

**The Old Pilton Working Men's Club and Village Hall
Constitution**

CHARITY NUMBER 233541

This Resolution is made pursuant to the provisions of Section 280 of the Charities Act 2011

- 1 The name of the Charity shall be changed to "The Pilton Village Trust" from "The Old Pilton Working Men's Club and Village Hall"
- 2 The attached Constitution shall be adopted to replace the existing Constitution

Signed by the Chairman of the Charity to certify this is a true and exact copy of an original Resolution passed by a majority of the Trustees at their meeting held on the 22 day of APRIL 2014 at PILTON VILLAGE HALL Pilton in the County of Somerset



(signature)

The Old Pilton Working Men's Club and Village Hall Constitution

Approved by The Charity Commission 11/09/2012

1 Definitions

In this scheme:

“the area of benefit” means the Parish of Pilton.

“the charity” means the charity identified at the beginning of this scheme.

“the committee” means the committee of management of the charity.

“the members” means the members of the committee (who are the charity trustees of the charity) acting under this scheme.

ADMINISTRATION

2 Administration

- (1) The charity is to be administered by the committee in accordance with this scheme. This scheme replaces the Charity Commission scheme of 6 December 1921.
- (2) The charity will be administered by the existing trustees until the end of the first annual general meeting held under this scheme. They must administer the charity in accordance with the provisions of this scheme.

3 Name of the charity

The name of the charity is The Old Pilton Working Men's Club & Village Hall

OBJECT

4 Object of the charity

(1) Subject to the provisions of clause 25(4) below, the object of the charity is the provision and maintenance of a Village Hall and Social Club for use by the inhabitants of the area of benefit without distinction of political, religious or other opinions, including use for:

(a) Social meetings, lectures, classes and musical evenings, and

(b) other forms of entertainment, recreation, sport and leisure-time occupation,

with the object of improving the conditions of life for the inhabitants.

(2) Subject to clause 25 below, the land identified in part 1 of the schedule to this scheme must be retained by the committee for use by the object of the charity.

POWERS OF THE COMMITTEE

5 Powers of the committee

In addition to any other powers which they have, the committee may exercise the following powers in furtherance of the object of the charity:

(1) Power to acquire or hire property and to maintain and equip it for use. (The property must be needed to further the objects of the charity.)

- (2) Power to appoint staff (who must not be members) and pay them reasonable remuneration, including pension provision for them and their dependents.
- (3) Power to insure against public liability and, if appropriate, employers' liability; and to insure the buildings of the charity to their full value against fire and all other risks (except to the extent that the buildings are insured against any of these risks by a tenant or lessee).
- (4) Power to delegate the performance of any act, including the exercise of any power or discretion, to a sub-committee consisting of any two or more of the committee members. (The committee must exercise reasonable supervision over the sub-committee and the sub-committee must promptly report their acts and proceedings to the committee.)
- (5) Power to lease any part of the charity's property which is not required by clause 4(2) above to be retained for use for the object of the charity. (The trustees must comply with the restrictions on disposal imposed by section 36 of the Charities Act 1993, unless the lease is excepted from these restrictions by section 36(9)(b) or (c) or section 36(10) of that Act.)
- (6) Power to make rules and regulations consistent with this scheme for the management of the charity.

COMMITTEE

6 Committee of management

- (1) Subject as provided in clause 9, there will be not less than 7, nor more than 12 committee members.
- (2) Persons eligible to vote or to be nominated for election to the committee at the AGM must either be resident in the area of benefit or life or honorary

member of Pilton Working Men's Club prior to its closure.

- (3) Prospective committee members must be nominated by a proposer and a seconder on an official nomination form provided by the Charity and placed on the notice board by the secretary 7 days prior to the Annual General Meeting (AGM). A proposer or seconder may only nominate one candidate.
- (4) The members of the committee are the managing trustees of the Charity.
- (5) The term of office of all members will end at the AGM following the date on which they came into office. They may be re-elected.

