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27/1/83

THIS DECLARATION OF TRUST AND TRUST DEED is made the *six*
of *December* One thousand nine hundred and eighty two by the PARISH
COUNCIL OF EAST HANNINGFIELD in the County of Essex (hereinafter called
"the Council")

WHEREAS

(1) By a Conveyance dated the 26th day of March One thousand nine hundred and seventy nine and made between the Writtle Brewery Company Limited of the first part Mecca Limited of the second part and the Council of the third part whereby all that piece of land now known as Hanna's Field in the Parish of East Hanningfield in the County of Essex and more particularly delineated and described on the plan drawn thereon (hereinafter referred to as "Hanna's Field") was conveyed to the Council

(2) The Council desires to vest Hanna's Field in its name as trustees upon the trusts hereinafter appearing

NOW THIS DEED WITNESSETH as follows:-

1. THE Interpretation Act 1889 applies for the interpretation of this deed as it applies for the interpretation of an Act of Parliament
2. THE Council is the trustee of Hanna's Field (hereinafter called "the charity")
3. IN consideration of the premises and in pursuance of its herein before recited desire the Council hereby declares that it holds Hanna's Field in fee simple as custodian trustee upon trusts and subject to the powers and provisions as set out in the Schedule hereto
4. PROVIDED always in the event of any Act of Parliament or resolution or decree or motion or any other proposal being approved whereby the Council would cease to be the Parish Council of East Hanningfield then it is hereby irrevocably agreed and declared that the Official Custodian for Charities shall then be appointed forthwith as custodian trustee in the place of the Council and subject to the same powers and provisions as are set out in the Schedule heretc

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IN WITNESS whereof two members of the Council have pursuant to a resolution of the Council passed on the Sixteenth day of December One thousand nine hundred and eighty two set their hands and seals the day and year first before written

THE SCHEDULE

1. (1) Hanna's Field and any village hall erected thereon (hereinafter called "the trust property") shall be held upon trust for the use and benefit of the inhabitants of the Parish of East Hanningfield in the County of Essex which shall mean the area bounded by the boundaries of the Parish as at the date of this deed (hereinafter called "the area of benefit") without distinction of political religious or other opinions including use for meetings lectures and classes and for other forms of recreation and leisure time occupations with the object of improving the conditions of life for the said inhabitants

(2) The charity shall be administered in conformity with the provisions of this deed by the committee of management hereinafter constituted (and hereinafter called "the committee") who shall be the charity trustees of the charity within the meaning of Section 46 of the Charities Act 1960 PROVIDED THAT until the end of the first annual general meeting to be held after the date of this deed the charity shall be administered in accordance with the provisions of this deed by the following persons:-

Namely the present members of Hanna's Field Management Advisory Committee and the East Hanningfield Community Centre Appeal Committee

2. The Parish Council of East Hanningfield shall be the custodian trustee of the charity subject always to the provisions of Clause 4 of this deed as hereinbefore set out and the provisions of sub section (2) of Section 4 of the Public Trustee Act 1906 shall apply to the Council and to the committee respectively in like manner as they apply to the Public Trustee and managing trustees

3.(1) Except as hereinafter in this clause provided the committee shall consist

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of ~~thirteen~~ elected members and ~~thirteen~~ representative members and may include not more than two co-opted members

(2) The elected members (other than those appointed under sub-clause (7) of this Clause to fill casual vacancies) shall be elected at the annual general meeting to be held as in this deed provided

(3) One representative member shall be appointed by each of the following organisations:-

- All Saints Parochial Church Council
- Bethel Evangelical Church Sunday School
- Chelmsford Karate Kyokushinkai
- East Hanningfield Church of England (Controlled) Primary
- School Parent Teacher Association
- ~~East Hanningfield Cricket Club~~ *ASJ*
- East Hanningfield Football Club
- East Hanningfield Parish Council
- East Hanningfield Playgroup Association
- East Hanningfield Table Tennis Club
- East Hanningfield Women's Institute
- First East Hanningfield Brownie Guide Pack
- First East Hanningfield Scout Group
- Lisirikwai Judo Club (East Hanningfield)

The names of such representative members shall be notified by the said organisations to the secretary of the committee

(4) Co-opted members shall be appointed at a duly constituted meeting of the committee

(5) Subject to the provisions of sub clause (6) and (8) of this clause the period of office of members shall commence:

- (a) in the case of elected members, at the end of the annual general meeting at which they were elected;
- (b) in the case of representative members, on the day on which notification of their appointment is received by the secretary;
- (c) in the case of co-opted members from the date of their co-option

(6) One third of the members of the committee shall retire from office in rotation at the end of each year being the annual general meeting next after which they came into office but they may be re-elected or re-appointed

(7) In the event of any application for representation on the committee being received from any existing or newly formed organisation operating in the area of benefit the committee may, upon a resolution supported at a duly constituted meeting of the committee by the votes of a majority of not less than two thirds of all the members of the committee, allow such organisation to appoint a representative member of the committee in the same manner as if such organisation had been named in sub clause (3) of this clause

(8) Upon the occurrence of a casual vacancy the committee shall cause a note thereof to be entered into their minute book at their next meeting and, if in the office of representative member, it shall be notified as soon as possible to the proper appointing organisation. A casual vacancy in the office of elected member may be filled by the committee and the period of office of an elected member elected to fill a casual vacancy shall commence at the end of the meeting of the committee at which he was so elected.

