



REGISTERED CHARITY NO: 201288

## The Bridge Trust

### TRUST DEED

#### Charity Commission

Sealed	6 <sup>th</sup> November 1961
County	Devon
Place	Barnstaple
Charity	The Bridge Trust
Retyped	25 <sup>th</sup> May 2015

#### Scheme including appointment of Trustees.

In the matter of the Charity called the Bridge Trust, at Barnstaple, in the county of Devon, regulated by a Scheme of the Charity Commissioners of 11th July 1905 as varied by Schemes of the Commissioners of the 13th January 1911 and the 4th April 1961; and in the matter of the Charities Act, 1960.

**The Charity Commissioners for England And Wales Do Hereby Order** that the following Scheme be approved and established as the Scheme for the regulation of the above-mentioned Charity:-

#### Scheme

1. **Administration of the Charity.**- The above-mentioned Charity and the endowments thereof specified in the schedule hereto and all other the endowments (if any) of the Charity shall be administered and managed subject to and in conformity with the provisions of this Scheme by the body of Trustees hereinafter constituted.
2. **Area of Benefit** - In this Scheme the expression "the area of benefit" shall mean the Borough of Barnstaple as constituted from time to time and the immediate neighbourhood thereof.
3. **Investment of Cash**- Sums of cash at any time belonging to the Charity and not needed for immediate working purposes shall be invested in the name of the Official Custodian of Charities unless the Charity Commissioners otherwise direct.

#### Trustees

4. **Trustees** - The body of Trustees shall consist when complete of sixteen competent persons being
  1. One Ex-officio Trustee
  2. Five Nominative Trustees and
  3. Ten Co-optative Trustees.

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5. **Ex-officio Trustee** - The Ex-officio Trustee shall be the mayor for the time being of the Borough of Barnstaple.
6. **Nominative Trustees** - The Nominative Trustees shall be appointed by the Council of the Borough of Barnstaple. Each appointment shall be made for a term of four years at a meeting convened and held according to the ordinary practice of the council. The chairman of the meeting shall cause the name of each person appointed to be notified forthwith to the Trustees or their clerk. The person appointed may be but need not be a member of the council.
7. **First Nominative Trustees** - The first nominative Trustees shall be appointed as soon as possible after the date hereof and their names shall be notified to John Bryon Cruse, of Queen Anne Chambers, The Strand, Barnstaple, Clerk, on behalf of the Trustees. At the end of two years from the date of the appointment of the first Nominative Trustees if more than three remain Trustees one half of them as nearly as may be to be determined by lot if necessary shall go out of office but shall be eligible for re-appointment.
8. **Co-optative Trustees** - The Co-optative Trustees shall be persons residing or carrying on business in the area of benefit.
9. **First Co-optative Trustees** - Subject to the provisions hereinafter contained for determination of trusteeship each of the persons at the date of this Scheme holding office as a Co-optative Trustee of the Charity shall be entitled to continue in office as a Co-optative Trustee under the provisions of this Scheme for the residue of the term for which he was appointed.
10. **Future Co-optative Trustees** - Every future Co-optative Trustee shall be appointed for a term of five years by a resolution of the Trustees passed at a special meeting.
11. **Declaration of Trustees** - No person shall be entitled to act as a Trustee whether on a first or 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.
12. **Determination of Trusteeship** - Any Co-optative Trustee who ceases to be qualified as aforesaid or any Trustee who is absent from all meetings of the Trustees during a period of one year or 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 a wish to resign shall cease thereupon to be a Trustee.
13. **Vacancies** - Upon the occurrence of a vacancy, the Trustees shall cause a note thereof to be entered in their minute book at their meeting and in the case of a vacancy in the office of Nominative Trustee shall cause notice thereof to be given as soon as possible to the council. Any competent Trustee may be re-appointed. No vacancy in the office of Co-optative Trustee shall be filled until after the lapse of one calendar month from its occurrence.

