

COPY.

Sealed 13th August 1996

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M. Hayward.*

W 156(S)

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County

- Pembrokeshire

Place

- Amroth

Charity

- Amroth Village Hall

CD(T)

500,798

Scheme including appointment of Trustees

## CHARITY COMMISSION

In the matter of the Charity called Amroth Village Hall, at Amroth in the County of Pembrokeshire, regulated by a Scheme of the Charity Commissioners of the 23rd July 1980; and

In the matter of the Charities Act 1993.

THE CHARITY COMMISSIONERS FOR ENGLAND AND WALES HEREBY ORDER that the following Scheme be approved and established as the Scheme for the regulation of the above-mentioned Charity.

## SCHEME

1. Administration of Charity. (1) The above-mentioned Charity and the property thereof shall be administered and managed subject to and in accordance with the provisions of this Scheme by the Trustee hereinafter appointed.

(2) The name of the Charity shall be Amroth Village Hall or such name as the Trustee from time to time may decide with the prior approval of the Charity Commissioners.

## TRUSTEE

2. Trustee. Amroth Community Council shall be the Trustee of the Charity, acting in accordance with all its usual procedures.

## OBJECTS

3. Object. The objects of the Charity shall be:

- (1) The provision and maintenance of a public garden and amenity area for the benefit of the inhabitants of Amroth, unless and until the land belonging to the Charity is required for the provision of a village hall for the use of said inhabitants, 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) At such time as the land belonging to the Charity is required for the purposes of a village hall, the said land shall be held upon trust for the purposes of a village hall as aforesaid.

#### MINUTES, ACCOUNTS AND ANNUAL RETURN

4. Minutes. The Trustee shall keep, in books maintained for the purpose, minutes of the proceedings of its meetings.

5. Accounts and annual report. The Trustee shall comply with its obligations under Part VI of the Charities Act 1993 with regard to:

- (1) the keeping of accounting records for the Charity;
- (2) the preparation of annual accounts for the Charity;
- (3) the preparation of an annual report;
- (4) where applicable the auditing or independent examination of the statements of account of the Charity;
- (5) where applicable the transmission of the statements of account of the Charity to the Commissioners.

6. Annual return. The Trustee shall, where applicable, comply with its obligations under the Charities Act 1993 with regard to the preparation of an annual return and its transmission to the Commissioners.

#### INSURANCE

7. Insurance. The Trustee shall insure the said land and any equipment, furniture or effects thereon and any building erected on the said land and the furniture and effects therein to the full value thereof against fire and other usual risks arising out of the ownership of property.

#### APPLICATION OF INCOME

8. Receipts and expenditure. (1) The income of the Charity including all payments for the use of the said building and all donations for the benefit thereof shall be paid into a trust account at such bank as the Trustee shall from time to time prescribe.

(2) The moneys standing to the credit of the said account shall be applied as the Trustee shall decide in insuring as aforesaid, in maintaining any land belonging to the Charity, in maintaining and repairing any building or equipment on the said land, in maintaining and repairing any equipment, furniture and effects therein, and in paying all rent (if any), rates, taxes, salaries of paid officers and servants and other outgoings and in otherwise furthering the object of the Charity.

9. Surplus cash. Sums of cash at any time belonging to the Charity not needed for immediate working purposes shall be invested in trust for the Charity

## SALE

10. Sale. (1) Subject to the provisions of this clause, the Trustee may sell any part of the said land and buildings, and may do and execute all proper acts and assurances for carrying any such sale into effect.

(2) The Trustee may only sell the land if -

- (a) The Trustee decides that on the grounds of expense or otherwise, it is necessary or advisable to discontinue the use of the land for the object of the Charity; 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 proposed, must be given.

(3) The Trustee must comply with the restrictions on disposal imposed by Section 36 of the Charities Act 1993, unless the sale is excepted from the restrictions under Section 36(9)(b) or (c) or Section 36(10) of that Act.

## GENERAL PROVISIONS

11. Further Scheme. At such time as the said land is required for the purposes of providing a village hall as aforesaid, the Trustee shall apply to the Commissioners for a further Scheme, for the administration of the Charity.

12. Donations. The Trustee may accept any donations or property for the general purposes of the Charity and they may also accept donations or property for any special objects connected with the Charity not inconsistent with the provisions of this Scheme

13. Power of amendment. (1) Subject to the provisions of this clause, the Trustee may amend the provisions of this Scheme.

(2) Any amendment must be made under the authority of a resolution passed at a meeting of the Trustee.

(3) The Trustee must not make any amendment which would:

- (a) vary this clause;
- (b) vary clauses 3 and 10 (the objects clause and the clause conferring power of sale).
- (c) confer a power to dissolve the Charity;
- (d) enable it to spend permanent endowment of the Charity.

(4) The Trustee must obtain the prior written approval of the Commissioners to any amendment which would vary the Trustees' power of investment.

(5) The Trustee must:

- (a) promptly send to the Commissioners a copy of any amendment made under this clause; and
- (b) keep a copy of any such amendment with this Scheme.

14. Questions under Scheme. Any question as to the construction of this Scheme or as to the regularity or the validity of any acts done or about to be done under this Scheme shall be determined by the Commissioners upon such application made to them for the purpose as they think sufficient.

#### SCHEDULE

Land situate at Amroth in the County of Pembrokeshire having a frontage on the south to a seafront road being the land comprised in a conveyance dated the 24th December 1949 and made between Rose Annie Richards and another of the one part and Robert George Ellis and three others of the other part.

Note - The above-mentioned land was vested in the Official Custodian for Charities by virtue of the Scheme of the Charity Commissioners of the 17th August 1971.

Sealed by Order of the Commissioners this 13th day of August 1996.

L.S.