7 Elected members

- (1) The elected members must be appointed at the AGM.
- (2) Elected members will take office from the end of the AGM at which election takes place.
- (3) The committee may fill a casual vacancy by appointing a replacement member.

8 Appointed members

There are no appointed members, except as mentioned in clause 7.

9 Co-opted members

The committee may appoint by not less than a two thirds majority vote not more than 2 co-opted members. Their appointments will be effective from the

end of the meeting at which they are appointed until the start of the following AGM.

10 New members

The committee must give each new member on their first appointment:

- (1) A copy of this scheme and any amendments made to it;
- (2) A copy of the charity's latest report and statement of accounts.

11 Register of members

- (1) The committee must keep a register of the name and address of every member and the dates on which their terms of office begin and end.
- (2) Before acting as a member, every member must (whether on their first appointment or on any later re-appointment) sign in the register a declaration of acceptance and willingness to act in the trusts of this scheme.
- (3) The committee must promptly report any vacancy in the office of appointed member to the body entitled to fill it.

12 Members not to have a personal interest

Except with the prior written approval of the Commissioners no member may:

- (1) receive any benefit in money or in kind from the charity; or

- (2) have a financial interest in the supply of goods or services to the charity; or
- (3) acquire or hold any interest in property of the charity (except in order to hold it as a trustee of the charity).

13 Termination of membership

A member will cease to be a member if he or she:

- (1) is disqualified from acting as a trustee by section 72 of the Charities Act 1993; or
- (2) is absent without permission of the members from all their meetings held within a period of 12 months and the members resolve that his or her office be vacated; or
- (3) gives not less than one month's notice in writing of his or her intention to resign (but only if at least one third of the members will remain in office when the notice of resignation is to take effect).

OFFICERS

14 Chair and vice chair

- (1) At their first meeting in each year after the annual general meeting the members must elect a chair and vice chair of their meetings (who must be members).
- (2) The members present at a meeting must elect one of their number to chair the meeting if neither the chair or vice chair are present or the office of chair and vice chair are vacant.

15 Secretary and treasurer

The committee may appoint a secretary and a treasurer. The offices may be held by:

- (1) Members (who must not receive any reward for acting and who may be dismissed as secretary or treasurer at any time); or
- (2) Some other suitable persons (who may be employed upon such reasonable terms, including terms as to notice, as the committee think fit).

MEETINGS OF COMMITTEE

16 Ordinary meetings

- (1) The committee must hold at least 4 ordinary meetings in each year.
- (2) Ordinary meetings require at least 10 days' notice.
- (3) The chair, or any two members, may call an ordinary meeting at any time.

17 Special meetings

- (1) The chair, or any two members, may call a special meeting at any time.
- (2) Special meetings require at least 7 days' notice, except that meetings to consider the appointment of a co-opted member require at least 21 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.

18 Quorum

No business may be transacted at a meeting unless there are present at least one-third of the total numbers of members.

19 Voting

- (1) Every matter must be decided by majority decision of the members present and voting at a duly convened meeting of the committee.
- (2) The chair of the meeting should have one vote only, either in the first vote, or as a casting vote.

20 Recording of meetings

The committee must keep a proper record of its meetings. The record must be retained by:

- (1) the secretary; or
- (2) another suitable person appointed by the committee to do so

who must allow the members to access it.

21 Members to act jointly

The members must exercise their powers jointly, at properly convened meetings.

ANNUAL GENERAL MEETING

22 Annual general meeting

- (1) There must be an annual general meeting of the charity in October of each year, or as soon as possible thereafter.
- (2) All inhabitants of the area of benefit of 18 years and upward must be allowed to attend and vote at the meeting. The committee may allow inhabitants who are under 18 to attend (but not to vote at) the meeting.
- (3) Public notice of the meeting must be given in the area of benefit at least 14 days before the meeting.
- (4) The chairman of the existing trustees will chair the first meeting. The chair of the committee will chair subsequent meetings. The vice-chairman will chair the meeting if the chairman is not present. The persons present must elect one of their number to chair the meeting if neither the chairman nor vice-chairman are present.
- (5) At the meeting the committee must present the report and accounts for the last financial year. The existing trustee will present the report and accounts to the first meeting.
- (6) Every matter must be decided by majority decision of those present and

voting. The chairman of the meeting has only one vote, either in the first vote, or as a casting vote, but not both.

