

1965

Conveyance

Search

This Conveyance is made on the fifth day of May, One thousand nine hundred and sixty five BETWEEN BARCLAYS BANK LIMITED of 54 Lombard Street in the City of London (hereinafter called "the Grantor") of the one part and ARTHUR DORY DU HEAUME of The Generals Penalt aforesaid and WALTER PERCIVAL BLAKE Farmer of the ??? Penalt Retired Farmer and RAYMOND RHYS of The Vicarage Penalt in the County of Monmouth (hereinafter called "the Trustees") of the other part

WHEREAS John Geyt du Heaume formerly of How Capel Rectory How Capel in the County of Hereford Clerk in Holy Orders duly made his Will dated the third day of November One thousand nine hundred and fifty nine whereof he appointed the Grantor to be the Executor and Trustee AND WHEREAS the said Testator died on the fourteenth day of August One thousand nine hundred and sixty at Appleshaw Vicarage Appleshaw in the County of Southampton and his said Will was on the sixth day of October One thousand nine hundred and sixty proved by the Grantor in the Bodmin District Probate Registry

AND WHEREAS the Grantor has agreed to convey the said property to the Trustees

NOW THIS DEED WITNESSETH AS follows:

1. IN pursuance of the said agreement the Grantor as Personal Representative hereby grants and conveys unto the Trustees ALL THAT piece of land formerly pasture land containing seven hundred and fifty square yards or thereabouts being part of a larger piece of land Numbered Part 400 on the Ordnance Survey Map for the said Parish of Penalt

TOGETHER with the hall and buildings erected thereon or on part thereof and known as The Pelham Hall All which said premises are for the purpose of identification only delineated on the plan drawn hereon and thereon coloured red TO HOLD the same unto the Trustees in fee simple Upon the trusts and Subject to the powers and provisions set out in the First Schedule hereto

2. IT is hereby certified that the transaction hereby effected does not form part of a larger transaction or of a series of transactions in respect of which the amount or value or the aggregate amount or value of the property exceeds the sum of Four thousand five hundred pounds

IN WITNESS whereof the parties hereto have hereunto set their hands and seals the day and year first above written

THE FIRST SCHEDULE above referred to

THE Trustees shall apply as soon as possible to the Charity Commissioners through the Ministry of Education for an Order of the Charity Commissioners for England and Wales vesting the Trust property hereby conveyed in the Official Trustee of Charity Lands and upon such Order being made the Trustees shall cease to be the Trustees of the Trust property 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

2. THE property hereby conveyed (herein called "the Trust Property") shall be held upon trust for the purposes of a Village Hall for the benefit of the inhabitants of the Parish of Penalt in the County of Monmouth (hereinafter called "the said Parish") and its immediate vicinity without distinction of sex or of political religious or other opinions and in particular for meetings lectures and classes and other forms of recreation and leisure time occupation with the object of improving the conditions of life for the said inhabitants

3. THE general management and control of the Trust property and the arrangements for its use shall be vested in a Committee of Management (hereinafter called "the Committee" consisting of not more than eight members (exclusive of members co-opted under the power hereinafter contained) of whom seven shall be elected at the first general meeting referred to in Clause 4 hereof in the first instance and on each subsequent election 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 power to act. In addition to the members of the Committee appointed and elected as above and the Committee shall have the power to co-opt not more than seven 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 May in each year the first of such meetings (hereinafter called "the First General Meeting") to be convened in the month of May One thousand nine hundred and sixty four by one week's notice to be affixed to some conspicuous part on 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 resignations of members of the Committee and for the purpose of electing 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 May the Annual General Meeting for that year shall be held as soon as practicable after the month of May

5. THE Committee shall have the power by a resolution of the Committee 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 property is held hereinafter to appoint an additional member of the Committee in the same manner as if such organisation had been mentioned in the second column of the Second Schedule hereto and for this purpose the total number of members on the Committee as provided for in Clause 3 hereof may be increased but no resolution shall 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 retired 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. A retiring member shall be eligible for re-appointment or re-election

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 a 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 any vacancy arising through the death resignation or removal of a member of the Committee elected by the Annual General Meeting the Committee shall have 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 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 its members

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 property may be used for entertainments meetings social gatherings and other purposes and the sum (if any) to be paid for its use

(b) the engagement and dismissal of such paid officers and servants for the Trust Property as it may consider necessary

(c) the appointment of an auditor, Treasurer and other such unpaid officers as it may consider necessary and the fixing of their respective terms of office

(d) the number of persons 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 Property and of all donations for the benefit thereof shall be paid into the trust account at Lloyds Bank at Monmouth or such other Bank as shall be from time to time substituted by the Committee and any such substitution to be endorsed upon this Trust deed and a copy of the Resolution annexed hereto

12. The monies standing to the credit of the said account shall be applied as the Committee shall decide in maintaining repairing and insuring the Trust Property or the furniture and effects therein and in paying rents rates taxes salaries wages and other outgoings and in providing furniture equipment games books newspapers periodicals and other literature and means of recreation and otherwise for the maintenance and improvement of the Trust Property

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 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 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 Property 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 ... (*indecipherable*) ... of the Resolution to be proposed thereat) shall be posted in a conspicuous place or places on the Trust Property 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 Property or any part thereof. All monies arising from such letting or sale (after satisfaction of any liabilities properly payable thereout) shall with such consent of the Minister of Education be applied either in the purchase of other property approved by the Committee and to be held upon the Trusts for the purpose 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 as may be approved by the Minister of Education and meanwhile such money be invested in the name of the official Trustees of Charitable Funds and the income arising therefrom shall either be accumulated (for such time as may be allowed by law) by investing the same and the resulting income therefrom 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 Property may properly be applied

13. 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

Names and addresses of Representatives of the Parish of Penalt	Organisations
Leonard Jones, Hillside, The Birches, Penallt	The Trustees of the Methodist Chapel, Penalt
Leslie Spencer, Llanant Farm, Penalt	The Penalt Parochial Church Council
Frederick Meredith, Croes Vaen, Penalt	The Trellech United Parish Council
Mrs. Dora Price, Little Pentwyn, Penallt	The Trustees of the Baptist Chapel
Miss Lilian Jenkins, Trundleys, Penalt	Penalt Womens Institute
Mr. Conwyl Phillips, Pentwyn Green, Penalt	Penalt Youth Club
Arthur James Roberts	Monmouth Rural District Council
Winifred Pugh, Common Farm, Penalt	Mothers' Union of Penalt

2010 Notes:

1. Paragraph numbering is exactly as per the original; hence the two 2s and two 13s have not been corrected!
2. Some of the original document was indecipherable - the introductory paragraph and paragraph 14
3. The above consists only of the text of the Conveyance. Signatures and the map of the area around Pelham Hall are not included.

4. There is a hand written note on one page which says " $8 + 5 = 13$. 13 is max membership at present (??? co-opt)"