Trust Deed

1. Name

The Charity's name is **Casterton Community Trust**

2. Purpose

Casterton Sedbergh Preparatory School (the School) receives annual Feed-in Tariff income related to its renewable energy generation installation. The School has generously offered to make 50% of its Feed-in Tariff income available for the Casterton community for as long as such payments are made to the school. The Purpose of the Charity is to distribute the monies received from the School within the Area of Benefit, according to appropriate criteria.

3. Area of Benefit

The Area of Benefit is the Civic Parish of Casterton.

4. Definitions

A **Resident** is anyone on the Casterton Electoral Role, or who has taken up residence since the Electoral Roll was last updated, and is aged 18 years or over.

5. Trustees

5.1. The Charity shall be managed by a committee of Trustees who are appointed at the Annual General Meeting (AGM) of the Charity.

5.2. Every resident, subject to 5.5 below, is eligible to be a Trustee provided that the nomination form contains the signed approval of 2 residents. The elected Trustees are appointed for a 3-year term, but may stand for re-election.

5.3. Casterton Parish Council has the right to be a Trustee in perpetuity (Founder Trustee), and be represented by any one of its Members at Trustee meetings.

5.4. In addition to the Founder Trustee there will be a minimum of 4 and a maximum of 6 elected Trustees.

5.5. No resident can be both an elected Trustee and a member of a Founder Trustee.

5.6. Trustees, other than Founder Trustee, will be elected by a vote of all residents. Before an AGM where new Trustees are to be elected, the Trustees will distribute Trustee nomination forms to all residents. Nominations for Trusteeship, signed by 2 residents other than the nominee, must be received by the Trustees within 21 days of the invitations being issued.

5.7. If more than 6 valid Trustee nomination forms are received, the Trustees will issue Trustee voting forms to all residents. Completed Trustee voting forms must be received by the Trustees within 21 days of the invitations being issued. The 6 Trustee nominees with the highest number of votes will be elected Trustees at the AGM.

5.8. If 6 or fewer valid Trustee nomination forms are received, all those nominated will be elected Trustees.

5.9. The Trustees will report the result of the Trustee ballot at the AGM.

5.10. Prior to the first Special General Meeting of the Charity the Trustees will be the Founding Trustee, and they will manage the election of the first Trustees in accordance with clauses 5.6 to 5.9 inclusive.

5.11. The Trustees must keep a record of the name and address and the dates of appointment, re-appointment and retirement of each Trustee.

6. Criteria for determining categories of beneficiaries of the Charity

6.1. The criteria for determining categories of beneficiaries of the Charity will be decided by a ballot of residents. The Founder Trustees, at the same time that they distribute written Trustee nomination forms, shall include Beneficiary Criteria Proposal forms. Completed proposal forms must be received by the Trustees within 21 days of the forms being distributed. At the first Special General Meeting of the Charity the Trustees will notify residents of the results of the ballots. Following the completion of the processes in 5.7 or 5.8, the Trustees will determine from the ballot the preferred criteria after analysis of all the Beneficiary Criteria Proposal forms returned by residents. All reasonable completed proposal forms signed by a minimum of 10 eligible residents shall be adopted

6.2. Any future changes to the Criteria will require a recommendation, signed by 10 residents, which the Trustees will acknowledge at a special Trustees meeting and then put the matter to a postal vote. In accordance with clause 11.2 of this Trust Deed, if a majority of residents approve the recommendation, the Trustees will call a special general meeting to declare the result.

7. Carrying out the Purpose

7.1. In order to carry out the charitable purposes, the Trustees have the power to:

7.2. receive grants and donations

7.3. apply funds to carry out the work of the Charity

7.4. co-operate with and support other charities with similar purposes

7.5. do anything which is lawful and necessary to achieve the purposes

7.6. decide on administrative rules and procedures, provided they do not conflict with this constitution.

