

Sealed 29th April 1921.

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County—NORFOLK.

Parish—HEACHAM.

Charity—Heacham Club.

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91,614.

Stamps { 10s.
 { 10s.

Scheme, including—
Appointment of Trustees, and
Vesting in Official Trustee of
Charity Lands.

CHARITY COMMISSION.

In the Matter of the Charity called or known as The HEACHAM CLUB, in the Parish of HEACHAM, in the County of NORFOLK, founded by Charles Edward Strachan by Indenture dated 31st December 1919; and

In the Matter of "The Charitable Trusts Acts, 1853 to 1914."

The Board of Charity Commissioners for England and Wales, upon an application made to them on the 23rd June 1920, in writing, signed by

HOLCOMBE INGLEBY, of Sedgeford Hall, Sedgeford, King's Lynn, in the County of Norfolk, Esquire; and

The Reverend GEORGE THOMAS THOMPSON, Vicar of Heacham;

GEORGE BARNES MILLER BROWN, Esquire; and

CHARLES EDWARD STRACHAN, Esquire; all of Heacham;

the Trustees of the above-mentioned Charity:

And after due notice of the intention to make this Order published according to the direction of the Board by being affixed to or near a principal outer door of the Parish Church of Heacham and the Heacham Club on the 5th February 1921 and by advertisement in the newspaper called "The Eastern Daily Press" on the 4th February 1921 and in the newspaper called "The Lynn Advertiser" on the 11th February 1921 (being in each case more than one calendar month before the date hereof):

And after due consideration of all objections made to the proposed Order and suggestions for the variation thereof:

And after due communication of the draft of the subjoined Scheme to the Parish Council of Heacham:

Do hereby Order as follows:—

The subjoined Scheme is approved and established as the Scheme for the regulation of the Charity.

SCHEME.

1. *Administration of Charity.*—The above-mentioned Charity and the endowments thereof specified in the Schedule hereto, and all other the endowments (if any) of the said Charity, shall be administered and managed by the body of Trustees hereinafter constituted, subject to and in conformity with the provisions of this Scheme, under the title of The Heacham Club.

2. *Vesting.*—The lands and hereditaments specified in the said Schedule are hereby vested in "The Official Trustee of Charity Lands" for all the estate and interest therein belonging to or held in trust for the Charity.

TRUSTEES.

3. *Trustees.*—The body of Trustees shall, when complete, consist of five competent persons, being

Four Ex-officio Trustees, and
One Non-official Trustee.

4. *Ex-officio Trustees.*—The Ex-officio Trustees shall be—

The VICAR for the time being of the Parish Church of Heacham, or the Clergyman for the time being duly licensed by the Lord Bishop of the Diocese to discharge the functions of such Vicar.

The CHAIRMAN for the time being of the Parish Council of Heacham until an Urban District Council is constituted for Heacham, and thenceforward the Chairman of such Urban District Council. Provided that in the event of such Chairman being unable or unwilling to act as Trustee his place may be filled by a person appointed for the purpose by the Council from among their own body.

The OWNER for the time being of Heacham Hall. Provided that in the event of such Owner being unable or unwilling to act as Trustee he may nominate some person to act as Trustee in his place.

The MASTER for the time being of Gonville and Caius College in the University of Cambridge.

5. *First Non-official Trustee.*—The following person shall be the first Non-official Trustee, and shall be entitled, subject to the provisions hereinafter contained with respect to determination of Trusteeship, to hold office for life:—

The above-named HOLCOMBE INGLEBY.

6. *Future Non-official Trustees.*—Every future Non-official Trustee shall be appointed for a term of five years by a resolution of the Trustees to be passed at a special meeting.

COUNCIL.

7. *Council.*—Matters connected with the conduct and general management of the Charity shall, subject as provided by Clauses 19 and 20 (4) of this Scheme, be under the administration and control of a Council consisting of the following persons:—

(1) The Trustees;

(2) Such persons, not exceeding the numbers hereinafter mentioned, as shall be nominated by Charles Edward Strachan, the founder of the Charity, during his life, and after his death by such person or persons as he shall by Will or Codicil appoint for the purpose, and, failing such appointment, by the Chairman for the time being of the Trustees; during the life of the said Charles Edward Strachan the number of persons so nominated shall not exceed six, and after his death the number of persons so nominated shall so soon as vacancies occur be reduced to four;

(3) Non-official Members of the Council, consisting of—

(a) Two Members of the Central Club of the Charity who shall be annual subscribers to the funds of the Club and shall be appointed annually by all the Members subscribing to the said funds and present and voting at an Annual Meeting of such subscribing Members;

- (b) One Member to be appointed annually by each of the subsidiary Societies or Clubs hereinafter mentioned which is recognised by the Chairman of the Trustees as being of sufficient status to be entitled to representation;
- (c) Such other person or persons (if any) as may become Members of the Council under Clause 14 of this Scheme.

