

DATED

18 November 1982

GLOUCESTER DIOCESAN COUNCIL  
OF EDUCATION

-and-

THE PARISH COUNCIL OF THE PARISH  
OF HIGHNAM

CONVEYANCE

Of

Highnam Church of England School

THIS CONVEYANCE is made between GLOUCESTER DIOCESAN COUNCIL Of EDUCATION of Church House College Green in the city of Gloucester (hereinafter called "the Vendor") of the one part and THE PARISH COUNCIL OF THE PARISH OF HIGHNAM in the County of Gloucester (hereinafter called "The Purchaser) of the other part.

WHEREAS :

- (1) By a Scheme dated the 28<sup>th</sup> day of May 1953 framed by the Minister of Education under the Endowed Schools Acts 1869 to 1874 as applied by an order of the Minister dated the 21<sup>st</sup> day of May 1952 made under Section 86 (1) of the Education Act 1944 as amended by the Education Act 1946 the property hereinafter described (together with other property) was vested in the Vendor in fee simple free from incumbrances.
- (2) In pursuance of its powers contained in the said Scheme the Vendor has agreed with the Purchaser for the sale of the said property for a like estate to the Purchaser for the sum of TWENTY FIVE THOUSAND POUNDS

NOW THIS DEED WITNESSETH as follows:-

1. IN PURSUANCE of the said agreement and in consideration of the sum of TWENTY FIVE THOUSAND POUNDS (£25,000.00) paid by the Purchaser to the Vendor (the receipt whereof the Vendor hereby acknowledges) the Vendor as trustee hereby conveys unto the Purchaser ALL THAT piece or parcel of land forming OS number 7261 and containing 1.52 acres or thereabouts together with the building erected thereon and known or formerly known as Highnam Church of England School in the Parish of Highnam in the County and Dioceses of Gloucester as the same is for the purpose of identification only delineated and edged red on the plan annexed hereto TOGETHER with a right of way for the Purchaser its successors in title and all person authorised by it or them on foot only at all times over and along the path between the point marked 'C' on the said plan and the gate at the point marked 'G' thereon for the purpose of access to and egress from the land hereby conveyed but EXCEPT and RESERVED unto the

Vendor full free right and liberty without obtaining the consent of or making compensation to the Purchaser or other the owner or owners occupier or occupiers for the time being of the land hereby conveyed to deal in any manner whatsoever with any of the land belonging to the Vendor adjoining opposite or near to the land hereby conveyed and to erect and ever after maintain or suffer to be erected or maintained on such adjoining opposite or neighbouring lands any buildings whatsoever whether such buildings shall or shall not affect or diminish the light or air which may now or at any time or times hereafter be enjoyed for or in respect of the land hereby conveyed or any building for the time being thereon TO HOLD the same unto the Purchaser in fee simple upon the trusts and subject to the powers and provision set out in the Schedule hereto

2. THE Purchaser hereby covenants with the Vendor that the Purchaser shall erect within three months after the date hereof and thereafter maintain a secure fence of a type to be selected by the Purchaser along the boundary marked B – X on the plan annexed hereto

3. IT IS HEREBY certified that the transaction hereby effected does not form part of a larger transaction or of a series of transactions in respect of which the amount or value or the aggregate amount of value of the consideration exceeds TWENTY FIVE THOUSAND POUNDS

#### THE SCHEDULE

(1)The Property hereby conveyed (hereinafter called “the Trust Property”) shall be held upon trust for the purposes of a village hall for the use of the inhabitants of the Parish of Highnam in the County of Gloucester (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 or recreation and leisure time occupation with the object of improving the conditions of life for the said inhabitants

(2) 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 this deed by the following persons

2. The Parish Council of the Parish of Highnam shall be custodian trustee of the charity and the provisions of sub-section (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. (1) Except as hereinafter in this paragraph provided the committee shall consist of Eight elected members and Ten representative members and may include not more than Two co-opted members.

