

Dated 15th October 1990

THE TRUSTEES TO THE BLACKWOOD MINERS' INSTITUTE AND LIBRARY

To

ISLWYN BOROUGH COUNCIL

C O N V E Y A N C E

Of the Blackwood Miners' Institute and library

High Street

Blackwood

In the County of Gwent

This Conveyance and Trust Deed is made the day of October 1990 between CAMPBELL BENNET of 8 Bloomfield Road Blackwood in the County of Gwent PAUL LEONARD BROWN of "Graigwen" Albion Terrace Blackwood aforesaid DAVID GILES JONES of 13 Garfield Road Blackwood aforesaid JOHN ROBERT ELSTONE of 4 Bridge Street Blackwood aforesaid JOHN ROBERT ELSTONE of 4 Bridge Street Blackwood aforesaid and DAVID COLIN WILLIAMS of 28 High Street Pengam Blackwood aforesaid (hereinafter called "the Trustees") of the one part and ISLWYN BOROUGH COUNCIL Civic Centre Pontllanfraith Blackwood in the said County of Gwent (hereinafter called "the Council") of the other part

Whereas

(1) By a Conveyance (hereinafter called "the first Conveyance") dated the 12th May 1930 and made between the Right Honourable Courtenay Charles Evan Viscount Tredegar of the first part Sir George Ferdinand Forestier-Walker Henry Edzell Morgan Lindsay and the Honourable Frederick George Morgan of the second part and the several persons named in the schedule therein contained being the Trustees at the date thereof of the Blackwood Miners' Welfare Institute and Library (hereinafter called "the Charity") of the other part and by a Conveyance (hereinafter called "the Second Conveyance") dated 19th December 1950 and made between the Tredegar Industrial and Provident Society Limited of the date thereof of the said Charity of the other part the property hereinafter described was conveyed to the Trustees of the Charity upon Charitable Trusts therein contained

(2) The Trustees are the Trustees of the Blackwood Miners Welfare Institute and Library which is registered as a Friendly Society

(3) By an Order made by the Charity Commission for England and Wales on the day of 1990 the trustees were authorised to dispose of the property

NOW THIS DEED WITNESSETH as follows

(1) In consideration of the sum of £25,000 paid by the council to the Trustees (the receipt whereof the Trustees hereby acknowledge) the Trustees as Trustees hereby convey unto the Council FIRST ALL THAT piece or parcel of land situate at High Street Blackwood in the County of Gwent (formerly Monmouth) TOGETHER with the hall library and Institute erected thereon which said premises are more particularly delineated on the plan annexed to the First Conveyance subject to the exceptions reservations covenants and conditions contained or referred to therein and SECONDLY ALL THAT piece or parcel of land containing measurement 377 square yards or thereabouts and situate on the east side of Pentwyn Road Blackwood aforesaid TOGETHER with the erections and buildings standing thereon all which said premises are more particularly delineated on the plan annexed to the Second Conveyance subject to the exceptions contained or referred to therein TO HOLD the same except and reserved as was excepted and reserved unto the Council in fee simple

(2) The Council will hold the said property upon the Charitable Trusts set out in the Schedule hereto

(3) The Council (with the object of affording to the Trustees a full indemnity in respect of any breach of any of the Covenants and Conditions contained in the Conveyance dated 12th May 1930 but not further or otherwise) hereby covenants with the Trustees that the Council and the persons deriving title under it will at all times hereafter perform and observe the said Covenants and Conditions and keep the Trustees and their estate and effects indemnified against all actions claims and demands

and liability in respect thereof so far as the same affect the property hereby conveyed and area still subsisting and capable of being enforced

(4) It is hereby certified that the transaction hereby effected does not form part of a larger transaction or of a series of transactions in respect of which the amount or value of the aggregate amount or value of the consideration exceeds £30,000

IN WITNESS whereof the Trustees hereto have signed this instrument as their Deed in the presence of the persons mentioned below and the Council has hereunto affixed in Common Seal the day and year first before Written

THE SCHEDULE

(Objects of Charitable Trust)

(1) Definitions and Interpretation

In the Deed the following expressions shall have the following meaning –

1.1 “The Charity” means the Charity established by Clause (3) of this Schedule

1.2 “The Trustees” means the Council of the Borough of Islwyn (hereinafter called “the Council”)

1.3 Unless the Context otherwise requires the singular includes the plural and the masculine includes the feminine and vice-versa

1.4 Clause Headings are for reference only and shall not be taken into consideration on their interpretation

(2) Recital

The Council have paid the sum of £25,000 to the Trustees of the Blackwood Miners Welfare Institute and Library who have conveyed to the Council the property known as the Blackwood Miners Welfare Institute and Library to be held by the Council on the Charitable Trusts declared by this Deed.

(3) Name of Charity

The Charity established by this Deed shall be called the “Blackwood Arts Centre” and shall be held upon the trusts hereinafter started for the benefit of the inhabitants of the District of Islwyn and the surrounding Districts (hereinafter called “the Area of Benefit”)

(4) Objects of Charity

The objects of the Charity are to promote any charitable purpose and in particular (but without prejudice to the generality of the foregoing) the following:-

(a) Music

To Promote improve develop maintain advance public awareness participation and encouragement in an appreciation of the art and science of music in all its aspects by presentation of public concerts performances and recitals and by such other ways as the Charity shall determine from time to time

(b) Dance

To promote improve develop maintain and advance public awareness participation and encouragement in an appreciation of the art and science of dance in all its aspects by presentation of public performances of any kind and by such other ways as the Charity shall determine from time to time

(c) Art

To Promote improve develop maintain advance public awareness participation and encouragement in an appreciation of Art in all its forms including sculpture photography film and cinematography by presentations of public exhibitions whether temporary or permanent and by all such other ways the Charity shall determine from time to time

(d) Drama and Literature

To promote improve develop maintain and advance public awareness participation and encouragement in an appreciation of drama and literature in all aspects by presentation of public performances recitals readings and by such other ways and means as the Charity shall determine from time to time.

