



# This Declaration of Trust

23.9.36

is made the *Twenty third* day of *September* One thousand nine hundred and thirty six by the COUNCIL OF THE PARISH OF ST. PETER RURAL in the County of Hertford (hereinafter called "the Trustees")

*How Colney Heath Parish Council*

WHEREAS :

1. Roland Richardson of Colney Heath St. Albans in the said County of Hertford applied for the consent of the Minister of Agriculture and Fisheries under Section 194 of the Law of Property Act 1925 to the erection of a Village Hall on that piece or parcel of common land being part of Colney Heath in the said Parish of St. Peter Rural in the County of Hertford containing three hundred and forty square yards or thereabouts as the same is delineated on the plan annexed hereto and thereon coloured green whereby access to the said land would be prevented or impeded.

340  
397ds

29.3.35

2. By a consent under the seal of the said Minister dated the Twenty ninth day of March One thousand nine hundred and thirty five the said Minister in exercise of the powers conferred on him by the Ministry of Agriculture and Fisheries Acts 1889 to 1919 and the said Law of Property Act 1925 thereby consented to the erection of such a Village Hall (hereinafter called "the trust premises")

3. It is desired that the Trustees should be the Trustees of the trust premises but that the same should be administered and managed by the persons hereinafter designated or appointed in accordance with the provisions hereinafter contained

NOW THIS DEED WITNESSETH that the trust premises shall be held by the Trustees Upon the trusts and subject to the powers and provisions set out in the First Schedule hereto.

IN WITNESS whereof the hands and seals of the Chairman and two Councillors of the Council of the Parish of St. Peter Rural are hereunto affixed the day and year first above written.



THE FIRST SCHEDULE above referred to

1. The trust premises shall be held upon trust for the purposes of Physical and Mental recreation and social 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 benefit of the inhabitants of the Parish of St. Peter Rural (Colney Heath Ward) in the County of Hertford and its immediate vicinity without distinction of sex or of political or other opinions subject to the provisions of these presents.

2. The general management and control of the Trust Premises and the arrangements for their use shall be vested in a Council of Management (hereinafter called "the Council") consisting of not more than twelve members. The organisations mentioned in the second column of the Second Schedule hereto shall each have the right to appoint one member of the Council 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 be the first Members of the Council. In addition to the Members of the Council appointed by the said organisations the Council shall have the power to co-opt not more than four members to represent interests in the said Parish not represented by any organisations.

3. There shall be an Annual General Meeting to be convened by the Council in the month of July in each year (the first of such meetings to be convened in the month of July One thousand nine hundred and thirty six) 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 Parish of St. Peter Rural (Colney Heath Ward) for the purpose of receiving the Report and Accounts of the Council and for accepting the resignations of Members of the Council.

4. All members of the Council shall retire annually at the Annual General Meeting. A vacancy (not being a casual vacancy)



among the members appointed by organisations may be filled by the organisation entitled to appoint at any time within one month before the Annual General Meeting at which the vacancy will occur and if not so filled shall be filled within one month after the Annual General Meeting.

5. A casual vacancy arising from the death or resignation or removal of a Member of the Council 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.

6. In the event of any other organisation being formed in the said Parish with aims of a social recreation or educational character not inconsistent with those upon which the Trust Premises are held hereunder the Council shall have power to allow such new organisation to use the Trust Premises or any part thereof and shall also have power by a Resolution of the Council passed at a meeting at which not less than two thirds of all the members of the Council vote in favour of the Resolution to allow such new organisation to appoint an additional member of the Council in the same manner as if such new organisation had been mentioned in the second column of the Second Schedule hereto

7. If any organisation entitled to appoint a Member of the Council ceases to exist or fails to make an appointment for one month after the Annual General Meeting in any year the Council shall decide by a two thirds majority vote in what way if at all the vacancy shall be filled

8. The proceedings of the Council shall not be invalidated by any vacancy among its Members or by any defect in the appointment or qualification of any Member.

9. The Council may from time to time make and alter Rules and Regulations for the conduct of its business and for the summoning and conduct 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 purposes 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 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 a third of the total number of members of the Council

10. 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 the Westminster Bank Limited at Hatfield Hertford or at such other Bank as shall from time to time be substituted therefor by the Council.

11. The moneys standing to the credit of the said Account shall be applied as the Council 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.

12. The Council shall provide the Trustees with sufficient funds to meet all such expenditure (if any) in connection with the Trust Premises as the Trustees may be liable for and shall keep the Trustees indemnified against all liability (if any) in respect thereof.

13. The Council may upon the vote of a majority of its Members and with any necessary consent 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 Council 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 Parish of St. Peter Rural (Colney Heath Ward) of which meeting not less than fourteen days notice (stating that a Resolution 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 Council may with any necessary consent 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 Council 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 Parish of St. Peter Rural (Colney Heath Ward) as may be approved by the Minister of Agriculture and Fisheries or otherwise and meanwhile such moneys shall be invested in the name of the Trustees 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 or 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 above referred to

<u>Column 1</u>	<u>Column 2</u>
<u>Names of Representatives</u>	<u>Organisations</u>
F. Power Esq.	British Legion Colney Heath Branch.



