

Sealed 24th April 1969.

County - STAFFORD.

No. 6416 L.

Parishes - CHEADLE, DILHORNE.

Foundation - Foxfield Miners'
Institute and Recreation
Ground.

Stamp £1 10s.

Scheme, including appointment
of Trustee.

SCHEME MADE BY THE SECRETARY OF STATE FOR EDUCATION AND
SCIENCE UNDER SECTION 18 OF THE CHARITIES ACT 1960.

Foundation to which Scheme relates.

1. This Scheme relates to the Foundation known as the Foxfield Miners' Institute and Recreation Ground (hereinafter called "the Foundation"), in the Parishes of Cheadle and Dilhorne, in the County of Stafford, comprised in a Conveyance and Trust Deed dated 28th July 1932, whereof new Trustees were appointed by a Deed dated 3rd May 1965.

Administration and Title of Foundation.

2. The Foundation and its endowment, including the particulars specified in the Schedule to this Scheme, shall be administered in conformity with the provisions of this Scheme under the title of the DILHORNE RECREATION CENTRE by the Committee of Management hereinafter constituted as the charity trustees thereof:

Provided that until the end of the first Annual General Meeting to be held as hereinafter provided after the date of this Scheme the Foundation shall be administered by the Dilhorne Parish Council (hereinafter called "the Council") in accordance with the provisions of this Scheme.

Appointment of Custodian Trustee and Vesting.

3. (1) The Council is hereby appointed to be the custodian trustee of the Foundation and the provisions of Section 4(2) of the Public Trustee Act 1906 shall apply to the Council and to the Committee of Management hereinafter constituted respectively in like manner as they apply to the Public Trustee and managing trustees.

(2) The property specified in the Schedule to this Scheme, and all other land and hereditaments belonging to or held in trust for the Foundation, is hereby vested in the Council for all the estate or interest of the Foundation therein.

Trust Purposes.

4. The object of the Foundation shall be the provision and maintenance of a Recreation Ground, Playing Field and Community Centre for the benefit of the inhabitants of the Parishes of Cheadle and Dilhorne and the immediate

neighbourhood thereof (hereinafter called "the area of benefit") without distinction of sex, race or of political, religious or other opinions, and in particular, the provision of physical exercise and training, meetings, lectures, classes and such other forms of recreation and leisure-time occupation having the object of improving the conditions of life for the said inhabitants as the Committee of Management hereinafter constituted shall think fit.

Committee of Management.

5. (1) The Committee of Management (hereinafter called "the Committee") shall, when complete, and except as in this Scheme provided, consist of 15 Members, that is to say:-

FOUR Elected Members, to be appointed (except in the case of such Members appointed to fill casual vacancies) at the Annual General Meeting to be held as hereinafter provided;

EIGHT Representative Members, one to be appointed by each of the following organisations-

The Council;
The Committee of the Dilhorne Bowling Club;
The Committee of the Dilhorne Darby and Joan Club;
The Committee of the Dilhorne Ladies Fellowship;
The Trustees of the Dilhorne Methodist Church;
The Dilhorne All Saints Parochial Church Council;
The Committee of the Dilhorne Endowed Primary School
Parent Teacher Association; and
The Committee of the Dilhorne Youth Club; and

Not more than THREE Co-optative Members, to be appointed by the Committee, if they think fit, at a duly constituted meeting.

(2) The constitution of the Committee as in this clause before provided may, on the application of the Committee, be altered from time to time by Order of the Secretary of State for Education and Science.

(3) The name of each Representative Member shall be notified to the Secretary of the Committee by the organisation by which he is appointed.

(4) A person who has previously been a Member of the Committee may be re-appointed.

Additional Representative Members.

6. The Committee may, by a resolution passed at a duly constituted meeting by the votes of not less than two-thirds of the Members for the time being, allow any organisation operating in the area of benefit which is not empowered to appoint a Representative Member by or under clause 5 of this Scheme to appoint such a Member.

Commencement of Membership.

7. The period of office of a Member of the Committee shall commence -
- (a) in the case of an Elected Member (other than such a Member appointed to fill a casual vacancy), at the end of the Annual General Meeting at which he is appointed;
 - (b) in the case of a Representative Member appointed within one month before an Annual General Meeting, at the end of the Annual General Meeting next after his appointment; and in the case of any other Representative Member, on the day on which notification of his appointment is received by the Secretary of the Committee from the organisation appointing him; and
 - (c) in the case of a Co-optative Member, at the end of the meeting at which he is appointed.

Determination of Membership.

8. (1) Any Member of the Committee who is adjudicated a 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.

(2) All Members of the Committee shall cease to hold office at the end of the Annual General Meeting next after the date on which they came into office.

Casual Vacancies.

9. (1) 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 such a vacancy in the office of Representative Member shall be notified as soon as possible to the proper appointing organisation.

(2) A casual vacancy in the office of Elected Member may be filled by the Committee and the period of office of a Member appointed to fill such a vacancy shall commence at the end of the meeting at which he is appointed.

Failure to Appoint.

10. The proceedings of the Committee shall not be invalidated by any vacancy among its Members or by any failure to appoint or any defect in the appointment or qualification of any Member.

Declaration by Members.

11. 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 Scheme.

Members not to be personally interested.

12. Except in special circumstances, with the approval in writing of the Secretary of State for Education and Science, no Member of the Committee shall take or hold any interest in any property belonging to the Foundation, 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 Foundation.

Meetings of Committee.

13. 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 by any two Members upon seven clear days' notice being given to all the other Members of the matters to be discussed.

Chairman.

14. (1) 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 until the commencement of the first meeting after the Annual General Meeting in the following year, and may also elect one of their number to be Vice-Chairman. The Chairman and Vice-Chairman, if any, shall always be eligible for re-election.

