

D A T E D

1957.

Re: BARNES GREEN PLAYING  
FIELD and VILLAGE HALL

Copy

T R U S T

D E E D

EAGER AND SONS,  
8, North Street,  
Horsham.

F H I S D E B D made the

day of

One thousand nine

hundred and fifty seven B E T W E E N ELIZABETH LUCY UPTON of Hook  
Farm Itchingfield Horsham in the County of Sussex Widow (hereinafter  
called "the Debtor") of the one part and CECIL HENRY WADE of  
Warrenhurst Barns Green Itchingfield aforesaid Gentleman (hereinafter  
called "the Trustee") of the other part W H E R E A S by a Deed of  
Declaration of Trust dated the twenty seventh day of February One  
thousand nine hundred and forty seven and made between the Donor of  
the one part and the said Cecil Henry Wade and Harry Smyth Goodwin of  
the other part after reciting that by a Transfer bearing even date  
therewith and made under the Land Registration Acts 1925 and 1936  
certain land at Barns Green aforesaid known as Barns Green Playing  
Fields or Barns Green Village Hall had been transferred by the Donor  
to the said Cecil Henry Wade and the said Harry Smyth Goodwin to be  
held by them upon the trusts by the reciting deed declared A N D  
WHEREAS the trusts upon which the said land was directed to be held  
were set out in the first Schedule to the reciting deed A N D  
WHEREAS it was (among other things) provided by the said first  
Schedule that the said Cecil Henry Wade and the said Harry Smyth  
Goodwin should forthwith thereafter apply to the Charity Commissioners  
for England and Wales for an Order vesting the trust premises in the  
Official Trustees of Charity Lands and that upon such Order being made  
the said Cecil Henry Wade and the said Harry Smyth Goodwin should  
cease to be trustees of the trust premises and the trusts affecting  
the same should thereafter be administered by the members for the time  
being of the Committee of Management therein mentioned as the  
trustees thereof A N D WHEREAS the said Cecil Henry Wade and the  
said Harry Smyth Goodwin duly applied for such an Order as aforesaid  
and by an Order of the said Commissioners dated the sixteenth day of  
April One thousand nine hundred and forty eight the said land was  
declared to be vested in the said Official Trustees A N D WHEREAS  
the parties hereto have been advised that the trusts upon which the  
said land was by the said deed of the said twenty seventh day of

February directed to be held were void as not being valid charitable trusts A N D WHEREAS the Donor is desirous of declaring new trusts of the said land A N D WHEREAS the Official Trustee of Charity Lands is now registered under the said Acts as proprietor with absolute title of the said land under the Title Number SX.13858 A N D WHEREAS the said Harry Smyth Goodwin died on the thirteenth day of November One thousand nine hundred and fifty five N O W THIS DEED W I T N E S S E T H AND IT IS HEREBY AGREED AND DECLARED that the said Cecil Henry Wade or other the trustees or trustee for the time being hereof shall henceforth stand possessed of the said land Upon the trusts and with and subject to the powers and provisions set forth in the First Schedule hereto.

I N W I T N E S S whereof the said parties to these presents have hereunto set their hands and seals the day and year first above written.