Column 1

Column 2

Names of Representatives

Organisations.

Mrs. Richardson	British Legion Colney Heath Branch Womens Section.
R. Richardson Esq.	Loyal Hope Lodge.
J.W. Day, Esq.	Colney Heath, Football Club (Management Committee).
H.F. Taylor Esq.	St. Marks Parochial Council.
Mrs. Power	Colney Heath Nursing Association
A. Roberts Esq.	St. Peter's Parish Council. (Colney Heath Ward)
Miss D. Pollard	Sleaps Hyde Methodists (Trustees)
W. Stacey Esq.	Men's Committee X
Mrs. P.C. Burton	School Managers.
Mrs. Selborne Boome	Mother's Union.
Mrs. J. Pugh )	
Mrs. P. Franklin )	Co-opted

SIGNED SEALED and DELIVERED by )  
 the Chairman and two Councillors )  
 of the Council of the Parish of )  
 St. Peter Rural in the presence )  
 of :

*H. J. Roberts*

*H. Penwick*

witness name  
 address  
 description

*Mrs. J. Pugh*  
*Snayfold NR St. Albans.*

*Insurance Officer*

*A Roberts*

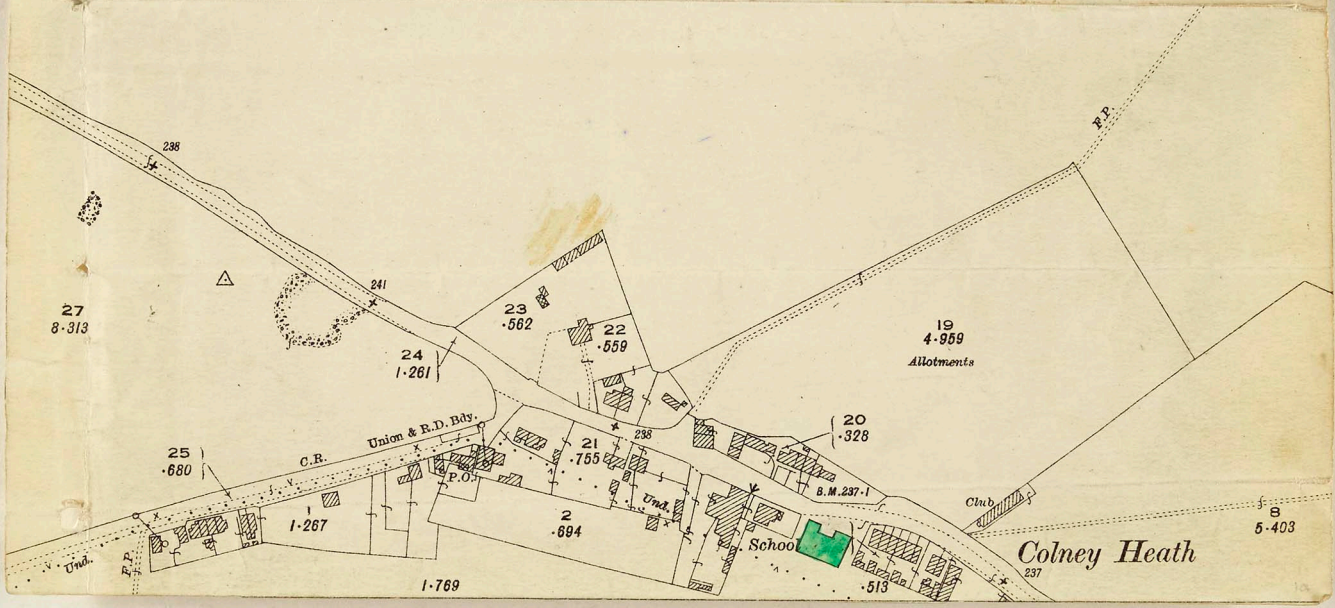
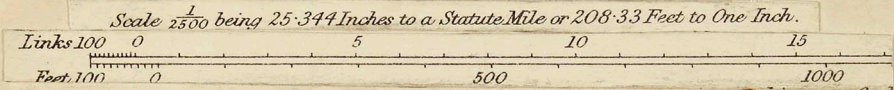
*Arthur H Smith*  
 29 Woodstock Rd  
 St Albans

*John Holt*  
*Springfield, Pordon Colney*



*Handwritten notes:*  
75 ft 80 ft deep x 100 ft wide  
33 yds = 825 sq yds  
22 yds x 15 1/2 yds = 340 sq yds

**HERTFORDSHIRE SHEET XXXV. 10.**





Dated 23<sup>rd</sup> September 1936

DECLARATION OF TRUST

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