minute book and books of proper accounts in relation to the Foundation shall in each year be made out and certified in such form as the Secretary of State may require, and copies sent to the Department of education and Science.

### Further Endowments

21. The Committee may accept any donation or endowments for the general purpose 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

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

Revocation

23. The provisions contained in the sub-clauses (2) and (3) of clause 2 of the Deed of Gift dated 30<sup>th</sup> December 1926 are hereby expressly revoked and shall cease to have effect.

Questions under the Scheme

24. 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 be done under this Scheme, it shall be determined by the Secretary of State, upon such application made to him for the purpose as he thinks sufficient, and such determination shall be binding on the custodian trustee and the Committee and all persons claiming under the Foundation.

Interpretation

25. The Interpretation Act 1889 shall apply for the interpretation of this Scheme as it applies for the interpretation of an Act of Parliament.

Date of Scheme

26. The date of this Scheme shall be the day on which it is established by an Order of the Secretary of State.

SCHEDULE OF PROPERTY

Description	Extent	Tenant	Yearly Income
Site and building of the Village Hall, situats in the Parish of Manley, in the County of Chester	a.      r.      p. 0        2      33 ½	In hand.	£    s    d. -

The Secretary of state for Education and Science orders that the foregoing Scheme be established.

Given under the Seal of the Secretary of State for Education and Science on 28<sup>th</sup> April 1965

(L.S.)