(9) The constitution of the committee, as hereinbefore provided may, on the application of the committee, be altered from time to time by order of the Charity Commissioners or the Secretary of State (for Education and Science) (hereinafter called "the Secretary of State")

4. The proceedings of the committee shall not be invalidated by any failure to appoint or any defect in the appointment election or qualification of any member

5. The committee shall hold at least six ordinary meetings in each year. A special meeting may be summoned at any time by the chairman or any two members upon seven clear day's notice being given to all the other members of the matters to be discussed

6. The committee, at their first meeting in each year after the annual general meeting, shall elect one of their number to be chairman of their

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meetings and may elect one of their number to be vice chairman. The chairman and vice chairman shall continue in office until their respective successors are elected. If the chairman is absent from any meeting, the vice chairman (if any) shall preside; otherwise members present, shall before any other business is transacted, choose one of their number to preside at that meeting.

7. Every matter shall (except as in this deed provided) be determined by the majority of the members of the committee present and voting on the question. In case of equality of votes the chairman of the meeting shall have a second or casting vote.

8.(1) There shall be an annual general meeting in connection with the charity which shall be held in the month of February in each year or as soon as practicable thereafter.

(2) All inhabitants of the area of benefit of eighteen years of age and upwards shall be entitled to attend and vote at the annual general meeting.

(3) The first annual general meeting after the date of this deed shall be convened within a period of three months after the date of this deed by the persons named in clause 1(2) hereof and subsequent annual general meetings by the committee. Public notice of every annual general meeting shall be given in the area of benefit at least fourteen days before the date thereof by affixing a notice on some conspicuous part of the trust property or other conspicuous place in the area of benefit and by such other means as the conveners think fit.

(4) The persons who are present at the first annual general meeting after the date of this deed shall, before any other business is transacted, appoint a chairman of the meeting. The chairman of subsequent annual general meetings shall be the chairman for the time being of the committee. In his absence the vice chairman (if any) shall take the chair but, if neither is present the persons present shall, before any other business is transacted, appoint a chairman of the meeting. In case of equality of votes the chairman of the meeting shall have a second or casting vote.

(5) The committee shall present to each annual general meeting the report and accounts of the charity for the preceding year

9. The committee shall cause all the buildings and other property of the charity at all times to be kept in repair and sufficiently insured against fire, theft, public liability and other insurable risks

10. After satisfying its obligations under clause 9 hereof the committee shall as and when it thinks fit apply the net yearly income for the purposes of the charity

11. The committee shall have power to invest any sums of cash at any time belonging to the charity in or upon such investments as the committee shall in its discretion think fit

12. The committee may receive any grants donations or endowments or other sums of money or property for the general purposes of the charity and it may also accept the same for any special objects connected with the charity not inconsistent with the provisions of this deed

13. The committee shall provide and keep a minute book and books of account. All proper statements of account in relation to the charity shall in each year be prepared as prescribed by Section 32 of the Charities Act 1960 and copies thereof shall be sent to the Parish Council of East Hanningfield

14. The committee may with the consent of the Charity Commissioners or the Secretary of State from time to time by mortgage or otherwise obtain such advances on the security of the trust property 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 out therein and may continue or may repay in whole or in part and from time to time any existing mortgage or charge on the trust property

15. If the committee decides at any time that on the ground of expense or otherwise it is necessary or advisable to discontinue the use of the trust property in whole or in part for the purposes stated in clause 1 it shall call a meeting of the inhabitants of the age of eighteen years or upwards of the area of benefit of which meeting not less than fourteen days' notice (stating the terms of the resolution that will be proposed thereat) shall be

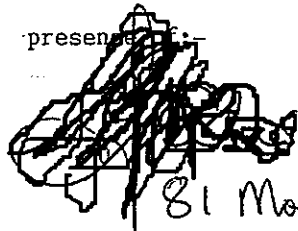
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members who shall form a quorum thereat; PROVIDED that at meetings of the committee the quorum shall not be less than one third of the members for the time being

(f) If it thinks necessary or desirable so to do the committee may elect from its number an executive committee to which may be delegated such powers as the committee may think appropriate and the number of members of such executive committee shall be as decided by the committee PROVIDED THAT all undertakings deeds proceedings and resolutions of any such executive committee shall be fully reported back to the management committee as soon as possible

SIGNED SEALED AND DELIVERED by)
ALAN GORDON DIXON in the)

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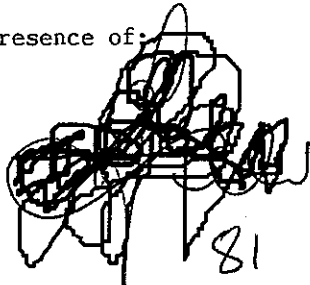


81 Moulsham Street
Chelmsford Essex
Solicitor



SIGNED SEALED AND DELIVERED by)
CHRISTOPHER CARTER SHARP in the)

presence of:-)



81 Moulsham Street
Chelmsford Essex
Solicitor

