

GUIDELINES FOR THE BODY OF TRUSTEES APPOINTED
FOR THE ADMINISTRATION OF THE LALEHAM CHARITIES

29 January 1999

Draft Issue 2

1. AUTHORITY & PURPOSE

The purpose of this document is to provide working guidelines to the appointed Body of Trustees, herein after known as the "Trustees", for the administration of the two Charities, known collectively as the Laleham Charities. The main provisions of the document are drawn directly from the establishing and variation Charity Commission Schemes, which retain precedence in all matters relating to the administration of the Charities.

All responsibilities, duties and procedures declared in this document, other than those expressly attributed to the "management committees", relate to the Trustees.

2. BACKGROUND

The Laleham Charities, comprising the VILLAGE HALL and the RECREATION GROUND, were founded by Indentures, dated 10 March 1923, enrolled in the Books of the Charity Commissioners on 5 June 1923, and subsequently incorporated and established into separate Schemes under the jurisdiction of the Board of Charity Commissioners on 26 August 1930. The respective Charity Registration Numbers are: 305063 and 305069.

Under the terms of the Schemes, a Body of Trustees is charged with the administration and management of each Charity, in conformity with the provisions of the respective Schemes. The same first trustees were appointed to administer both Charities, and their successors have continued to do so. However, this is a matter of convenience rather than a stipulated requirement.

Under the terms of the two Schemes, all land and buildings associated with the respective charities, are vested in "The Official Trustee of Charity Lands".

3. AIMS

The purpose of the Charities and their founding Deeds of Gift, is for the Trustees to administer and manage the Village Hall and the Recreation Ground and any buildings erected thereon, for the recreation, entertainment, enjoyment and benefit of the inhabitants of the Parish of Laleham.

4. MANAGEMENT RESPONSIBILITIES

4.1 The day to day management of the facilities and their use, shall, at the discretion of the Trustees, be undertaken by separate management committees, which consist in part of appointed and elected members. The election and/or appointment of members shall take place at annual general meetings of the respective Charities.

Note: This has traditionally been the modus operandi since 1908 for the Village Hall, and 1920 for the Recreation Ground.

The arrangements for the election and appointment of the committees shall be defined in the management documents described in clause 4.2.

4.2 The Trustees shall provide guidelines to the management committees, for their administrative duties, by issuing and maintaining appropriate 'Management Constitutions'.

4.3 The Trustees shall ensure that the operation of the various management tasks undertaken by the committees, are satisfactorily performed, and shall require relevant supporting documentary evidence, as may from time to time, be deemed desirable.

4.4 The management committees shall at all times, support the Trustees in the fulfilment of their own legal and statutory obligations, with respect to the operation of the Charities.

4.5 The Trustees shall be ex officio members of both management committees.

5. MEMBERSHIP

5.1 The Body of Trustees shall number six 'competent' persons, and be appointed, each for a term of four years, by Spelthorne Borough Council, or its successor. The term of appointment of half of the Trustees as nearly maybe, shall be staggered by two years.

5.2 Upon a vacancy occurring, either by completion of term, resignation, death or some other reason, the Trustees shall give notice to the said Council of that vacancy. Accompanying the notice of vacancy, the Trustees may recommend an acceptable person as a suitable replacement, provided that person shall through residence, occupation or employment, or otherwise have special knowledge of the area of the Parish of Laleham.

5.3 Any competent Trustee may recommended for re-appointment, at the expiry of their preceding term of office, by formal notification to the Council.

5.4 Additional to the Body of Trustees, the Trustees may appoint a clerk or secretary to hold office during their pleasure. The person appointed shall not have any voting rights, but neither shall that person have any legal responsibility for any actions or decisions of the Trustees.

6. OFFICERS

6.1 The Officers shall comprise a Chairman, a Deputy Chairman, if considered desirable by the Trustees, and a Treasurer.

6.2 The Trustees shall elect one of their number to be Chairman, at the first ordinary meeting in each year. The Chairman shall always be eligible for re-election.

6.3 The Deputy Chairman, if any, and the Treasurer shall similarly be elected, and remain eligible for re-election.

7. MEETINGS OF THE TRUSTEES

7.1 The Trustees shall hold at least two ordinary meetings in each year. Notice of the date, time and venue of the next meeting shall normally be agreed at the conclusion of each meeting.

7.2 The Chairman, either on his or her own behalf, or at the prompting of two or more Trustees, may summon special meetings upon four day's notice being given to all other Trustees, to deal with any emergency or special matters.

7.3 If at any meeting the Chairman and Deputy Chairman are unable to attend, then the Trustees present shall choose one of their number to act as chairman for that meeting.

7.4 A record of the proceedings of each meeting shall be made and approved by the assembled Trustees at the start of the subsequent meeting.

8. QUORUM AND VOTING

8.1 There shall be a Quorum when three Trustees are present at a meeting.

8.2 Every matter shall be determined by the majority of votes of the Trustees present and voting on the question. In the case of equality of votes the chairman of the meeting shall have a casting vote, whether he/she has or has not previously voted on the same question.

9. FINANCE

9.1 The Body of Trustees may at their discretion, maintain reasonable funds, separate from those managed by the respective management committees.

9.2 Such funds shall normally be to cover small administrative expenses associated with the operation of the Board of Trustees, a contingency against any initial enquiry or legal cost which may be associated with a change to the extent or provision of either Charity, the provision of small tokens of respect to the families of past Trustees or members of management committees, or the means whereby the Trustees are enabled to make small grants to either management committee, to meet special needs. The expenditure of such funds shall be with the knowledge and agreement of a majority of the Trustees.

9.3 The funds may, at the discretion of the Trustees, comprise petty cash, cash held in current or deposit accounts and/or revenue producing investments. Withdrawals from Trustee accounts shall require the signature of any two Trustees.

9.4 The Financial Year shall commence on the first day of January in each year and conclude on the thirty-first day of the following December.

9.5 The financial affairs of the Trustees shall be under the stewardship of the elected Trustee Treasurer, who shall be responsible for presenting a simple set of accounts, at the conclusion of each financial year, to the Trustees for their approval.

9.6 The year-end accounts shall be subjected to an audit, employing the services of some suitable person.

Authorised on behalf of the Trustees

Ian Allan, Chairman

Date: