

## MEMORANDUM

BY a Resolution of the Committee dated the 26<sup>th</sup> April 1961 it was resolved and confirmed that the bodies entitled to appoint a member to the Committee are those referred to in the Schedule to this Deed (other than the Nursing Association which is defunct) and the Football Club, the Cricket Club and the Junior Football Club.

THIS Resolution was carried by more than two-thirds majority.

B. T. FORD

THE Vendors hereby acknowledge the right of the Trustees to the production of the Conveyance mentioned in the Second Schedule hereto (the possession of which is retained by the Vendors) and to delivery of copies thereof and hereby undertake with the Trustees for the safe custody thereof \_\_\_\_\_

IT IS hereby certified that the transaction hereby effected does not form part of a larger transaction or of a series of transactions in respect of which the amount or value or the aggregate amount or value of the consideration exceeds Five hundred pounds \_\_\_\_\_

IN WITNESS whereof the Vendors have caused their Common Seal to be hereunto affixed and the Trustees have herewith set their hands and seals the day and year first above written \_\_\_\_\_

THE FIRST SCHEDULE above referred to :-  
DESCRIPTION OF TRUST PROPERTY

ALL THAT piece or parcel of land situate at Burbage in the County of Wilts formerly forming part of the Manor Farm Burbage aforesaid bounded on the North East by a public footpath leading from High Street to Eastcourt Burbage aforesaid on the South by land belonging to Mr. Spreadbury and on the West by the High Street Burbage aforesaid as the same was numbered Part 239 on the Second (1909) Edition of the Ordnance Survey and is more particularly described and delineated on the plan drawn hereon and thereon coloured red TOGETHER with all if any the interest of the Vendors in the Village Hall and buildings erected thereon or on some part thereof but subject to a right of way for the owners and occupiers of the Manor Farm aforesaid to pass and repass with or without vehicles across the Northern corner of the property hereby conveyed \_\_\_\_\_

THE SECOND SCHEDULE above referred to:-  
DEED REFERRED TO IN ACKNOWLEDGMENT

<u>Date</u>	<u>Description</u>	<u>Parties</u>
1933 September 1 <sup>st</sup>	Conveyance	The Most Honourable George William James Chandos Marquess of Ailesbury D.S.O. (1) Savernake Forest Estate Company Limited (2)

THE THIRD SCHEDULE above referred to:-  
TRUSTS POWERS AND PROVISIONS

- 1) The Trustees shall forthwith apply to the Charity Commissioners for England and Wales for an Order vesting the Trust premises hereby conveyed in the Official Trustee of Charity Lands and upon such Order being made the Trustees shall cease to be the Trustees of the Trust Premises and the Charity shall thereafter be administered and managed by the members for the time being of the Committee of Management hereinafter mentioned as the Trustees thereof \_\_\_\_\_
- 2) The property hereby conveyed (herein called the Trust Premises) shall be held UPON TRUST for the purposes of physical and mental training and recreation

and social moral and intellectual development through the medium of reading recreation rooms library lectures classes recreations and entertainments or otherwise as may be found expedient for the benefit of the inhabitants of the Administrative Parish of Burbage in the County of Wilts and its immediate vicinity without distinction of sex or of political or religious or other opinions subject to the provisions of these presents \_\_\_\_\_

- 3) The general management and control of the Trust premises and the arrangements for their use shall be vested in a Committee of Management (hereinafter called the "the Committee") consisting of not more than fifteen Members of whom ten shall be elected at the first general meeting referred to in Clause 4 hereof in the first instance and on each subsequent appointment on Members at the Annual General Meeting. The Organisations mentioned in the Fourth Schedule hereto shall each have the right to appoint one Member of the Committee both in the first instance and on the occasion of each annual appointment of members. The persons appointed by the said Organisations shall together with the members appointed at the first General Meeting as aforesaid be the first members of the Committee. Until the first General Meeting or any adjourned meeting thereof has been held the persons named in the Fifth Schedule shall have power to act In addition to the Members of the Committee appointed as above the Committee shall have the power to co-opt not more than two members to represent interests on the said Parish not represented by any organisation \_\_\_\_\_
- 4) There shall be an Annual General Meeting to be convened by the Committee in the month of March or April in each year the first of such meetings (herein called the First General Meeting) to be convened in the month of April 1944 by one week's notice to be affixed to some conspicuous part of the Trust Premises or other conspicuous place or places in the Parish of the inhabitants of the age 18 years or upwards of either sex of the Administrative Parish of Burbage for the purpose of receiving the Report and Accounts of the Committee and for accepting the resignations of members of the Committee and for the purpose of appointing ten members under Clause 3 hereof and for taking such action as it may decide under Clause 8 hereof \_\_\_\_\_
- 5) All members of the Committee shall retire annually at the Annual General Meeting. Every organisation entitled to appoint a Member of the Committee to take the place of a Member retiring at an Annual General Meeting shall make the appointment at any time within one month before the Annual General Meeting at which the retiring Member of the Committee shall retire  
\_\_\_\_\_
- 6) A casual vacancy arising from the death or resignation or removal of a Member of the Committee shall be filled by the organisation by which such member shall have been appointed and the person 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 appointed by the Annual General Meeting the Committee shall have power to fill such vacancy until the next Annual General Meeting  
\_\_\_\_\_