(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:-

Highnam Badminton Club

Highnam Gardening Club

Highnam Players

Highnam Parish Council

Highnam Mother and Toddlers Group Highnam Parochial Church Council

Highnam Play Group

Highnam Table Tennis Club

Highnam Women's Institute

Highnam Youth Club

A representative member shall ordinarily be appointed not more than one month before the annual general meeting provided than an organisation which fails to appoint a representative member before such a meeting shall make the appointment as soon as practicable thereafter Each organisation shall notify 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 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 on the day 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 maybe re-elected or re-appointed

(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 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) be kept with the committee'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 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

4. 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.

5. 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 signing in the minute book or the committee a declaration or acceptance and of willingness to act in the trusts of this deed.

6. 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 work or goods at the cost of the charity.

7. 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. 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 days notice being given to all the other members of the matters to be discussed.

9. 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.

10. 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.

11. (1) There shall be an annual general meeting in connection with the charity which shall be held in the month of November in each year or as soon as practicable thereafter.

(2) 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.

(3) The first annual general meeting after the date of this deed shall be convened by the persons named in paragraph 1 (2) hereof and subsequent annual general meetings by the committee. Public notice of every annual 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 person 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.

12. 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 whenever necessary procure (and act upon) a professional valuation for insurance purposes of the said buildings and property of the charity.

13. After satisfying its obligations under paragraph 12 hereof the committee shall as and when it thinks fit apply the net yearly income for the purposes of the charity.

14. 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.

15. 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 object connected with the charity not inconsistent with the provisions of this deed.

16. 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 Parish Council of the Parish of Highnam aforesaid.

17. The committee may with the consent of the Charity Commissioners 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 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.

18. If the committee 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 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 committee may with the consent of the Charity Commissioners let or sell the trust property or any part thereof. All moneys 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 of other property approved by the committee and to be held upon the trusts for the purposes and subject to the provisions hereinbefore set forth (including this power) or as near thereto as circumstances shall permit or towards such other charitable purposes or object for the benefit of the inhabitants of the area of benefit as may be approved by the Charity commissioners and meanwhile such moneys shall be invested 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 in furthering the purposes specified in this deed.

19. 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 maybe 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.
- (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.

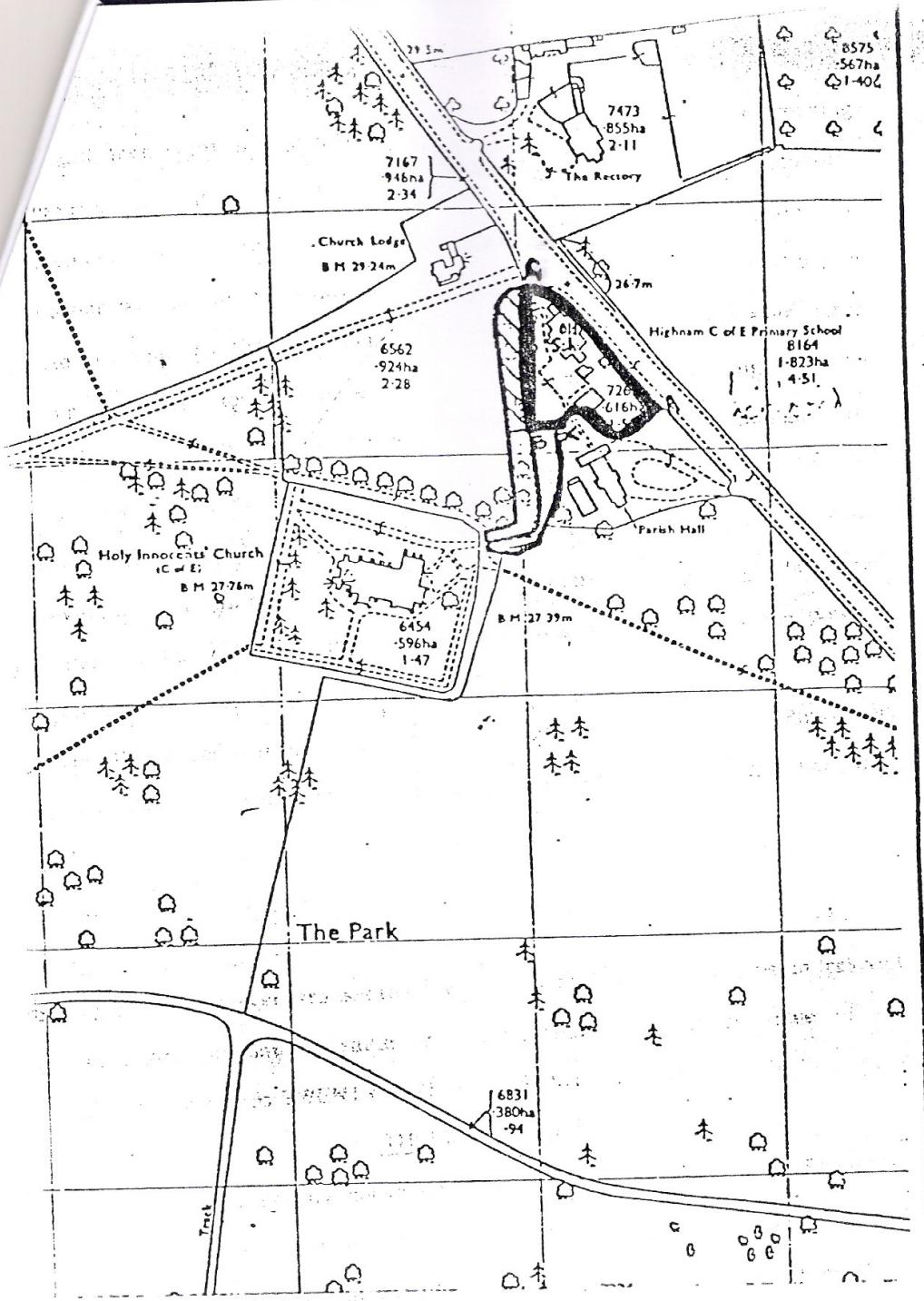
IN WITNESS whereof the Vendor has caused its common seal to be hereunto affixed and PETER WILLIAM DOLE and JOHN FRANCIS LEAVER two members of the Purchaser have pursuant to a resolution of the Purchaser passed on the FIFTEENTH day of NOVEMBER 1982 hereunto set their hands and seals the day and year first before written.