THE FIRST SCHEDULE before referred to

1. THE said Cecil Henry Wade and any other trustees or trustee for the time being hereof shall forthwith apply to the Charity Commissioners for England and Wales for any Order that may be necessary for vesting the trust premises in the Official Trustee of Charity Lands upon the trusts of this deed and shall take all necessary or proper steps and employ his or their best endeavours to procure that the said Official Trustee shall be registered under the Land Registration Acts 1925 and 1936 as proprietor of the trust premises upon the said trusts And upon such Order having been made or such registration effected the said Cecil Henry Wade or such other trustees or trustee as aforesaid shall cease to be the trustee or trustees hereof and the said trusts shall thereafter be administered and the trust premises be managed by the members for the time being of the Committee of Management hereinafter mentioned as the trustees thereof.
2. The trust premises shall be held upon trust for the purposes of a recreation ground and village hall for the benefit of the inhabitants of the Civil Parish of Itchingfield in the County of Sussex and the vicinity within a radius of five miles from Itchingfield Church.
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 twenty seven Members of whom two shall be the Donor and Kathleen Sheila Hoesley during their respective lives (exclusive of members co-opted under the power hereinafter contained) of whom six shall be elected at the first general meeting referred to in paragraph 4 hereof in the first instance and on each subsequent election of members at the Annual General Meeting. The several 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 power to act. In addition to the members of the Committee appointed and elected as above the Committee shall have power to co-opt not more than five members to represent interests in 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 October in each year the first of such meetings (hereinafter called "the First General Meeting") to be convened in the month of October One thousand nine hundred and fifty seven by one week'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 eighteen years or upwards of either sex for the purpose of receiving the report and accounts of the Committee and for accepting the resignation of members of the Committee and for the purpose of electing six members under paragraph 3 hereof and for taking such action as it may decide under paragraph 8 hereof provided nevertheless that if in any year an Annual General Meeting shall not be convened and held in the month of October the Annual General Meeting for that year shall be held as soon as practicable after the month of October. Provided that if in

any year an Annual General Meeting shall not have been convened and held in the month of October the Annual General Meeting for that year shall be held so soon as practicable after such month and such meeting shall be convened by such person or persons as shall be nominated for the purpose by the Minister of Education.

5. All members of the Committee except the Donor and the said Kathleen Sheila Moseley 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 new organisation being formed in the said Parish or within a radius of five miles as aforesaid having aims of a character consistent with the trusts 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 permit 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 second column of the Second Schedule hereto and for this purpose the total number of members of the Committee as provided for in paragraph 3 hereof may be increased but no such resolution as aforesaid shall be effective until it shall have been approved by the Minister of Education.

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 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 recreation and other purposes and the sum (if any) to be paid for such use;
- (b) The appointment of an Auditor and 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 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 one-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 Barclays Bank Limited at Hershham or at such other bank as shall from time to time be substituted therefor by the Committee.

12. 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 premises or the furniture effects and equipment therein or thereon and in paying rent rates taxes salaries wages and other outgoings and in providing furniture equipment games books newspapers periodicals or other literature and means of recreation and otherwise for the maintenance and improvement of the trust premises.

13. The Committee may upon the vote of a majority of its members and 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 to repay in whole or in part and from time to time any existing mortgage or charge on the said property.

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 said Parish of which meeting not less than fourteen 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 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 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 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 such other charitable purposes or objects for the benefit of the inhabitants of the said Parish and the said radius of five miles as may be approved by the Minister of Education and meanwhile such moneys shall be invested in the name of the Official Trustee 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 made under the power in that behalf hereinbefore contained are inconsistent with the provisions of these presents

the latter shall prevail.

THE SECOND SCHEDULE before referred to

<u>Column 1</u>	<u>Column 2</u>
Mr. D. Parker	Committee of Barns Green Cricket Club
Mr. Upton	Committee of Barns Green Football Club
Mr. N. BRINDLEY	Committee of Barns Green Youth Club
Mrs. E. Mills	Committee of Barns Green Village Womens Institute.
Mrs. M. Horsman	Committee of Barns Green and Itchingfield Womens Institute
Mr. D. Godsmark	Committee of Barns Green Village Club
Mr. A. Toms	Committee of Barns Green and Itchingfield Horticultural Society
Mr. A. Parker	Itchingfield Parish Council
Mrs. E. Thring Bolton	Itchingfield Parochial Church Council
Mrs. M. Head	Barns Green Chapel Committee
Mrs. L. Gandell	Itchingfield Mothers Union
Mr. G. Francis	St. Nicholas Guild of Bellringers
Mrs. E.D.G. Sumner	Committee of Nursing Association

SIGNED SEALED AND DELIVERED by the )  
above named ELIZABETH LUCY UPTON }  
in the presence of :-

SIGNED SEALED AND DELIVERED by the )  
above named CECIL HENRY WADE in }  
the presence of :-