



BISHOP'S CLEEVE  
TITHE BARN

**Bishop's Cleeve Village Hall**  
Registered Charity 301465

Run by volunteers for the benefit of the community

## Trust Deed

### ***Preamble***

*Good governance of a charity is based on ten simple practices that trustees should follow. A trustee should ensure that they;*

- 1. Follow the governing document,*
- 2. Attend meetings,*
- 3. Act collectively,*
- 4. Keep minutes of decisions,*
- 5. Ensure regular financial reports are given and an annual budget prepared,*
- 6. Ensure that the property and the committee are properly insured,*
- 7. Obtain professional advice,*
- 8. Act with due care and prudence,*
- 9. Maintain the property,*
- 10. Keep all licenses up to date.*

*The Bishop's Cleeve Village Hall is a charity governed by the [Trust Deed](#) drafted in 1953 which transferred the Tithe Barn to the Village of Bishop's Cleeve. Good governance requires that the Volunteer Management Committee, who are the trustees of the charity ensure that the charity follows its governing document. To simplify and encourage this governance, below is a plain English interpretation of the trust deed. In any legal dealings the full original trust deed must be used, but this document gives an over view of the trust deed for day-to-day governance of the charity. This document simplifies the legal language and omits the details of how the trust was to be set up and the initial meetings required for its establishment, since fifty years on this part of the deed is not relevant. The numbers in brackets after each paragraph refer to the paragraph numbers in the original trust deed.*

### **PLAIN ENGLISH VERSION OF THE TRUST DEED**

#### **FORMATION OF THE TRUST**

On 12<sup>th</sup> November 1953 The Church of England transferred the Tithe Barn to the Village of Bishop's Cleeve with the Parish Council as *Trustees in Fee Simple*. That is Custodial or Holding Trustees.



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The Parish Council are to hold the Tithe Barn on trust for the benefit of the inhabitants of the parish of Bishop's Cleeve, without distinction of sex or political or religious or other opinions.<sup>1</sup>  
(1)

### **THE MANAGEMENT COMMITTEE (TRUSTEES)**

General management and control of the Tithe Barn is vested in a *Committee of Management* of not more than 20 members. Village organisations each have the right to appoint one member. The Committee can by a two thirds majority appoint no more than 5 members to represent other social, recreational or educational interests in the Parish not represented by original 13 Village organisations. If this increases the committee above 20 the approval of the Charity Commissioners is required.<sup>2</sup> (2, 4)

### **THE ANNUAL GENERAL MEETING**

There shall be an AGM of inhabitants 18 or over called between 1<sup>st</sup> March and 15<sup>th</sup> April by one week's notice, to receive an annual report and accounts, to accept the resignation of committee members, and to elect new committee members. (3)

All members of the committee are to retire at the AGM and a new committee shall be formed of appointed organisation representatives and members elected at the AGM. (5)

A vacancy can be filled to act until the next AGM, at any time. If an organisation does not nominate a member, or if an organisation closes, the committee can decide how or if the vacancy is to be filled. The proceedings of the committee will not be invalidated by a vacancy or improperly elected member. (6) (7) (8)

### **COMMITTEE MEETINGS**

The committee can make and alter rules and regulations and must record any changes in a minute book. It must also record:

1. The terms and conditions under which the Tithe Barn can be used<sup>3</sup> and the sum paid for any such use.

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<sup>1</sup> Originally listed as "*for the purpose of Physical and mental training, recreation and social, moral and intellectual development through reading and recreation rooms, library, lectures, classes and recreation and entertainments or otherwise*"

<sup>2</sup> The first committee consisted of 13 organisations and seven elected members. The 13 organisations were The Parochial Church Council, The Parish Council, The British Legion, The Old Folks Association, The Women's Institute, The Horticultural Society, The Football Club, The Boy Scouts, The Girl Guides, Child Welfare, The British Red Cross (Cheltenham Division), S Smith and Sons (England) Limited and The Youth Club.

<sup>3</sup> This was listed as "*for entertainment, meetings, social gatherings, and other purposes,*"



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2. The appointment of Auditor Treasurer and other unpaid officers and their term of office.
3. The engagement and dismissal of paid staff.
4. The number of committee members to form a quorum, but this cannot be less than one third of the total committee. (9)

#### **FINANCES AND BANK ACCOUNT**

The committee must open a bank account for the trust funds. Any change in the bank used shall be marked on the trust deed with a copy of the resolution that authorised the change. (10)

The committee are to use its money for the upkeep and improvement of the Tithe Barn.<sup>4</sup> (11)

The committee are to ensure that they have sufficient funds to pay for any responsibilities the custodial trustees might have with respect to the building. (12)

The committee may by majority vote and the consent of the Charity Commission as necessary, mortgage or borrow against the building for maintenance, extension or improvement or erection of a building on the grounds. (13)

#### **DISPOSAL OF THE BUILDING**

If the committee think that the Tithe Barn is no longer viable as a Village Hall, a majority at a meeting of the inhabitants of Bishop's Cleeve 18 and over, with fourteen days' notice, can agree to sell or let all or part of the building, with the consent of the Charity Commissioners. The rent or proceeds of a sale can be used to buy another building as a village hall subject, as near as circumstances permit, to this trust document, or fund another charitable benefit to Bishop's Cleeve, again with the approval of the Charity Commissioners. If there is a delay after selling and before buying the money can be invested and the interest added to the capital. (14)

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<sup>4</sup> This was listed as "to repair and insure the building or furniture and effects, and pay rent, rates, taxes, salaries etc, as well as buy furniture, games, books, magazines, newspapers, periodicals and other literature and means of recreation,"