- 7) In the event of any other organisation being formed in the said Parish with aims of a social recreational or educational character not inconsistent with those upon which the Trust Premises are held hereunder the Committee shall have power by a 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 such new organisation to appoint an additional member of the Committee in the same manner as if such new organisation had been mentioned in the Fourth Schedule hereto and for this purpose the total number of members of the Committee as provided for in Clause 3 hereof may be increased \_\_\_\_\_
- 8) 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 \_\_\_\_\_
- 9) 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 \_\_\_\_\_
- 10) The Committee may from time to time make and alter Rules and Regulations for the conduct of its business and for the summoning and conduct of its meetings and in particular with reference to:-
- i) The terms and conditions upon which the Trust premises may be used for entertainments meetings social gatherings and other purposes and the sum (if any) to be paid for such use \_\_\_\_\_
  - ii) 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 \_\_\_\_\_
  - iii) The engagement and dismissal of such paid officers and servants for the Trust Premises as it may consider necessary \_\_\_\_\_
  - iv) The number of Members who shall form a quorum at its meetings provided that the number of Members shall form a quorum shall never be less than three \_\_\_\_\_
- 11) All payments in respect of the use of the Trust Premises and all donations for the benefit thereof shall be paid into a Trust Account at Lloyds Bank Limited at Marlborough or at such other Bank as shall from time to time be substituted therefore by the Committee \_\_\_\_\_
- 12) The moneys standing to the credit of the said Account shall be applied as the Committee shall decide in repairing and insuring the Trust Premises or the furniture and effects therein and in paying all rent (if any) rates taxes salaries of paid Officers and Servants and other outgoings and in providing furniture games books and newspapers periodical and other literature and means of recreation and otherwise or the upkeep and improvement of the Trust Premises and for such other charitable purposes as the Committee think fit \_\_\_\_\_
- 13) The Committee shall provide the Trustees with sufficient funds to meet all such expenditure (if any) in connection with the Trust Premises as the

Trustees may be liable for and shall keep the Trustees indemnified against all liability (if any) in respect thereof \_\_\_\_\_

- 14) The Committee may upon the vote of a majority of its members and (when necessary) with the consent of the Charity Commissioners from time to time by Mortgage or otherwise obtain such advances on the security of the Trust Premises 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 and may continue or repay in whole or in part and from time to time any existing Mortgage or Charge on the said premises \_\_\_\_\_
- 15) If the Committee by a majority decided at any time that on the ground of expenses or otherwise or is necessary or advisable to discontinue the use of the Trust Premises on whole or in part for the purposes hereinbefore indicated it shall call a Meeting of the inhabitants of the age of eighteen years or upwards of the Administrative Parish of Burbage of which meeting not less than fourteen days notice (stating that a Resolution will be proposed thereat) shall be posted in a conspicuous place or places on the Trust Premises 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 the Charity Commissioners let or sell the Trust Premises or any part thereof All moneys arising from such letting or sale (after satisfaction of any liabilities property payable thereout) shall with such consent as aforesaid be applied either in the purchase of other premises approves 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 such other and charitable purposes or objects for the benefit of the inhabitants of the Administrative Parish of Burbage as may be approved by the Charity Commissioners and meanwhile such moneys shall invested in the name of the Official Trustees of the Charitable Funds 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 Premises may be properly be applied \_\_\_\_\_
- 16) If any Rules of Regulations made under the power in that behalf hereinbefore contained are inconsistent with the provisions of these presents the latter shall prevail \_\_\_\_\_

THE FOURTH SCHEDULE above referred to:-  
Organisations entitled to appoint a Member  
Of the Committee

The Parish Council of Burbage \_\_\_\_\_  
The Parochial Church Council \_\_\_\_\_  
The Burbage Methodist Society \_\_\_\_\_  
The Burbage Committee of the Women's Institute \_\_\_\_\_  
The Burbage Committee of the Nursing Association \_\_\_\_\_

