

Governance Document of the Burton on the Wolds Playing Field Association

otherwise known as Burton on the Wolds Recreation Ground

The property conveyed in Schedule 1 (herein called “the trust property”) shall be held upon trust for a recreation ground for the benefit of the inhabitants of the Parish of Burton-on-the-Wolds in the County of Leicester in such a manner as the Committee of Management from time to time shall think fit.

- 1) By order of the Charity Commissioners for England and Wales the property hereby conveyed is registered as Charity No.521399. The Official Custodian for this Charity is the Charity Commission. The Charity is administered and managed by the members of the Committee of Management
- 2) The general management and control of the Trust Property and the arrangements for its use shall be vested in a Committee of Management (hereinafter called the “the Committee”). All members of the Committee will be trustees of Charity No.521399.
 - a. Six Elected Members of the Committee shall be elected at the Annual General Meeting to be held as in this Deed provided for a term of office commencing at the end of the Annual General Meeting at which they are elected and expiring at the end of the Annual General meeting in the following year.
 - b. Representative Members of the Committee shall be appointed by such appointing organisations as are set out in the Second Schedule and their names shall be notified by each appointing organisation to the Secretary of the Committee. They shall except in the case of such members appointed to fill casual vacancies be appointed before the Annual General Meeting in any year for a term of office commencing at the end of the Annual General Meeting next after their appointment and expiring at the end of the Annual General Meeting in the following year.
 - c. The Committee shall have power to co-opt not more than three members to hold office until the end of the Annual General Meeting following their co-option.
 - d. Any competent member of the Committee may be reappointed or re-elected
 - e. 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 and may elect one of their number to be Vice-Chairman. The Chairman and Vice-Chairman shall continue in office until their successors are respectively elected.
- 3) There shall be an Annual General Meeting to be convened by the Committee in the month of April in each year the first of such meetings (herein called “the first General Meeting”) to be convened in the month of April in 1971 by 21 day’s notice to be affixed to some conspicuous

part of the Trust Property or other conspicuous place or places in the said Parish of the inhabitants of the age of 16 years or upwards of either sex for the purpose of receiving the Report and Accounts of the Committee and for the purpose of electing six members under clause 3 hereof and for taking such action as it may decide under clause 8 hereof provided nevertheless that if in any year an Annual General Meeting shall not be convened and held in the month of April the Annual General Meeting for that year shall be held as soon as practicable after the month of April

- 4) The Committee shall have power by Resolution of the Committee passed at a meeting at which not less than two-thirds of all the members of the Committee vote in favour of the Resolution to allow any existing organisation in the said Parish not mentioned in the Third Schedule hereto and any other organisations which may hereafter be formed in the said Parish having aims of a recreational character consistent with those upon which the Trust Property is held here under to appoint an additional member of the Committee in the same manner as if such organisation had been mentioned in the Second Schedule hereto and for this purpose the total number of member of the Committee as provided for in Clause 3 hereof may be increased as outlined under section 280 of the Charities Act 2011.
- 5) A casual vacancy arising from the death or resignation or removal of an appointed member of the Committee shall be filled by the organisation by which such member shall have been appointed and the person so appointed shall retire at the time when the vacating member would have retired. In the event of a vacancy arising through the death, resignation or removal of a member of the Committee elected by the Annual General Meeting the Committee shall have power to fill such a vacancy until the next Annual General Meeting. All members shall retire annually at the Annual General Meeting.
- 6) If any organisation entitled to appoint a member of the committee ceases to exist or fails to make an appointment in manner aforesaid before the Annual General Meeting in any year the Annual General Meeting shall decide in what way if at all the vacancy shall be filled.
- 7) The proceedings of the Committee shall not be invalidated by any vacancy among its members or by any defect in the appointment or qualification of any member.
- 8) The Committee may from time to time make or alter Rules for the conduct of its business and for the summoning conduct and recording in a Minute Book of its meetings and in particular with reference to:
 - a. The terms and conditions upon which the Trust Property may be used for recreation and the sum (if any) to be paid for such use.

- b. The appointment of an Auditor Treasurer and such other unpaid officers as it may consider necessary and the fixing of their respective terms of office.
 - c. The engagement and dismissal of such paid officers and servants for the Trust Property, as it may consider necessary.
 - d. The number of members who shall form a quorum at its meetings provided that the number of members who shall form a quorum shall never be less than a third of the total number of members of the Committee.
- 9) All payments in respect of the use of the Trust Property and all donations for the benefit thereof shall be paid into the Lloyds TSB Bank Plc, account number: 02732760, sort code 77-15-16, Loughborough branch or at such other Bank as shall from time to time be substituted by the Committee any such substitution to be endorsed upon this Trust Deed with a copy of the resolution relating thereto.
- 10) The moneys standing to the credit of the said Account shall be applied as the Committee shall decide in maintaining repairing and insuring the Trust Property and effects thereon and in paying rent rates taxes salaries wages and other outgoings and in providing equipment and means of recreation and otherwise for the maintenance and improvement of the Trust Property.
- 11) The Committee may upon the vote of a majority of its members and with the consent of the Charity Commission from time to time by mortgage or otherwise obtain such advances on the security of the Trust Property 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 thereon and may continue or repay in whole or in part and from time to time any existing mortgage or charge on the said property.
- 12) If the Committee by a majority decides at any time that on the ground of expense or otherwise it is necessary or advisable to discontinue the use of the Trust Property in whole or in part for the purposes hereinbefore indicated it shall call a Meeting of the inhabitants of the age of 16 years or upwards of the said Parish of which Meeting not less than 21 days' notice (stating the terms of the Resolution that will be proposed thereat) shall be posted in a conspicuous place or places on the Trust Property and advertised in a newspaper circulating in the said Parish and if such decision shall be confirmed by a majority of such inhabitants present at such Meeting and voting the Committee may with the consent of Charity Commission let or sell the Trust Property or any part thereof. However, under the terms and conditions of the Fields in Trust - Queen Elizabeth II Fields, deed of dedication 10th July 2013, the land cannot be developed for any uses which do not maintain the use of said land for the recreational use of the inhabitants of the Parish of Burton on the Wolds (see Schedule 3). All moneys arising from such letting or sale

(after satisfaction of any liabilities properly payable thereout) shall with such consent as aforesaid be applied either in the purchase of other property approved by the Committee and to be held upon the trusts for the purposes and subject to the provisions hereinbefore set forth (including this power) or as near thereto as circumstances will permit or towards other charitable purposes or objects for the benefit of the said Parish as may be approved by the Charity Commission and meanwhile such moneys shall be invested in the name of the Official Custodian for Charities and any income arising therefrom shall either be accumulated (for such time as may be allowed by law) by investing the same and the resulting income thereof in like manner as an addition to and to be applied as the capital of such investments or shall be used for any purpose for which the income of the Trust Property may properly be applied.

13) If any Rules made under the power in that behalf hereinbefore contained are inconsistent with the provisions of these presents the latter shall prevail.

The First Schedule before referred to **Conveyance**

The Second Schedule before referred to **Organisations**

Parish Council of Burton-on-the-Wolds, Cotes & Prestwold (Minimum of 1 and no more than 2)

Burton-on-the-Wolds Primary School

Burton-on-the-Wolds Pre-school

Two tenant football clubs of the aforesaid recreational ground

All such other Organisations as the Trustees shall decide upon from time to time.

The Third Schedule before referred to **Fields in Trust – Deed of Dedication**