- (7) No resolutions shall be considered at an AGM except the election of officers and the committee, unless notice of such Resolution has been given to the secretary or chairman in writing at least seven days before the AGM.

CHARITY PROPERTY

23 Transfer of property

The land described in Part 1 of the schedule to this scheme shall remain vested in the Official Custodian for Charities in trust for the charity.

24 Use of income and capital

- (1) The committee must firstly apply:

- (a) the charity's income; and
- (b) if the committee think fit, expendable endowment; and
- (c) when the expenditure can properly be charged to it, its permanent endowment

in meeting the proper costs of administering the charity and of managing its property (including the repair and insurance of its buildings.)

- (2) After payment of these costs, the committee must apply the remaining income in furthering the object of the charity.

- (3) The committee 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 by order in advance.

25 Sale of land

- (1) Subject to the provisions of this clause, the committee may sell the land identified in part 1 of the schedule. (The committee must comply with the restrictions on disposal imposed by section 36 of the Charities Act 1993, unless the disposal is excepted from these restrictions by section 36(9)(b) or (c) or section 36(10) of that Act.)
- (2) The committee may only sell the land if:
 - (a) the committee decide that the land is no longer required for use as a Village Hall and Social Club; and
 - (b) the decision to sell is confirmed by a resolution passed at a meeting of the inhabitants of the area of benefit of 18 years and upward. At least 14 days' notice of the meeting, setting out the terms of the resolution, must be given.
- (3) The committee must invest the proceeds of any such sale in trust for the charity.
- (4) The committee may apply the income and expendable endowment in furthering the object of the charity and for the general charitable purposes for the benefit of the inhabitants of the area of benefit

AMMENDMENT OF SCHEME

26 Amendment of scheme

- (1) Subject to the provisions of this clause, the provisions of this scheme may be amended.
- (2) Any other amendment must be made by resolution passed at the annual general meeting. The notice of the meeting must include notice of the resolution, setting out the terms of the amendment proposed.

- (3) The committee must not make any amendment which would:
- (a) vary this clause;
 - (b) vary the definitions clause and clauses 4 (objects clause) and 25 (sale of land);
 - (c) confer a power to dissolve the charity;
 - (d) enable permanent endowment of the charity to be spent.
- (4) The prior written approval of the Commissioners must be obtained to any amendment which would:
- (a) vary the composition of the committee or the terms on which the members hold office;
 - (b) vary the power for the remuneration of members in clause 12 of this scheme;
 - (c) change the name of the charity.
- (c) The committee must:
- (a) promptly send the Commissioners a copy of any amendment made under sub-clause (3) of this clause; and
 - (b) keep a copy of any such amendment with this scheme.

GENERAL PROVISIONS

27 Questions relating to this scheme

The Commissioners may decide any question put to them concerning:

- (1) the interpretation of this scheme; or
- (2) the propriety or validity of anything done or intended to be done under it.

SCHEDULE

Land

The following land at Pilton, Somerset, with the building thereon formerly known as The Edmund Clerk Parish Rooms and now to be known as The Old Pilton Working Men's Club & Village Hall:

- 1 Land described in a deed of 5 October 1894 and made between Edmund Hugh Clerk of the one part and Edmund Hugh Clerk and 4 others of the second part.
- 2 Land described in a deed of 1 November 1909 and made between Edith Dorothy Clerk of the one part and Edith Dorothy Clerk and 1 other of the second part and Reverend Charles William Bennett of the third part and Frances Jane Campbell and 1 other of the fourth part and Edith Dorothy Clerk and 4 others of the fifth part.
- 3 Land described in an indenture of 2 January 1892 and made between George Hill of the first part and Edmund Hugh Clerk of the second part.