

THIS TRUST DEED is made the Tenth day of April 1991 by the PARISH COUNCIL OF THE PARISH OF BROADBRIDE HEATH in the County of West Sussex (hereinafter called “the Council” which expression shall where the context so admits include the Council’s successors in title)

Revised 2nd June 2015. Changes listed in appendix A.

WITNESSETH as follows: -

1. VILLAGE HALL

The property (hereinafter called “the Trust Property”) being the Broadbridge Heath Village Centre (“the Charity”) described in the Schedule shall be held upon Trust for the purposes of a village hall for the use of the inhabitants of the Parish of Broadbridge Heath in the County of West Sussex (hereinafter called “the area of benefit”) without distinction of political, religious or other opinions, including 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.

2. CUSTODIAN TRUSTEE

The Parish Council of Broadbridge Heath shall be the Custodian Trustee of the Charity and the provisions of subsection (2) of section 4 of the Public Trustee Act 1906 shall apply to the said Council and to the Committee respectively in like manner as they apply to the Public Trustee and Managing Trustees.

3. ADMINISTRATION BY COMMITTEE

The Charity shall be administered in conformity with the provisions of this Deed by the Committee of management hereinafter constituted (and hereinafter called “the Committee”) who shall be the Charity Trustees of the Charity within the meaning of section 46 of the Charities Act 1960 PROVIDED that until the end of the first annual general meeting to be held after the date of this Deed the Charity shall be administered in accordance with the provisions of the Deed by the following persons:

Mr. T. G. Bennett - Chairman
Mr. B. Arrow - Vice Chairman
Mrs P. Scott - Secretary
Mrs S. Carver - Treasurer
Mr. R. Holloway
Mr. B. Savage
Mrs H. Savage
Mrs J. Lawrence

4. COMMITTEE OF MANAGEMENT

(1) Except as hereinafter in this paragraph provided the Committee shall consist of up to 9 elected members and may include not more than 3 co-opted members and additional representative members (as listed in sub-paragraph (3)).

(2) The elected members (other than those appointed under sub-paragraph (8) of this paragraph to fill casual vacancies) shall be elected at the annual general meeting to be held as in this Deed provided.

(3) One representative member shall be appointed by each of the following organisations: -

Broadbridge Heath Parish Council
Broadbridge Heath Village Centre Social Club
Broadbridge Heath Gala Association
Horsham Sea Cadet Corps Unit No. 186 - T.S. Glory
The Skylarks Playgroup

A representative member shall ordinarily be appointed not more than one month before the annual general meeting: provided that an organisation which fails to appoint a representative member before such meeting shall make the appointment as soon as practicable thereafter. Each organisation shall notify to the secretary of the Committee the name of its representative.

(4) Co-opted members shall be appointed at a duly constituted meeting of the Committee.

(5) Subject to the provisions of sub-paragraphs (6) and (8) of this paragraph the period of office of members shall commence:-

- (a) in the case of elected members, at the end of the annual general meeting at which they were elected;
- (b) in the case of representative members appointed before the annual general meeting in any year, at the end of that meeting or, in the case of a representative member appointed after such annual general meeting, or to fill a casual vacancy, on the day on which notification of his appointment is received by the secretary;
- (c) in the case of co-opted members, from the date of their co-option.

(6) All members of the Committee shall retire from office together at the end of the annual general meeting next after the date on which they came into office but they may be re-elected or reappointed.

(7) In the event of any application for representation on the Committee being received from any existing or newly formed organisation operating in the area of benefit the Committee may, upon a resolution supported at a duly constituted meeting of the Committee by the votes of a majority of not less than two thirds of all the members of the Committee, allow such organisation to appoint a representative member of the Committee in the same manner as if such organisation had been named in sub-paragraph (3) of this paragraph. A minute of the relevant resolution, authenticated by the chairman and the secretary should be (a) placed with the title deeds and (b) kept with the Committees's working papers.

(8) 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, if in the office of representative member, it shall be notified as soon as possible to the proper appointing organisation. A casual vacancy in the office of elected member may be filled by the Committee and the period of office of an elected member elected to fill a casual vacancy shall commence at the end of the meeting of the Committee at which he was so elected.