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## Meeting and Proceedings of the Trustees

14. **Ordinary Meetings.** -The Trustees shall hold at least two ordinary meetings in each year.
15. **First Meeting** - The first meeting of the Trustees shall be summoned by the said John Bryon Cruse or if he fails for three calendar months after the date of this Scheme to summon a meeting by any two of the Trustees.
16. **Chairman & Vice Chairman** - The Trustees at their first ordinary meeting in each year shall elect one of their number to be chairman of their meetings until the commencement of the first ordinary meeting in the following year. The trustees if they think fit may also elect one of their number to be vice-chairman of their meetings. The chairman and vice chairman shall always be eligible for re-election. If at any meeting neither the chairman nor the vice-chairman is present within ten minutes after the time appointed for holding the same or there is no chairman or vice-chairman the Trustees present shall choose one of their number to be chairman of the meeting.
17. **Special Meetings** - A special meeting may be summoned at any time by the chairman or any two Trustees upon four days' notice being given to all the other Trustees of the matters to be discussed. A special meeting may be summoned to take place immediately after the ordinary meeting.
18. **Quorum** - There shall be a quorum when six Trustees are present at a meeting.
19. **Voting** - Every matter shall be determined by the majority of votes of the Trustees present and voting on the question. In case of equality of votes the chairman of the meeting shall have a casting vote whether he has or has not voted previously on the same question but no Trustee in any other circumstances shall give more than one vote.
20. **Minutes and Accounts** - A minute book and books of account shall be provided and kept by the Trustees. Statements of account in relation to the Charity shall be prepared and transmitted to the Commissioners in accordance with the provisions of the Charities Act, 1960, except if and in so far as the Charity is excepted by order or regulations.
21. **General Power to Make Regulations** - Within the limits prescribed by this scheme, the Trustees shall have full power from time to time to make regulations for the management of the Charity and for the conduct of their business including the summoning of meetings, the deposit of money at a proper bank and the custody of documents.
22. **Clerk** - The trustees may appoint some fit person to be their clerk and to hold office during their pleasure and may pay to him (not being a trustee) such reasonable salary as they think fit.

## Management of Lands

23. **Management & Letting of Lands** - The Trustees shall let and otherwise manage all the lands belonging to the Charity not required to be retained or occupied for the purposes thereof. Except with the approval of the Commissioners, the Trustees shall give public notice of the intention to let any land in such manner, as they

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consider most effectual for ensuring full publicity. The Trustees shall not without the sanction of the Commissioners or a competent Court create any tenancy wholly or partly in consideration of a fine or for a term ending more than 22 years after it is granted or for less than the best rent obtainable.

24. **Leases** - The Trustees shall provide that on the grant by them of any lease the lease shall execute a counterpart thereof. Every lease shall contain covenants on the part of the lessee for the payment of rent and all other usual and proper covenants applicable to the property comprised therein and a proviso for re-entry on non-payment of the rent or non-performance of the covenants.
25. **Repair and Insurance** - The Trustees shall keep in repair and insure for full value against fire all the buildings of the Charity not required to be kept in repair and insured by the lessees or tenants thereof.

## **Application of Income**

26. **Expenses of Management** - The Trustees shall first defray out of the income of the Charity the cost of repairs and insurance and all other charges and outgoings payable in respect of the property of the Charity and all other proper costs, charges and expenses of and incidental to the administration and management of the Charity.
27. **Extraordinary Repair Fund**
1. Subject to any further Order or Orders of the Commissioners a fund for the extraordinary repair, improvement or re-building of the property belonging to the Charity shall be provided and maintained as follows.
  2. The Trustees shall pay to the Official Custodian of Charities a yearly sum of not less than £200 out of the income of the Charity and the Official Custodian shall invest the yearly sum so paid at compound interest in the purchase in his name to the credit of an account to be entitled Extraordinary Repair Fund of any of the investments authorised for the investment of trust funds of the Charity.
28. **Application of Income** - Subject to the payments aforesaid, the Trustees shall apply the income of the Charity in one or more of the following ways:
1. Grants for public purposes for the general benefit of the inhabitants of the whole or any part of the area of benefit or of any class of such inhabitants.
  2. Provision of amenities for the benefit of the inhabitants as aforesaid not provided out of public funds.
  3. Gifts of money or articles in kind for the benefit of poor inhabitants of the area of benefit.
  4. Grants to Charities having for their object the relief of poverty among inhabitants of area of benefit.
  5. Grants to charities having for their object the furtherance of public purposes for the general benefit of the inhabitants of the whole or any part of the area of benefit or any class of such inhabitants.

