

IN THE MATTER OF A CHARITABLE FOUNDATION FOR PUBLIC RECREATION  
OR PLAYING GROUND IN VIRGINIA WATER, EGHAM, SURREY KNOWN AS THE  
CABRERA TRUST.

CONSTITUTION OF COMMITTEE OF MANAGEMENT

Clause 1: Committee of Management

- (1) The property referred to in Parts I, II, and III of the Schedule to the Scheme made by the Secretary of State for Education and Science dated 24 March 1972 (Appended hereto) shall be administered by the Committee of Management in accordance with the terms of that Scheme as extended by a further Scheme dated 2 May 1989.
- (2) The Committee of Management (hereinafter called the 'Committee') shall consist of the three Virginia Water ward Members of Runnymede Borough Council ex officio, a member of the Friends of the Cabrera Trust Group and a substitute who shall only be allowed to attend and take part in a meeting if the first named person is unavailable (both being named by the Friends of the Cabrera Trust Group at their AGM) and two Officers of the Runnymede Borough Council appointed by the Community Services Committee of the Council annually. The Officer appointees shall, except in the case of those appointed to fill casual vacancies, be appointed before the Annual General Meeting required by Clause 8 in any year for a term of office commencing at the end of Annual General Meeting next after their appointment and expiring at the end of the Annual General Meeting in the following year.
- (3) Any competent Member of the Committee may be re-appointed or re-elected.
- (4) All persons who are for the time being Honorary Wardens of the Riverside Walk, together with one person selected by the Committee as having appropriate knowledge of local ecology, flora or fauna, shall be invited to attend meetings of the Committee. The persons so invited shall not be Members of the Committee but will assist the Committee in its decisions on the management of the Trust land.

Clause 2: Declaration by Members

No person shall be entitled to act as a Member of the Committee, whether on a first or on any subsequent entry into office, until after signing in the Minute book of the Committee a declaration of acceptance and of willingness to act in Trusts declared in the Scheme dated 24 March 1972 (as extended).

Clause 3: Members not to be personally interested in the Charity

Except with the approval in writing of the Charity Commissioners no Member of the Committee, or his or her spouse, shall take or hold any interest in any property belonging to the Charity otherwise than as a Trustee for the purposes thereof or receive any remuneration or be interested in the supply of work or goods at the cost of the Charity.

Clause 4: Determination of Membership

Any Member who is adjudged bankrupt or who makes a composition or arrangement with his creditors or who is incapacitated from acting

or who communicates in writing to the Committee a wish to resign shall thereupon cease to be a Member.

Clause 5: Meetings of Committee

The Committee shall hold at least two ordinary meetings in each year and may hold such other ordinary meetings as may be required. A special meeting may be summoned at any time by the Chairman or any two Members upon seven clear days' notice being given to all the other Members of the matters to be discussed.

Clause 6: Chairman and Vice-Chairman

The Committee at their first meeting in each year after the Annual General Meeting shall elect one of their number to be Chairman and another to be Vice-Chairman who shall continue in office until their successors are respectively elected.

If the Chairman is absent from any meeting the Vice-Chairman (if present) shall preside otherwise the Members present shall before any other business is transacted choose one of their number to preside at that meeting.

Clause 7: Voting

Every matter shall (except as in this Deed provided) be determined by a majority of the Members present and voting on the question. In case of equality of votes the Chairman of the meeting shall have a second or casting vote.

Clause 8: Annual General Meeting

- (1) There shall be an Annual General Meeting in accordance with the Charity which shall be convened by the Committee in the month of April each year or as soon as practicable thereafter.
- (2) Public notice of every Annual General Meeting shall be given in the area of benefit at least seven days before the date thereof by affixing a notice to some conspicuous part of the Trust Property or other conspicuous place in the area of benefit and by such other means as the Committee shall think fit.
- (3) The Chairman of an Annual General Meeting shall be the Chairman for the time being of the Committee. In his absence the Vice-Chairman (if present) shall take the chair but if neither is present the persons present shall before any other business is transacted appoint a Chairman of the Meeting.
- (4) The Committee shall present to each Annual General Meeting the report and accounts of the Charity for the preceding year.

Clause 9: Application of Income

After payment of rates, taxes, and other expenses of administration the net income of the Charity shall be applied by the Committee in otherwise furthering the purposes specified in the Scheme dated 24 March 1972 as extended by the further Scheme dated 2 May 1989.

Clause 10: Surplus Cash

Any sum of cash at any time belonging to the Charity and not needed as a balance for working purposes shall (unless otherwise directed by the Charity Commissioners) be invested. The approval of Runnymede Borough Council shall be obtained before any alteration is made in the investments.

Clause 11: Further Endowments

The Committee may receive any additional donations or endowments for the general purposes of the Charity.

Clause 12: Minutes and Accounts

The Committee shall provide and keep a Minute book and books of account. All proper accounts in relation to the Charity shall in each year be prepared and made out and copies sent to the Runnymede Borough Council, as Trustee of the Charity and (as required) to the Charity Commissioners.

Clause 13: Rules and Regulations

Within the limits of the Scheme dated 24 March 1972 (as extended) the Committee from time to time may make and alter rules and regulations for the conduct of their business, for the summoning and conduct of their meetings, the deposit of money at a proper bank, and the custody of documents; and in particular with reference to:

- (a) the appointment as Secretary (to hold office at their pleasure) of one of themselves without remuneration;
- (b) the appointment of an Auditor, Treasurer, and such other unpaid Officers as they may consider necessary and the fixing of their respective terms of office;
- (c) the engagement and dismissal of such paid Officers and servants as the Committee may consider necessary; and
- (d) the number of Members who shall form a quorum at meetings of the Committee: provide that the number of Members who shall form a quorum shall never be less than two.

Clause 14: Questions under the Constitution

Any questions as to the construction of this Constitution or as to the regularity or the validity of any Acts done or about to be done hereunder shall be determined conclusively by the Secretary of State for Education upon such application made to them for the purpose as they think sufficient.

Clause 15: Interpretation

The Interpretation Act 1978 (or any modification or re-enactment thereof) applies for the interpretation of an Act of Parliament.

This Constitution was approved by the Council on 24 April 1991 and amended by delegation by the Community Services Committee on 9 November 2023 and is now hereby adopted.

Given under the Common Seal       )  
of Runnymede Borough Council       )  
this 9<sup>th</sup> day of November 2023       )

L.S

Signed  
A Pritchard/Mario Leo  
Chief Executive Officer/Corporate Head of Law and Governance