(9) The constitution of the Committee as hereinbefore provided may, on the application of the Committee, be altered from time to time by order of the Charity Commissioners.

5. FAILURE TO APPOINT

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.

6. DECLARATION OF MEMBERS

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 Deed.

7 MEMBERS NOT TO BE PERSONALLY INTERESTED IN THE CHARITY

Except in special circumstances, with the approval in writing of the Charity Commissioners, no member of the Committee shall take or hold any interest in any property belonging to the Charity, otherwise than as a Trustee for the purposes thereof, or receive any remuneration, or be interested in the supply of works or goods, at the cost of the Charity.

8. DETERMINATION OF MEMBERSHIP

Any member who is adjudged bankrupt, or who makes a composition or arrangement with his creditors, 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.

9. MEETINGS OF THE COMMITTEE

The Committee shall hold at least two ordinary meetings in each year. A special meeting may be summoned at any time by the chairman or any two members upon seven clear days written notice being given to all the other members of the matters to be discussed.

10 CHAIRMAN AND VICE-CHAIRMAN OF THE COMMITTEE

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 respective successors are 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.

Whoever is presiding at any meeting should rule on any points of order not specifically covered by this Deed.

11. VOTING IN COMMITTEE

Every matter shall (except as in this Deed provided) be determined by the majority of the members of the Committee present and voting on the question. In case of equality of votes the chairman of the meeting shall have a second or casting vote.

12. ANNUAL GENERAL MEETING

(1) There shall be an annual general meeting in connection with the Charity 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 upwards, and committee members, shall be entitled to attend and vote at the annual general meeting. Hereafter called 'Voters'.

(3) The first annual general meeting after the date of this Deed shall be convened by the persons named in paragraph 3 hereof and subsequent annual general meetings by the Committee. Public notice of every general meeting shall be given in the area of benefit at least fourteen days before the date thereof by affixing a notice to some conspicuous part of the Trust Property or other conspicuous place in the area of benefit and by such other means as the conveners think fit.

(4) The persons who are present at the first annual general meeting after the date of this Deed 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. In his absence the vice- chairman (if any) shall take the chair but, if neither is present, the persons present shall, before

any other business is transacted, appoint a chairman of the meeting. In case of equality of votes the chairman of the meeting shall have a second or casting vote.

(5) The Committee shall present to each annual general meeting the report and accounts of the Charity for the preceding year.

(6) Each candidate should be nominated and seconded by a Voter.

(As defined in Section 12(2).)

A vote will be taken for each candidate, who will be elected as a committee member if voted for by more than half the Voters present.

In the event more than 9 candidates receiving the required number of votes, the 9 with the highest number of votes will be elected.

13. REPAIRS MID INSURANCE

The Committee shall cause all the buildings and other property of the Charity at all times to be kept in repair and sufficiently insured against all insurable risks including fire, theft and public liability and shall wherever necessary procure (and act upon) a professional valuation for insurance purposes of the said buildings and property of the charity.

14. APPLICATION OF INCOME

After satisfying its obligation under paragraph 13 hereof the Committee shall as and when it thinks fit apply the net yearly income for the purposes of the Charity.

15. SURPLUS CASH

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

16. FURTHER ENDOWMENTS

The Committee may receive any additional donations or endowments for the general purposes of the Charity and it may also accept donations or endowments for any

special objects connected with the Charity not inconsistent with the provisions of this Deed.

17. MINUTES AND ACCOUNTS

The Committee shall provide and keep a minute book and books of account. All proper statements of account in relation to the Charity shall in each year be prepared as prescribed by section 32 of the Charities Act 1960 and copies thereof shall be sent to the Council.

18. MORTGAGES AND CHARGES

At the request of the Committee the Council may with the consent of the Charity Commissioners (and any necessary consent of the lessor) 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 the work carried on therein and may continue or may repay in whole or in part and from time to time any existing mortgage or charge on the Trust Property.

