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THE CHARITY COMMISSIONERS FOR ENGLAND AND WALES

Under the power given in the Charities Act 1993

Order that from today, the

14TH OCTOBER 1997

the following

SCHEME

will govern the charity

known as

WING COMMUNITY CENTRE (512002)

at

Wing, Rutland



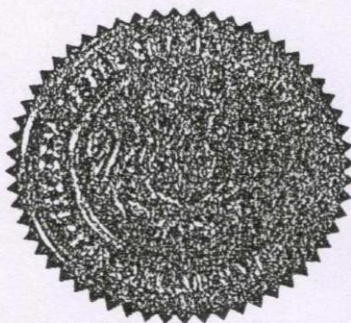
This Scheme has been adjudged as not liable to stamp duty.

Commissioners' References:

Sealing: N174(S)

97

Case No: 81308



J Hasland

ASSISTANT COMMISSIONER

1. Definitions

In this scheme:

“the area of benefit” mean the parish of Wing and the surrounding neighbourhood.

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

“the trustee” means the Wing Parish Council the trustee of the charity.

ADMINISTRATION

2. Administration

The charity is to be administered by the trustee in accordance with this scheme. This scheme replaces the former trusts of the charity.

3. Name of the charity

The name of the charity is Wing Community Centre.

OBJECTS

4. Object of the charity

(1) The object of the charity is the provision and maintenance of a community centre for use by the inhabitants of the area of benefit without distinction of political, religious or other opinions, including use for:

(a) meetings, lectures and classes, and

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

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

(2) The land belonging to the charity must be retained by the trustee for use for the object of the charity.

POWERS OF THE TRUSTEE

5. Powers of the trustee

In addition to any other powers which they have, the trustee may exercise the following powers in furtherance of the objects 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 and pay them reasonable remuneration, including pension provision for them and their dependants.
- (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 usual risks (except to the extent that the buildings are insured against any of these risks by a tenant).
- (4) Power to raise funds. (The trustee must not undertake any permanent trading activity.)
- (5) Power to co-operate with other charities, voluntary bodies and statutory authorities. The trustee may exchange information and advice with them.
- (6) Power to make rules and regulations consistent with this scheme for the management of the charity.
- (7) Power to delegate the performance of any act, including the exercise of any power or discretion, to a committee including any two or more members of Wing Parish Council. The trustee may appoint such other members of the committee as it thinks fit. (The trustee must exercise reasonable supervision over the committee and the committee must promptly report their acts and proceedings to the trustee.)

TRUSTEE

6. Trustee

Wing Parish Council is the trustee of the charity.

7. Trustee not to have a personal interest

Except with the prior written approval of the Commissioners the trustee may not:

- (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).

ANNUAL GENERAL MEETING

8. Annual general meeting

- (1) There must be an annual general meeting of the charity in March 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 trustee may allow inhabitants who are under 18 to attend (but not vote at) the meeting.
- (3) The annual general meeting must be called by the trustee.
- (4) Public notice of the meeting must be given in the area of benefit at least 14 days before the meeting.
- (5) The chairman of the trustee will chair the first meeting.
- (6) At the meeting the trustee must present the report and accounts for the last financial year.
- (7) Every matter must be decided by majority decision of those present and voting. The chairman of the meeting may cast a second or casting vote only if there is a tied vote.

CHARITY PROPERTY

9. Discharge of Official Custodian

The Official Custodian for Charities is discharged from his trusteeship of the charity.

10. Transfer of property

The title to the land described in part 1 of the schedule to this scheme is transferred by this scheme to the trustee in trust for the charity.

11. Use of income and capital

- (1) The trustee must firstly apply:
 - (a) the charity's income; and
 - (b) if the trustee thinks 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 trustee must apply the remaining income in furthering the object of the charity.
- (3) The trustee may also apply for the objects 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.

12. Sale of land

- (1) Subject to the provisions of this clause, the trustee may sell the land belonging to the charity. (The trustee 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 trustee may only sell the land if:
 - (a) the trustee decides that the land is no longer required for use as a village hall; 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 trustee must invest the proceeds of any such sale in trust for the charity.
- (4) The trustee may apply the income and expendable endowment in furthering the object of the charity and for general charitable purposes for the benefit of the inhabitants of the area of benefit.

AMENDMENT OF SCHEME

13. Amendment of scheme

- (1) Subject to the provisions of this clause, the provisions of this scheme may be amended.
- (2) Any amendment must be made by a 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 trustee must not make any amendment which would:

- (a) vary this clause;
 - (b) vary clauses 4 (objects clause) and 12 (power to dispose of property);
 - (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) change the name of the charity;
 - (b) vary the powers of investment exercisable by the trustee.
- (5) The trustee 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

14. Questions relating to the 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

PART 1

The following adjoining property in Morcott Road, Wing, Rutland:

Wing Community Centre described in a conveyance and trust deed of 13 February 1980 which was made between the Venerable Basil Marsh of the first part and John Thomson and two others of the second part;

Land containing 789.14 square metres or thereabouts described in a conveyance of 14 February 1980 which was made between The Peterborough Diocesan Board of Finance of the first part, and John Thomson and two others of the second part.

Note: The land was vested in the Official Custodian for Charities by an order of 13th May 1982.