7.7. draw up procedures for carrying out postal votes and consultations

7.8. draw up procedures by which residents may apply for grants from the Trust

8. Annual General Meeting

8.1. The AGM must be held every year, with 14 days' notice given to all residents telling them what is on the agenda, and the date, time and place of the meeting. Draft minutes of the previous AGM and any subsequent Special General Meetings will be circulated with the agenda to all residents, if not previously circulated

8.2. There must be at least 10 residents present at the AGM.

8.3. Every resident has one vote.

8.4. The Trustees shall present the annual report and accounts.

8.5. The Trustees shall report to the AGM the result of the postal ballot for new Trustees, and the successful nominees will be duly elected.

9. Trustee Meetings

9.1. Trustees must hold at least 2 meetings each year. At their first meeting after the AGM they will elect a chair, treasurer and secretary.
9.2. A minimum of 14 days' notice is required to hold a Trustees meeting. The notice must include the agenda and the date, time and place of the meeting.
9.3. No business shall be conducted at a meeting of the Trustees unless at least three Trustees are present throughout the meeting.
9.4. At meetings, decisions must be made by a majority of the Trustees present and voting on the question. The person chairing the meeting shall have a casting vote whether or not he or she has voted previously on the same question.
9.5. Minutes shall be kept for every meeting, circulated in draft to all Trustees within 21 days of the meeting, and approved at the subsequent meeting.
9.6. If Trustees have a conflict of interest they must declare it and leave the meeting while this matter is decided.
9.7. If a vacancy occurs, the Trustees must note the fact in the minutes of their next meeting. During the year, the Trustees may appoint up to 2 additional Trustees, subject to the limitation in clause 5.5. The newly appointed Trustees will stand down at the next AGM.
9.8. If the number of Trustees falls below the quorum in clause 9.3, none of the powers or discretions conferred by this Trust Deed or by law on the Trustees shall be exercisable by the remaining Trustees except the power to appoint new Trustees.
9.9. The Trustees may make reasonable additional rules to help run the Charity. These rules must not conflict with this constitution or the law.

10. Money and Property

10.1. Money and property must only be used for the Charity's purposes.
10.2. Trustees must keep accounts. The most recent annual accounts can be seen by anybody on request.
10.3. Trustees cannot receive any money or property from the Charity, except to refund reasonable out of pocket expenses.
10.4. Any bank or building society account in which any of the funds of the Charity are deposited must be operated by the Trustees and held in the name of the Charity. All cheques and orders for the payment of money and other instructions regarding such an account shall be signed by at least two Trustees. Money belonging to the Charity must be held in the Charity's bank account(s).

11. Special General Meetings

11.1. Trustees may call a Special General Meeting (SGM) to consult the residents.
11.2. Trustees must also call a SGM if they receive a written request to do so from the majority of residents that describes the purpose of the proposed meeting. The meeting should be called within 21 days of receiving the request.
11.3. All residents must be given 14 days' notice of a SGM and told the reason for the meeting, together with the date, time and place of the meeting.
11.4. All decisions require a simple majority, subject to the exception in clause 13.
11.5. Minutes must be kept.

12. Amendment of Trust Deed

Amendments to the Constitution can be made at AGMs or SGMs, following a postal vote of residents. Any decision to change the constitution requires a two-thirds majority of residents voting. No change can be made that would make the organisation no longer a Charity.

13. Dissolution

The Trustees may dissolve the Charity if they decide that it is necessary or desirable to do so. To be effective, a proposal to dissolve the Charity must be passed at a special meeting by a two-thirds' majority of the Trustees. Any assets of the Charity that are left after the Charity's debts have been paid must be given to another Charity with purposes that are the same or similar to the Charity's own, for the general purposes of the recipient Charity.

14. Setting up the Charity

This Trust Deed was adopted on …………………by the people whose signatures appear below. They are representatives of the Founder Trustee of the Charity, Casterton Parish Council, which will be the sole Trustee until the first Special General Meeting.

Signed	**Print Name and Address**