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29. **Restrictions** - In applying the income of the Charity, the Trustees shall observe the following restrictions:

1. They shall not apply the income of the Charity directly in relief of rates, taxes or other public funds, but they may apply the income in supplementary relief or assistance provided out of public funds.
2. They shall not commit themselves to make recurring grants.
3. They shall not give assistance to individuals unless satisfied that such individuals are deserving and in need.
4. They shall not apply the income of the Charity save in accordance with decisions taken at meetings of their body duly convened.

## General Provisions

30. **Trustees not to be Personally Interested** - No Trustee shall take or hold any interest in the property belonging to the Charity otherwise than as a Trustee for the purposes thereof and no Trustee shall receive remuneration, or be interested in the supply of work or goods, at the cost of the Charity.

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

Description	Tenant, person liable or persons in whose name vested	Gross Yearly Income (£sd)
10 High Street	Midland Bank Limited	£250.0.0
11 High Street (Shop)	W. Dalling and S.W.B. Bell	£350.0.0
9 High Street (Shop & Premises)	Hepworth and Son Limited	£400.0.0
109 Boutport Street	Oerton & Balsdon	£150.0.0
110 Boutport Street	P.G. Kidner	£200.0.0
111 Boutport Street	B.I.M. Bolam	£130.0.0
112 Boutport Street	N.D. Hospital Management Committee	£ 75.0.0
113 Boutport Street	Ditto	£135.0.0
Rear Boutport Street (Bonded Store)	Yeo Ratcliffe & Dawe	£ 35.0.0
Offices in Bridge Buildings	Barnstaple Building	£100.0.0
Shop in Bridge Buildings	Greaves (Chemists) Limited	£200.0.0
Flat in Bridge Buildings	Ditto	£ 52.0.0
House & Shop in Bridge Buildings	Divitos Ice Cream Parlour Limited	£250.0.0
Shop & Flats in Bridge Buildings	Swift Cleaners Ltd	£125.0.0

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<b>Description</b>	<b>Tenant, person liable or persons in whose name vested</b>	<b>Gross Yearly Income (£sd)</b>
Shops & Flats in Bridge Buildings	O Nicklin & Sons Ltd	£550.0.0
Offices on Ground Floor in Bridge Buildings	Jewell and Son	£100.0.0
Offices on 1 <sup>st</sup> & 2 <sup>nd</sup> Floors in Bridge Buildings	Perrin & Son	£100.0.0
Offices in Bridge Chambers	H.M. Minister of Works	£350.0.0
Offices in Bridge Chambers	Chanter Burrington & Foster	£180.0.0
Offices in Bridge Chambers	Pitts Tuckers	£150.0.0
Offices in Bridge Chambers	General Accident Fire & Life Assurance Corporation	£ 80.0.0
Offices in Bridge Chambers	National Deposit Friendly Society	£ 26.0.0
Room in Bridge Buildings	Oliver & Dyer	£ 12.10.0
Offices at Bridge End	H.M. Minister of Works	£275.0.0
Offices at Bridge End	Brewer and Barnes	£220.0.0
Trustees meeting room in Bridge Chambers	In Hand	
Hall & Ante Room in Bridge Chambers	In Hand	
Caretakers Rooms in Bridge Chambers	In Hand	
Easements	H.M. Postmaster General	£0.9.0
Acknowledgement for Name Plate	Shapland and Petter Ltd	£0.1.0
Acknowledgement for Cable through garden	South Western Electricity Board	£0.0.6
Acknowledgment for 2 Lighting Brackets in The Square	The Mayor, Aldermen and Burgesses of the Borough of Barnstaple	£0.1.0
Acknowledgement for Road Direction Sign on Bridge	Ditto	£0.0.6

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**Trust Deed – continued.....**

<b>Description</b>	<b>Tenant, person liable or persons in whose name vested</b>	<b>Gross Yearly Income (£sd)</b>
Acknowledgment for 2 Lighting Brackets at Bridge Chambers	Ditto	£0.1.0
Wayleaves for Relay Cables at 6 premises in Bridge Buildings & High St	Barnstaple Relay Services Limited	£0.6.0
Chief Rent (Crawford's Gift)	Trustees of Municipal Charities Barnstaple	£0.10.0

**Note** - The above-mentioned land is vested in the Official Custodian or Charities by virtue of the above-mentioned Scheme of 11th July 1905 as affected by the provisions of the Charities Act, 1960.

Sealed by Order of the Commissioners this 6th day of November 1961

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