

## Arthur Nicholson Recreation Ground Trust Deed

THIS DEED made the third day of August one thousand nine hundred and twenty nine BETWEEN HERBERT NICHOLSON of Bidborough Hall Bidborough in the County of Kent Esquire (herein after called "the Grantor") of the one part and the BIDBOROUGH PARISH COUNCIL being the Parish Council of the parish of Bidborough aforesaid (herein after call "the Council) of the other part WHEREAS the Grantor is seised in fee simple in possession free from incumbrance of the hereditaments hereinafter described and is desirous of giving the same to the Council for the purposes hereinafter expressed and whereas the Council has requested the Grantor to convey the said hereditaments in the manner and upon the trusts hereinafter appearing NOW THIS DEED WITNESSETH that in pursuance of the said agreement and for the purpose of effectuating the said Gift the Grantor as Beneficial Owner hereby conveys unto the Council ALL THAT piece or parcel of land formerly part of the Glebe lands belonging to the Rectory of Bidborough aforesaid situate in the Parish of Bidborough in the County of Kent and containing by admeasurement ten acres sixteen perches which said hereditaments were for the better identification thereof delineated with the dimensions and abuttals thereof on the plan drawn on a certain Conveyance dated the thirteenth day of June One thousand nine hundred and twenty nine and made between the Reverend Henry Wilkin Bainbridge of the first part of the Ecclesiastical Commissioners for England of the second part John Francis William Deacon of the third part and the Grantor of the fourth part being the Conveyance to the Grantor of the said hereditaments TO HOLD the same unto the Council in fee simple Upon the trusts subject to the powers and provisions set out in the Schedule hereto.

IN WITNESS whereof, the said parties to these presents have hereunto set their hands and seals the day and year first above written.

THE SCHEDULE above referred to.

1. THE Council shall hold the premises hereby conveyed (hereinafter all "the Trust premises") Upon trust to permit the same to be used for the purpose of a recreation ground for the inhabitants of the Parish of Bidborough and especially for Cricket so that this national game may ne always in the forefront of the Village sports and recreation and also for all other outdoor sports outdoor recreations and outdoor entertainments as may be found expedient for the benefit of the inhabitants of the said Parish without distinction of age sex or of political or other opinions subject to the provisions of these presents.
2. THE site of the Trust premises shall always be known as "The Arthur Nicholson Recreation Ground".
3. The general management and control of the trust premises and the arrangements for their use shall be in the Council and they shall forthwith appoint a Committee of Management consisting of six members hereinafter called the "the Committee" which shall be composed of as to one half of members of the Council and as to the other half by individuals nominated by the Local Cricket Club the Stool Ball Club and Tennis Club.
4. ONE third of the Committee shall retire in rotation at the date of the Annual Meeting in every year the order of rotation during the first and second years from the date of appointment of the first Committee being ascertained by ballot.
5. At the Annual Parish Meeting the report and accounts of the Council in respect of the Arthur Nicholson Recreation Ground shall be approved or otherwise and the vacancies on the Committee

filled up by new appointments from the Council and Clubs as aforesaid and in the event of dispute as to representation on the Committee the Council shall decide.

6. A casual vacancy arising from the death or resignation of a member of the Committee shall be filled by the Council or by the Club by which such member shall have been appointed and the person appointed shall retire at the time when the vacating member would have retired.

7. IF any Club having a Representative member on the Committee ceases to exist or if there are no Clubs from which persons are willing to serve on the Committee the Council shall decide in which way if at all the vacancy or vacancies shall be filled.

8. THE proceedings of the Committee shall not be invalidated by any vacancy among their members or by any default in the appointment or qualification of any member.

9. THE Committee may from time to time make and alter rules and Regulations for the conduct of their business and in particular with reference to:-

(a) The terms and conditions upon which the Trust premises may be used and the sum (if any) to be paid for such user.

(b) The appointment of an Auditor Treasurer and such other unpaid Officers as they may consider necessary and the fixings of their respective terms of office.

(c) The engagement and dismissal of such paid Officers and Servants for the Trust premises as they may consider necessary.

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 such Bank as shall from time to time be selected therefor by the Council.

11. THE moneys standing as to the credit of the said Account shall be used and applied in the upkeep of the premises and the payment of rates taxes and salaries of paid Officers and servants and other outgoings and in providing the means and aids to recreation and sports.

12. THE Council at all times undertake the responsibility of the upkeep of the Trust premises and to do what is necessary thereto for the purpose of the fulfilment of the Trust imposed on them.

13. IF the Council decide by resolution at any time that it is necessary or advisable to discontinue the use of the Trust premises in whole or in part for the purposes hereinafter indicated they shall call a meeting of the Parishioners of the Parish of Bidborough 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 if such decision shall be confirmed by a majority of such Parishioners present at such meeting and voting the Council may with the consent of the Charity Commissioners for England let or sell the Trust premises or any part thereof ALL moneys arising from such letting or sale (after the satisfaction of any liabilities properly payable thereout) shall with such consent as aforesaid be applied in the purchase of other premises approved by the Council and to be held upon the Trust for the purposes and subject to the powers hereinbefore set forth (including this power) or as near thereto as circumstances will permit towards such outdoor sports recreation and entertainments for the benefit of the inhabitants of the Parish of Bidborough as may be approved by the Charity Commissioners for the Games of Cricket Stool Ball and Tennis and meanwhile any income therefore may be invested in any mode authorised by Law for the investment of Trust funds and either shall be accumulated by investing the same and 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 hereunder provided always that the Council shall be at liberty to apply the whole or any part of the proceeds of the sale of any part of the land to the improvement of the remainder of the land by the provision and erection of a Pavilion or otherwise in such manner as the Council may decide.

14. IF any Rules or Regulations under Clause 10 hereof are inconsistent with the provision of these presents the latter shall prevail.

Delivered by the above said HERBERT NICHOLSON in the presence of STELLA NICHOLSON.

Signed Sealed and Delivered by Sidney Gask Chairman and Owen Sydney Barrow and Luke Eade members of the Council in the presence of Frank Harris Surveyor.