Provided that the Trustees may, if they think fit, from time to time increase or diminish the number of Non-official Members of the Council.

AS TO TRUSTEES AND COUNCIL.

8. *Declaration by Trustees.*—No person shall be entitled to act as a Trustee, whether on a first or on any subsequent entry into office, until after signing in the minute book of the Trustees a declaration of acceptance and of willingness to act in the trusts of this Scheme.

9. *Determination of Trusteeship and Membership of Council.*—Any Non-official Member of the Council who fails to pay his full annual subscription to the said funds in any year on the date on which it falls due or within 28 days thereafter shall cease to be a Member of the Council. Any Trustee or Member of the Council who is adjudged bankrupt or makes a composition or arrangement with his creditors, or who is incapacitated from acting, or who communicates in writing to the Trustees or Council a wish to resign, shall thereupon cease to be a Trustee or a Member of the Council as the case may be.

10. *Vacancies.*—Upon the occurrence of a vacancy amongst the Trustees they shall, at their next meeting, cause a note thereof to be entered in their minute book. Any competent Trustee, or Member of the Council, may be re-appointed. No vacancy in the office of Non-official Trustee shall be filled till after the lapse of one calendar month from its occurrence.

11. *Casual Vacancies in Council.*—Casual vacancies occurring amongst the Non-official Members of the Council may be filled by the continuing Members by resolution to be passed at a meeting, but so that no one shall be appointed to fill such vacancy unless he is a subscriber to the said funds.

12. *Ordinary Meetings.*—The Trustees shall hold at least one ordinary meeting in each year, and the Council shall hold at least four ordinary meetings in each year.

13. *Chairman.*—The Trustees shall at their first ordinary meeting in each year elect one of their number to be Chairman of their meetings for the year. They shall make regulations for supplying his place in case of his death, resignation, or absence. The Chairman shall always be re-eligible.

14. *Officers of Council.*—The Council shall at their first ordinary meeting in each year elect a Chairman and other necessary officers from amongst their own Members or from Members of the Central Club of the Charity being subscribers to the funds of the Club. Any such person who shall not under Clause 7 of this Scheme be a Member of the Council shall upon such election as aforesaid become a Member thereof.

15. *Special Meetings.*—A special meeting of the body of the Trustees or of the Council may at any time be summoned by the Chairman or any two Members of the body upon four days' notice being given to all the other Members of the body of the matters to be discussed.

16. *Quorum.*—There shall be a quorum when not fewer than two Trustees are present at a meeting of the Trustees, and not fewer than five members of the Council are present at a meeting of the Council.

17. *Voting.*—Every matter at a meeting of the Trustees shall be determined by the majority of votes of the Trustees present and voting on the question and at a meeting of the Council by the majority of votes of the Members of the Council present and voting on the question. In case of equality of votes the Chairman shall have a casting vote, whether he has or has not previously voted on the same question, but no Trustee or Member of the Council shall in any other circumstances give more than one vote.

18. *Minutes and Accounts.*—Minute books and books of account shall be provided and kept by the Trustees and Council. All proper accounts in relation to the Charity shall in each year be made out and certified in such manner as the Charity Commissioners require, and copies thereof shall be transmitted to the said Commissioners, and published in conformity with the provisions of the Charitable Trusts Acts.

19. *General Power to make Regulations.*—Within the limits prescribed by this Scheme the Trustees and Council shall have full power respectively from time to time to make regulations for the conduct of their business, including the summoning of meetings, the deposit of money at a proper bank, the custody of documents, and the appointment as Clerk or Secretary during their pleasure of one of themselves (without salary) or of some other fit person. The Trustees may also within the limits aforesaid make rules for the constitution and management of the Central Club and the subsidiary Societies and Clubs and rules defining the duties and powers of the Council. The Council may delegate and either wholly or partially to Committees the management of the subsidiary Societies and Clubs, provided that all entrance fees, subscriptions and incidental fees received by the subsidiary Clubs and Societies are accounted for to the Council.

MANAGEMENT OF PROPERTY.

20. *User of Institute*—The Trustees shall permit the lands and hereditaments specified in the Schedule hereto to be appropriated and used as a Village Club and Recreation Ground for the use and benefit of the inhabitants of Heacham.

The Trustees shall establish a Central Club and may establish subsidiary Societies and Clubs in connexion with the Central Club, and may affiliate such Societies and Clubs to the Central Club, and may make such charges for membership of any such Societies and Clubs as the Trustees may think fit. Provided as follows:—

- (1) The Central Club and the Societies and Clubs established in connexion therewith or affiliated thereto shall be conducted on strictly non-sectarian and non-political lines;
- (2) No condition of membership shall be imposed or permitted which is calculated to exclude working men or women from the Central Club or any subsidiary Society or Club, but this shall not prohibit the imposition of a reasonable fee for membership;
- (3) The Council shall have power at their discretion to permit residents or visitors in the neighbourhood of Heacham to become subscribing members of the Central Club or any subsidiary Society or Club;
- (4) Nothing shall be done or permitted to be done on the premises which in the opinion of the Trustees is undesirable or improper, and the decision of the majority of the Trustees present and voting at a properly convened meeting shall decide any questions as to what is undesirable or improper.