(2) If the Chairman and the Vice-Chairman, if any, are absent from any meeting, the Members present shall, before any other business is transacted, choose one of their number to preside at that meeting.

Voting.

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

Annual General Meeting.

16. (1) There shall be an Annual General Meeting in connection with the Foundation which shall be held in the month of May in each year or as soon as practicable thereafter.

(2) All inhabitants of the area of benefit of eighteen years of age and upward shall be entitled to attend and vote at the Annual General Meeting.

(3) The first Annual General Meeting after the date of this Scheme shall be convened by the Council and every subsequent Annual General Meeting shall be convened by the Committee.

(4) Public notice of every Annual General Meeting shall be given in the area of benefit at least seven days before the date thereof.

(5) The persons who are present at the first Annual General Meeting after the date of this Scheme 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, but, if he is not present, the persons present shall, before any other business is transacted, appoint a chairman of the meeting.

(6) The Committee shall present to each Annual General Meeting the report and accounts of the Foundation for the preceding year.

Application of Income.

17. After payment of any expenses of administration, the net income of the Foundation, whether arising from the use of the property of the Foundation by other bodies or persons or otherwise, shall be applied by the Committee in one or other or both of the following ways:-

- (a) in the maintenance, repair and insurance of the said property and any buildings thereon and the payment of rates, taxes, salaries of paid officers and servants and other outgoings in connection therewith;
- (b) in otherwise furthering the object of the Foundation.

Surplus Cash.

18. Any sum of cash at any time belonging to the Foundation and not needed as a balance for working purposes shall be invested unless the Secretary of State for Education and Science otherwise directs.

Power to make Rules.

19. Within the limits prescribed by this Scheme the Committee may from time to time make and alter rules for the conduct of their business and for the summoning and conduct of their meetings, the deposit of money at a proper bank, the custody of documents, and in particular with reference to:-

- (a) the terms and conditions upon which the property of the Foundation may be used for the purposes specified in this Scheme by persons or bodies other than the Committee and the sum (if any) to be paid for such use;
- (b) the appointment as secretary (to hold office at their pleasure) of one of themselves without salary or some other fit person at such salary, if any, as the Committee may from time to time determine;
- (c) the appointment of an auditor, treasurer and such other unpaid officers as the Committee may consider necessary and the fixing of their respective terms of office;
- (d) the engagement and dismissal of such paid officers and servants as the Committee may consider necessary; and

- (e) the number of Members, being not less than one-third of the total number of Members for the time being, who shall form a quorum at meetings of the Committee.

Power to charge or sell property and apply Proceeds.

20. (1) The Committee shall have power, with the consent of the Secretary of State for Education and Science, from time to time by mortgage or otherwise to obtain such advances on the security of the property of the Foundation 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 or for the provision of additional equipment therefor and may continue to repay in whole or in part and from time to time any existing mortgage or charge on the said property.

(2) If at any time the Council and the Committee shall be of the opinion that the continued maintenance of a Recreation Ground, Playing Field or Community Centre is no longer of benefit to the said inhabitants, or that the property of the Foundation or any part thereof is no longer suitable for the carrying out thereon of the trust purposes or any of them, or that it is in the interests of the said inhabitants that the trust property or any part thereof should be sold, then the Council shall have power with the consent of the Secretary of State for Education and Science to sell the said property or such part as aforesaid:

Provided always that no application shall be made by the Council to the Secretary of State for Education and Science for his consent to a mortgage or sale of any part of the trust property unless the Staffordshire Welfare Committee of the Coal Industry Social Welfare Organisation, with the approval of the Council of the said Organisation, shall have certified in writing that the proposed mortgage or sale is recommended by the said Welfare Committee.

(3) On any such sale as aforesaid the Council shall stand possessed of the proceeds of sale upon trust in the first place to pay and discharge all the costs and expenses of and incidental thereto, and then to discharge all liabilities and obligations of the Council or the Committee in connection with the Foundation, and subject thereto shall stand possessed of the balance thereof and of the remainder of the trust property (if any) upon such charitable trusts for the benefit of the inhabitants of the area of benefit as the Committee may direct and the Staffordshire Welfare Committee aforesaid and the Secretary of State for Education and Science may approve.

Minutes and Accounts.

21. A minute book and books of Account shall be provided and kept by the Committee.

Donations.

22. The Committee may accept any donations or property for the general purposes of the Foundation and they may also accept donations or property for any special objects connected with the Foundation not inconsistent with the provisions of this Scheme.

Questions under Scheme.

23. Any question arises 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, it shall be determined by the Secretary of State for Education and Science, upon such application made to him for the purpose as he thinks sufficient, and such determination shall be binding on the Council, the Committee and all persons claiming under the Foundation.

Interpretation.

24. The Interpretation Act 1889 shall apply for the interpretation of this Scheme as it applies for the interpretation of an Act of Parliament.

Date of Scheme.

25. The date of this Scheme shall be the day on which it is established by an Order of the Secretary of State for Education and Science.

SCHEDULE OF PROPERTY

Description	Extent or Amount	Person in whose Name invested	Yearly Income		
			£	s.	d.
Land, together with the Institute or other buildings erected thereon, situated in the Parish of Dilhorne, in the County of Stafford, and comprised in a Conveyance dated 28th July 1932	4.6375 acres or thereabouts	In hand		-	
Cash	£ 16 s. 10 d.	-		-	

This Schedule is made up to 26th February 1969.

The Secretary of State for Education and Science orders that the foregoing Scheme be established.

Given under the Official Seal of the Secretary of State for Education and Science on 24th April 1969.

(L.S.)