THE COMMON SEAL of the  
GLOUCESTER DIOCESAN COUNCIL  
OF EDUCATION was hereunto  
Affixed in the presence of:-

Roger D M Grey  
Diocesan Director of Education  
And Secretary Gloucester Diocesan  
Council of Education

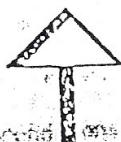
SIGNED SEALED AND DELIVERED  
By the said PETER WILLIAM DOLE  
In the presence of:- B R Roberts  
3 Wetherleigh Drive  
Highnam  
Director

SIGNED SEALED AND DELIVERED  
By the said JOHN FRANCIS LEAVER  
In the presence of:- B R Roberts  
3 Wetherleigh Drive  
Highnam  
Director



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NORTH



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**HIGHNAM VILLAGE HALL TRUST**

(Registered Charity No. 290798)

**HIGHNAM OLD SCHOOL & PARISH ROOM MANAGEMENT COMMITTEE**

Chairman Janet Frost Tel: 521720 Secretary Don Moss Tel: 526310 Treasurer David Sanderson Tel 418417

Deputy Chairman/Booking Agent Gordon Franklin Tel 304933 Caretaker Maurice Brown Tel 728697

**AMENDMENT TO THE GOVERNING INSTRUMENT:**

“It was agreed that it was important to have two Parish Council Trustees on the Committee, and therefore to request an amendment to the Constitution; at the same time to bring the list of other representatives Trustees up to date.”

We certify that this is a true copy of a Minute of the Meeting of the Trust held on 9 September 1999

D.F. Moss, Hon. Sec

J Frost, Chairman

Paragraph 3 (3) amended, therefore now reads;

Two representative members shall be appointed by Highnam Parish Council, and one representative member by each of the following organisations:

Highnam Badminton Club	HARPS
Highnam Players	Highnam Women's Institute
Highnam Mothers & Toddlers Group	Highnam Parochial Church Council
Highnam Table Tennis Club	Highnam Carpet Bowls Club

Charity Commission registration recorded in their letter ref: RME/156889/PRH

Dated 16 Dec. 1999