21. *Letting of Property.*—The Trustees may let any portion of the property of the Charity not required to be retained or occupied for the purposes thereof to any person or persons including Societies or Clubs. In the case of the existing Public Hall and Club House the letting may be for any purposes approved by the Trustees. In the case of any other property of the Charity the letting shall be only for recreative purposes such as Cricket, Football, Bowls, Lawn Tennis and other games, or for gardening, and for such other purposes, not being political or religious, as the Trustees may think fit. Provided that the Trustees shall not create any tenancy in reversion after more than 3 years of any existing term or for more than 21 years certain, or for less than the improved annual value at rackrent, without the consent of the Charity Commissioners or a competent Court.

22. *Allotments Extension Act, 1882.*—Subject to the provisions hereinbefore contained the Trustees may set apart and let in allotments in the manner prescribed by and subject to the provisions of the Allotments Extension Act, 1882, any portion of the land belonging to the Charity other than buildings and the appurtenances of buildings.

GENERAL PROVISIONS.

23. *As to Surplus Moneys.*—Any surplus moneys belonging to the Charity may be applied by the Council with the approval of the Trustees in maintaining or increasing the existing facilities or in providing further facilities for the recreation of the inhabitants of Heacham in such manner as they may from time to time think fit.

24. *Trustees and Members of Council not to be personally interested.*—No Trustee shall take or hold any interest in property belonging to the Charity otherwise than as a Trustee for the purposes thereof, and no Trustee or Member of the Council shall receive any remuneration or be interested in the supply of work or goods at the cost of the Charity.

25. *Questions under Scheme.*—Any question as to the construction of this Scheme, or as to the regularity or the validity of any acts done or about to be done under this Scheme, shall be determined conclusively by the Charity Commissioners, upon such application made to them for the purpose as they think sufficient.

SCHEDULE OF PROPERTY.

The lands and hereditaments comprised in the above-mentioned Indenture of the 31st December 1919 and more particularly described as follows:—

First.—All that piece or parcel of land (delineated on the plan drawn on the said Indenture and thereon coloured pink) situate in the Parish of Heacham, containing by estimation 10a. 2r. 27p. or thereabouts, and being No. 317 on the Ordnance Map for the said Parish, except and reserving the fences on part of the north and east sides thereof which divide the said piece of land from other land belonging to Lucy Spencer which remain her property, together with full right and liberty for the owners or owner for the time being of the said piece or parcel of land, and their and his tenants, workmen, servants, and all other persons authorised in that behalf by them or him at their and his will and pleasure for all purposes connected with the use and enjoyment of the said land, to pass and repass with or without horses, cattle, and other animals, carts, waggons and carriages in, along and over the roadway of the width of 9 feet or thereabouts between the points marked A and B on the said plan, and coloured brown on the said plan.

Secondly.—All that piece or parcel of freehold land (delineated on the said plan and thereon coloured green) situate in the Parish of Heacham, containing by estimation 1 rood or thereabouts, and bounded on the north side thereof by land forming part of the land hereinafter thirdly described, on the west side thereof by land belonging to the said Lucy Spencer, on the south side thereof by the public road leading from Cannon Corner to Heacham Railway Station, and on the east side thereof by the premises thirdly described, together with the messuage erected thereon and known as the Heacham Public Hall, with the outbuildings and appurtenances thereto, belonging.

Thirdly.—All that piece of land (delineated on the said plan and thereon coloured blue) situate in Heacham, containing 1r. 35p. or thereabouts, and bounded on the north by premises known as Caley Farm, on the east partly by Caley Farm and partly by the premises hereinafter fourthly described, on the south partly by a road leading to Heacham Railway Station and partly by the premises secondly hereinbefore described, on the west partly by land the property of the said Lucy Spencer and partly by the premises secondly hereinbefore described, together with the messuage, building and premises erected thereon or on some part thereof and known as the Club, Heacham.

Fourthly.—All that piece of land (delineated on the said plan and thereon coloured yellow) situate in Heacham, containing 19 perches or thereabouts, bounded on the north by land belonging to Charles Edward Strachan formerly part of Caley Farm, on the east by a roadway 15 feet in width reserved to the said Charles Edward Strachan out of the conveyance made by the said Indenture, on the south by a road leading to Heacham Railway Station, and on the west by the piece of land hereinbefore thirdly described, and being part of No. 246 on the Ordnance Survey Map for the said parish.

The furniture and scenery in the Heacham Public Hall.

Sealed by Order of the Board this 29th day of April 1921.

L.S.

LONDON:

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1921.