19. LETTING OR SALE

If the Committee decides at any time that on the grounds 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 stated in paragraph 1 it shall call a meeting of the inhabitants of the age of eighteen years and upwards of the area of benefit 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 area of benefit and if such decision shall be confirmed by three quarters of such inhabitants present and voting at such meeting the Council may at the request of the Committee and with the consent of the Charity Commissioners let or sell their interest in the Trust Property or any part thereof for such consideration and upon such terms as may be approved by the Charity Commissioners. All monies belonging to the Charity including the proceeds of sale of the Trust Property and of any fixtures and fittings (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 herein before set forth (including this power) or as near thereto as circumstances shall permit or towards such other charitable purposes or objects for the benefit of the inhabitants of the area of benefit as may be approved by the Charity Commissioners and meanwhile such monies shall be invested and any income arising there from 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 in furthering the purposes specified in this Deed

20. RULES

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

(a) the terms and conditions upon which the Trust Property may be used by persons or bodies other than the Committee for the purposes specified in this Deed and the sum (if any) to be paid for such use and for the avoidance of doubt such persons shall include the bodies that members of the Committee may from time to time represent;

(b) the deposit of money at a proper Bank and the safe custody of documents;

(c) the appointment of an auditor;

(d) the engagement and dismissal of such officers servants and agents as the Committee may consider necessary and the payment of such persons (not being members of the Committee);

(e) the summoning and conduct of meetings including the number of members who shall form a quorum thereat:

PROVIDED that at meetings of the Committee the quorum shall not be less than one third of the total number of the members for the time being

IN WITNESS whereof two members of the Council have pursuant to a resolution of the Council passed on the Fourth day of February One thousand nine hundred and ninety one hereunto set their hands and seals the day and year first before written

SIGNED SEALED AND DELIVERED)
by THOMAS GEORGE BENNETT)
in the presence of:)

RICHARD LESLIE ABBY

SIGNED SEALED AND DELIVERED)
by GEORGE BENNETT)
in the presence of:)

RICHARD LESLIE ABBY

Two handwritten signatures are present. The top signature is for Thomas George Bennett, and the bottom signature is for George Bennett. Both are written in cursive and are somewhat stylized.

Appendix A

Changes to Broadbridge Heath Village Centre Trust Deed 2nd June 2015

Section 4:

Currently:

"(1) Except as hereinafter in this paragraph provided the Committee shall consist of 9 elected members and 12 representative members and may include not more than 3 co-opted members."

Amend to:

"(1) Except as hereinafter in this paragraph provided the Committee shall consist of up to 9 elected members and may include not more than 3 co-opted members and additional representative members (as listed in sub-paragraph (3))."

The list of organisations with representatives has been updated to remove those who are no longer active.

The list is currently as follows:

Broadbridge Heath Parish Council
Broadbridge Heath Village Centre Social Club
Broadbridge Heath Gala Association
Horsham Sea Cadet Corps Unit No. 186 - T.S. Glory
The Skylarks Playgroup

Section 10:

Add:

"Whoever is presiding at any meeting should rule on any points of order not specifically covered by this Deed."

Section 12(2):

Currently:

"All inhabitants of the area of benefit of eighteen years of age and upwards shall be entitled to attend and vote at the annual general meeting."

Amend to:

"All inhabitants of the area of benefit of eighteen years of age and upwards, and committee members, shall be entitled to attend and vote at the annual general meeting. Hereafter called 'Voters' "

Section 12 (6):

New section, as there is no procedure laid down for voting in elected committee members.

Add:

*"Each candidate should be nominated and seconded by a Voter.
(As defined in Section 12(2).)*

A vote will be taken for each candidate, who will be elected as a committee member if voted for by more than half the Voters present.

In the event more than 9 candidates receiving the required number of votes, the 9 with the highest number of votes will be elected."

SCHEDULE

Land and buildings at Broadbridge Heath comprised in:

1. Conveyance dated 10th April 1991 between North Horsham Parish Council (1) and the Council (2)
2. Conveyance dated 10th April 1991 between North Horsham Parish Council (1) and the Council (2)
3. Transfer dated 10th April 1991 between North Horsham Parish Council (1) and the Council (2)
4. Transfer dated 10th April 1991 between Croudace Limited (1) and the Council (2)