

THE CHARITY COMMISSIONERS FOR ENGLAND AND WALES

Under the power given in the Charities Act 1993

Order that from today,

the 19th. May 1998

the following

SCHEME

will alter the governing document of the charity

known as

VILLAGE HALL (257526)

at

Cliddesden, Hampshire

Commissioners' References:

Sealing: W117(S)/98

Case No: 90645

1. Definitions

In this scheme:

"the area of benefit" means the village of Cliddesden and the area within a radius of three miles from the village.

"the charity" means the charity identified at the beginning of this scheme.

"the committee" means the committee of management of the charity.

"the governing document" means the scheme of 17 September 1974 which regulates the charity.

ADMINISTRATION

2. Administration

The charity is to be administered in accordance with the governing document as altered by this scheme.

CHARITY PROPERTY

3. Power to acquire property

The committee may acquire or hire property and maintain and equip it for use. (The property must be needed to further the objects of the charity.)

4. Sale of land

(1) Subject to the provisions of this clause, the committee may sell the land identified in the schedule. (The committee 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 committee may only sell the land if:

- (a) the committee decide 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 committee must invest the proceeds of any such sale in trust for the charity.
- (4) The committee may apply the income and expendable endowment in furthering the object of the charity.

5. Use of income and capital

- (1) The committee must firstly apply:
 - (a) the charity's income; and
 - (b) if the committee think 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 committee must apply the remaining income in furthering the object of the charity.
- (3) The committee may also apply for the object 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 an order in advance.

POWER OF AMENDMENT

6. Power of amendment

- (1) Subject to the provisions of this clause, the provisions of the governing document and this scheme may be amended.
- (2) The committee may resolve to add the names of other organisations operating in the area of benefit to the list in clause 6 of the governing document. The resolution must be passed at an ordinary meeting of the committee by not less than two thirds of the members of the committee.
- (3) Any other 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.
- (4) The committee must not make any amendment which would:
 - (a) vary this clause;

- (b) vary the definitions clause and clause 4 (sale of land) of this scheme and clause 3 (objects clause) of the governing document;
 - (c) confer a power to dissolve the charity;
 - (d) enable permanent endowment of the charity to be spent.
- (5) The prior written approval of the Commissioners must be obtained to any amendment which would:
- (a) vary the composition of the committee or the terms on which the members hold office (other than amendments made under sub-clause (2) of this clause);
 - (b) vary clause 14 of the governing document (members not to have a personal interest);
 - (c) change the name of the charity;
 - (d) vary the powers of investment exercisable by the committee.
- (6) The committee 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 the governing document and this scheme.

GENERAL PROVISIONS

7. 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

Land at Cliddesden, Hampshire with the building thereon known as the Village Hall. The land is described in a conveyance of 18 June 1923 and made between The Right Honourable Beatrice Mary Countess of Portsmouth of the one part and The Cliddesden Parish Council of the other part.