Key:
Original amendment from the time of declaration

PILTON PLAYING FIELDS TRUST DEED

[transcribed from copy of original deed]

THIS TRUST DEED is made the Seventeenth day of November One thousand nine hundred and sixty six by THE COUNCIL OF THE PARISH OF PILTON in the County of Somerset (hereinafter called “the Council”)

WHEREAS:-

(i) This deed is supplemental to a Transfer dated the Twenty ninth day of October One thousand nine hundred and sixty four and made between the County Council of the Administrative County of Somerset of the one part and the Council of the other part whereby certain land situate at Pilton in the said County and being registered at HM Land Registry under the Title Number 14312 was transferred to the Council in fee simple for the purposes of The Physical Training and Recreation Acts 1937 and 1958

(ii) The Council is now the Registered Proprietor with an absolute title of the said Property

(iii) The said property was in fact purchased by the Council out of monies advanced to the Council by the said County Council of Somerset to be repaid out of rates paid by the inhabitants of the said Parish of Pilton And the Council hold the said property uPOn the trusts hereinafter declared as the Council hereby acknowledges:

N O W THIS DEED WITNESSETH that in consideration of the premises the council HEREBY DECLARES that the Council holds the said property upon the trusts and subject to the power and provisions set out in the First Schedule here to

IN WITNESS whereof two members of the Council on behalf of the Council have unto set their hands and seals the day and year first before written

THE FIRST SCHEDULE above referred to

1. ~~Text deleted before trust deed signed and sealed~~

2. The property hereby conveyed (herein called “the Trust Property”) shall be held upon trust for a recreation ground for the benefit of the inhabitants of the Parish of Pilton in the County of Somerset in such manner as the Trustees from time to time shall think fit

3. The general management and control of the Trust Property and the arrangements for its use shall be vested in a Committee of Management (hereinafter called “the Committee).

   (a) Five Elected Members of the Committee shall be elected at the Annual General Meeting to be held as in this Deed provided for a term of office commencing at the end of the Annual General Meeting at which they are elected and expiring at the end of the Annual General Meeting in the following year

   (b) Ten representative Members of the Committee shall be appointed by such appointing organisations as are set out in the Second Schedule and their names shall be notified by each appointing organisation to the Secretary of the Committee. They shall except in the case of such members appointed to fill casual vacancies be appointed before the Annual General Meeting in any year for a term of office commencing at the end of the Annual General Meeting next after their appointment and expiring at the end of the Annual General Meeting in the following year

   (c) The Committee shall have power to co-opt not more than four members to hold office until the end of the Annual General Meeting following their co-option

   (d) Any competent member of the Committee may be reappointed or re-elected. 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 and may elect one of their number to be Vice-Chairman. The Chairman and Vice Chairman shall continue in office until their successors are respectively elected.

4. 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 and may elect one of their number to be Vice-Chairman. The Chairman and Vice Chairman shall continue in office until rehire successors are respectively elected. If the Chairman is absent from any meeting the Vice-Chairman (if any) shall preside otherwise the members present shall before any other business is transacted choose one of their number to preside at that meeting

5. There shall be an Annual General Meeting to be convened by the end of the month of April in each year the first of such meetings (herein called 'the First General Meeting') to be convened in the Month of April one thousand nine hundred and sixty seven by Twenty one days notice to be affixed to some conspicuous part of the Trust Property or other conspicuous place or places in the said Parish of the inhabitants of the age of eighteen years or upwards of either sex for the purpose of receiving the report and Accounts of the Committee and for accepting the resignation of members of the Committee and for the purpose of electing five members under clause 3 hereof and for taking such action as it may decide under Clause 8 hereof provided nevertheless that if in any year an Annual General Meeting shall not be convened and held in the month of April an Annual General Meeting for that year shall be held as soon as practicable after the month of April

6. The Committee shall have power by Resolutions of the Committee present 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 Parish not mentioned in the Second Schedule hereto and any other organisations which may hereafter be formed in the said Parish having aims of a recreational character consistent with those upon which the trust property is held herein to appoint an additional member of the Committee in the same manner as if such organisation had been mentioned in the Second Schedule hereto and for this purpose the total number of members of the Committee as provided for in Clause 3 hereof may be increased but no Resolution shall be effective until it has been approved in writing by the Secretary of State for Education and Science

7. A casual vacancy arising from the death or resignation or removal of an appointed member of the Committee shall be filled by the organisation by which such member shall have been appointed and the person to appointed shall retire at the time when the vacating members should 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 the powers to fill such vacancy until the next Annual General Meeting. All members shall retire annually at the Annual General Meeting.

8. If any organisation entitled to appoint a member of the Committee creases 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 ways if at all the vacancy shall be filled.

9. 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

10. The Committee may from time to time make and alter Rules 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 Property 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 fit 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 Property as it may consider necessary

    (d) The number of members who shall form a quorum at its meeting 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

11. All Payments in respect of the use of the Trust Property and all donations for the benefit thereof shall be paid into a Trust Account at the Lloyds Bank at Shepton Mallet, Somerset or at other such Bank as shall from time to time be substituted by the Committee and any such substitution to be endorsed upon this Trust Deed with a copy of the resolution resolving thereto

12. The moneys standing to the credit of the said Account shall be applied as the Trustees shall decide in maintaining repairing and insuring the Trust Property and the buildings and effects thereon and in paying rent rates taxes salaries wages and other outgoings and in providing equipment and means of recreation and otherwise for the maintenance and improvement of the Trust Property.

13. The Committee may upon the vote of a majority of its members and with the consent of the Secretary of State for Education and Science from time to time by mortgage or otherwise obtain such advances on the security of the Trust Property 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 work to be carried out thereon and may continue or repay in whole or in part and fro time to tome any existing mortgage or charge on the said property.

14. If the Trustees 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 the age of Eighteen years or upwards of the said Parish of which Meeting not less than 21 days notice (stating the terms of the Resolution that will be proposed thereat) shall be posted in a conspicuous place or places in the Trust Property and advertising 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 coming the Trustees with the consent of the Secretary of State ~~for Education and Science~~ let or sell the Trust Property or part thereof All monies 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 f other property approved by the Committee and to be held upon trust 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 parishes may be approved by the Secretary of State for Education and Science and meanwhile such moneys shall be invested in the name of The Official Custodian for Charities 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 Trust Property may properly be applied.

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

THE SECOND SCHEDULE above referred to

ORGANISATIONS IN PILTON

The Committee of the British Legion (including Women's Section)

The Parochial Church Council

The Cricket Club Committee

The Football Club Committee

The Tennis Club Committee

The Working Mens Club Committee

The Women's Institute Committee

The Youth Club Committee

The Chapels Committee