

**THIS DECLARATION OF TRUST made the Tenth day of January One thousand nine hundred and fifty two by STANLEY PLAYER MITCHELL of ‘Salthaven Kingsdown near Deal in the County of Kent Bank Manager (retired) and CECIL OSMOND YOUDEN of ‘Mount Pleasant Cottage’ Kingsdown aforesaid Civil Servant (retired) (herinafter called ‘the Trustees’) is supplemental to a Declaration of Trust dated the Twentieth day of July One thousand nine hundred and fifty one under the hands and seals of the Trustees WHEREBY the Trustees declared that they and the survivor of them and the personal representatives of such survivor would thenceforth stand possessed of certain freehold property being the former Old Church of England School at Ringwould Kingsdown aforesaid upon trust for the Parochial Church Council of St John the Evangelist at Kingsdown aforesaid and to be dealt with as the said Parochial Church Council should from time to time direct:**

**WHEREAS the said Parochial Church Council has directed the Trustees to execute the further Declaration of Trust in these presents hereinafter contained**

**NOW THIS DEED WITNESSETH that they the Trustees HEREBY DECLARE that they and the survivor of them and the personal representatives of such survivor will henceforth stand possessed of the said freehold property (hereinafter referred to as the Trust Premises) upon the trusts and subject to the powers and provisions set out in the First Schedule hereto**

**IN WITNESS whereof the parties to seals the day and year first before written**

**THE FIRST SCHEDULE above referred to**

1. The Trustees shall forthwith apply to The Minister of Education for an Order of the Charity Commissioners for England and Wales vesting the Trust premises 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.

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2. The Trust which shall be known as St John's Village Hall Kingsdown shall be held upon trust for the purposes of physical and mental training and recreation and social and moral and intellectual development through the medium of reading and recreation rooms, library, lectures, classes, recreations and entertainments or otherwise as may be found expedient for the benefits of the inhabitants of the Village of Kingsdown near Deal in the County of Kent and its immediate vicinity without distinction of sex or of political religious or other opinions subject to the provisions of these presents PROVIDED ALWAYS and notwithstanding anything to the contrary herein contained the Church of St John's Kingsdown shall have the exclusive use of the Trust premises for its own purposes on all Sundays and Good Fridays free of rent and rates but subject such payment, if any, for heating and lighting as may be agreed on from time to time between the Vicar and Churchwardens of the said Church and the Committee of Management hereinafter referred to.
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 Committee) consisting of not more than ten members (exclusive of members co-opted under the power herein contained) of whom two shall be elected at the first meeting referred to in Clause 4 hereof in the first instance, and on each subsequent appointment of members at the Annual General Meeting. The eight organisations mentioned in the second column of the Second 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 whose names appear in the first column of the Second Schedule hereto have been appointed by the organisations mentioned opposite their respective names in the second column of that schedule and shall together with the members elected at the first General Meeting as aforesaid be the first members of the committee. Until the first General Meeting has been held the persons named in the first column of the Second Schedule shall have the power to act. In addition to the members of the Committee appointed and elected as above, the Committee shall have the power to co-opt not more than two members to represent interests in the

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said Parish not represented by any organisation PROVIDED ALWAYS that no person shall be eligible to be a member or continue to be a member of the Committee whose usual place of residence is outside the area bounded by on the west by the Parish boundary on the north by the footpath running from Ringwould Lynch to the bottom of Grams Road Walmer on the east by a line drawn from the bottom of Grams Road aforesaid to the south east corner of Walmer Castle and on the south by the sea.

4. There shall be an Annual General Meeting to be convened by the Committee in the month of March in each year the first of such meetings (herein called 'the First General Meeting') to be convened in the month of March One thousand nine hundred and fifty two 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 of eighteen years or upwards of either sex of the Village of Kingsdown aforesaid and its immediate vicinity 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 electing two 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 March the Annual General Meeting for that year shall be held as soon as practicable after the month of March, and such meeting shall be convened by such persons as shall be nominated for the purpose by the Minister for Education
5. 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 any existing organisation in the said Parish not mentioned in the second column of the Second Schedule hereto and any other organisation which may hereafter be formed in the said Parish having aims of a social recreational or educational character consistent with those upon which the Trust Premises are held hereunder to appoint an additional member of the Committee in the same manner as if such organisation had been mentioned in the second column of Second Schedule hereto and for this purpose the total

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number of members of the Committee as provided for in clause 3 hereof may be increased but no such Resolution may be effective until it has been approved in writing by the Minister of Education

6. 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 the 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.
7. 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 the power to fill such vacancy until the next Annual General Meeting.
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 qualifications 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, 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 premises may be used for entertainments meetings social gatherings and other purpose 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 fixings of their respective terms of office.

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- c. The engagement and dismissal of such paid officers and servants for the Trust Premises 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.
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 Ltd at Deal or at such other Bank as shall from time to time be substituted therefor by the Committee any such substitutions to be endorsed upon this Trust Deed together with a copy of the resolution relating thereto.
  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 newspapers periodicals and other literature and means of recreation and otherwise for the upkeep and improvement of the Trust Premises.
  13. The Committee may upon the vote of the majority of its members and (when necessary) with the consent of the Minister of Education 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.
  14. 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 Premises in 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 Village of Kingsdown aforesaid and its immediate vicinity of which Meeting not less than fourteen days notice (stating that a resolution will be proposed therat) shall be posted in a conspicuous place or places on the Trust Premises and advertised in a

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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 Minister of Education let or sell the Trust Premises or any part thereof. 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 premises 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 such other charitable purposes or objects for the benefit of the inhabitants of the Village of Kingsdown aforesaid and its immediate vicinity as may be approved by the Minister of Education and meanwhile such moneys shall be invested in the names of the Official Trustees of 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 properly be applied.

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

#### **THE SECOND SCHEDULE**

<b>Column 1</b>	<b>Column 2</b>
<b>Names and Addresses of Representatives</b>	<b>Organisations</b>
Cecil Oswald Youden, Mount Pleasant Cottage, Kingsdown	The Parochial Church Council
Willis Farrier (Lieut, Colonel) O.B.E., J. P. Kingsdown House, Kingsdown	The Parish Council
Aileen Ellison (mrs) Ramelah, Kingsdown	The Committee of the Womens Institiute

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Sybil Crocker (Miss) Seven Coastguards, Kingsdown	The Court of Honour of the Girl Guide and Brownie Pack
Irene Steele-Perkins (Miss) Woolloomooloo, Kingsdown	The Committee of the Garden Society
Stanley Nott Swain (Rev) The Vicarage, Kingsdown	The Committee of the Mothers Union
William Ellerd-Styles, Cliffe Chalet, Kingsdown	The Committee of the Angling Club
Alice Bushell (Mrs) Ivy Cottage, Kingsdown	The Committee of the Girls Club

SIGNED SEALED AND DELIVERED .....

S.P.MITCHELL (L.S.)

C.O.YOUDEN (L.S.)

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