

Wells Recreation Ground Trust - Governing Document

1. Name

The charity is known as Wells Recreation Ground Trust (“the Trust”).

2. Status

The Trust is a registered charity with the Charity Commission (Charity No: 284947).

Wells City Council (WCC) is the sole corporate trustee, acting as the corporate body, represented by the 16 councillors.

When acting as trustee, the Council must act only in the best interests of the Trust and keep its decisions distinct from other Council business.

3. Purpose (Objects)

The Trust exists to determine the objectives for the continue provision of the trust, to safeguard the provision of the future, in line with the legal framework in which the trust must operate.

- a. The object of the charity is the provision and maintenance of a recreation ground for the inhabitants of the area of benefit and in the interests of social welfare, to improve the conditions of life for the inhabitants of the area of benefit without distinction of political, religious or other opinions.
- b. Subject to the provisions of clause 4 (power to dispose of and replace purpose property), the land identified in part 1 of the schedule to this scheme must be retained by the committee for use for the object of the charity.

4. Powers

To carry out its purpose, the Trust may:

- Maintain, improve, and manage the grounds and facilities.
- Provide or support events, activities, and programmes.
- Work with community groups, schools, charities, and public bodies.
- Raise funds, apply for grants, and set reasonable charges where appropriate.
- Employ staff, contractors, or professional advisers.
- Purchase equipment or services necessary for the Trust’s activities.

5. Trustee Arrangements

Trustee Role & Responsibilities

- Wells City Council acts collectively as the sole corporate trustee. Councillors do not hold office as individual trustees.

The Trust is required to:

- Ensure that legal, financial and management duties comply with relevant objectives and the Charity's constitution.
- Safeguard the charity's good name and ethos, by ensuring that activities are conducted with probity and propriety.
- Ensure the effective and efficient administration of the Charity as well as its financial stability.
- To ensure protection and conscientious management of the property and assets of the charity and to ensure the proper investment of its funds.
- The Trustee Code of practice will be referred to and the Trustee's Undertaking completed for each individual representing the Trust.

Meetings & Meeting Papers

The Trust shall hold at least two meetings each year in September and March, specifically as the Trustee of the Recreation Ground.

The Trust consists of 16 members.

Quoracy for the above noted meeting shall be no less than 50% of the membership of the Trust (i.e. 8 members).

Business of the Trust must be recorded separately from other Council business.

The meeting papers are the property of the trust and should not be shared publicly without the express permission of the trust.

Delegation

The Trust may delegate day-to-day management to a committee, officers, or third parties, but retains overall responsibility.

6. Use of Income and Assets

All income and property must be used to achieve the Trust's purposes.

The Trust's money cannot be used to benefit councillors or staff personally, except for:

- a) Reasonable expenses incurred on Trust business, for which separate accounts will be maintained.
- b) Proper payment for services provided under contract, which again will be referenced within the trusts accounts.

7. Conflicts of Interest

Councillors of the City Council acting collectively as the corporate Trust must declare any personal or financial interest in Trust matters.

Where appropriate, councillors should withdraw from decisions to ensure the Trust's interests come first.

This matter should be carefully considered when discussing business which may later be considered by a Council committee.

8. Finance, Accounts and Reporting

The Trust must:

Keep proper financial records.

Annual accounts must be prepared and filed with the Charity Commission.

An annual report must be published showing how the Trust has carried out its charitable purposes.

HMRC and returns must be completed annually, alongside any relief, exemption notices or otherwise.

The Trust's funds must be kept separate from Council funds.

9. Amendments

This governing document can be amended by resolution of the Trust, and Wells City Council in its role as sole corporate Trustee.

Any changes requiring Charity Commission approval must be submitted and agreed before taking effect.

10. Dissolution

If the Trust is dissolved, its remaining assets must be given to another charity with similar purposes for the benefit of the people of Wells.

10. Disagreements

Where a disagreement arises, the matter should be raised formally with the Chair, who may seek support from the Town Clerk of the City Council, acting as an officer of the Trust.

If the matter is not considered to have been suitably resolved, the appointment of an independent mediator can be requested.