(e) Unemployment

To promote the education and training of persons who through their social and economic circumstances are in need and unable to gain employment and in particular to promote and support schemes where such people may receive training for employment

(f) Drug and Alcohol Abuse

To preserve and safeguard the health of all persons and in particular of young persons who are in danger of becoming

Addicted to our dependent upon illegal drugs of any description alcohol solvents other additional substances

(g) Youth Training Through Leisure

To educate and assist young persons through their leisure time activities so to develop their physical mental and spiritual capacities that they may grow to full maturity as individuals and members of Society and that their conditions of life may be improved and in furtherance of that object to provide a Centre for meetings lectures classes and other forms of leisure time occupation for the benefit of young persons

(h) Pre-school Play Group

To provide for and to advance the education of children below the compulsory school age by providing safe and satisfactory group play in which parents have the right to take part. Encourage other charitable activities through which parents may help the children and furthering the aims of this function by providing accommodation equipment and engage staff raise money to pay for the groups activities make such payments as may be necessary fix and collect the fees payable on respect of children attending groups run by the Charity. Control the admission of children to the groups and if appropriate, require parents or guardians to withdraw them.

(i) Local Amenities Society

(1) To educate the public in their geography history and natural history and architecture of the Area of Benefit

(2) To secure the preservation protection development and improvement of feature of historical public interest in the Area of Benefit

In furtherance of the said objects but not otherwise the Charity may –

(1) Bring together in conference meetings seminars discussion groups representatives of voluntary organisations government departments statutory authorities and individuals

(2) Arrange provide for or joining in arranging and providing for the holding of exhibitions meetings lectures classes seminars and training courses and other leisure time activities to the furtherance of the objects

(3) Collect and disseminate information on all matters affecting the said objects and exchange such information with other bodies having similar objects whether in the country or overseas

(4) Produce to be written printed published issues and circulated either gratuitously or otherwise paper books periodicals pamphlets or other documents or films or recorded tapes as shall further the said objects

(5) Purchase take on lease or in exchange hire or otherwise acquire any property and any right and privileges necessary for the promotion of the said objects and construct maintain and alter any buildings or erections necessary for work of the Charity

(6) Make regulations for any property which may be so acquired

(7) Subject to such consents as may be required by law sell let mortgage dispose of or unrent to account all or any of the property or assets of the Charity

(8) Raise funds and invite and receive contributions from any person or persons whatsoever by way of subscriptions or otherwise provided that the Charity shall not undertake any permanent trading activities in raising funds for its primary charitable objects

(9) Receive money on deposit or loan and to borrow or raise in such a manner as the Charity may think fit subject to such consent being required by law

(10) Invest the monies of the Charity not immediately required for the said objects in or upon such investments securities or property as may be thought fit subject nevertheless to such conditions as may be for the time being imposed or required by law

(11) Do all such other lawful things as are necessary for the attainment of said objects

(12) Promote civic pride in the Area of Benefit to promote research into subjects directly connected with the objects of the Society and to publish the results of such research. To act as a co-ordinating body and to co-ordinate with the local authorities Committees and all other statutory authorities voluntary organisations charities and persons having aims similar to those of the Charity.

(13) To promote or assist in promoting activities of a charitable nature throughout the Area of Benefit

(14) To publish papers reports and other literature

(15) To hold meetings lectures and exhibitions.

(16) To educate public opinion and to give advice and information.

(17) To raise funds and invite and receive contributions from any person or persons whatsoever by way of subscription donation and otherwise; provided that Charity shall not undertake any permanent trading activities in raising funds for its primary purpose.

POWER OF TRUSTEES

In furtherance of the above object but not further or otherwise the Council shall have the following powers –

(1) Appointment of Clerk

To appoint a Clerk, some fit person as such reasonable salary and on such reasonable terms as to notice otherwise as the Council shall think fit.

(2) Employment of Staff and Specialist personnel

To employ such persons not being a Trustee or Trustees to perform such duties as the Council shall consider necessary for the proper administration of the Charity at such reasonable salaries and on such reasonable terms as to notice and otherwise as the Council think fit and to provide for the payment of such pensions and superannuations for such persons as may be reasonable and necessary.

(3) General Appointment

To employ or engage Actors Dancers Musicians Producers Lecturers Authors Teachers Artists Composers as well as any other persons whom the Council consider necessary to employ or engage for the furtherance of said objects such persons to be employed or engaged on such salaries contracts commission fees or such other terms as the Council think fit

(4) Delegation of Powers

To delegate to a Committee of the Council powers of management to be conducted within the Council's general management guidelines as laid down in the Local Government Act 1972 or to those matters contained in the Council's standing orders which shall exist from time to time provided that all proceedings of such a Committee are reported in due course to the Council.

(5) Borrowing

Subject to such consent as are required by law to borrow money whether or not on the security of the Blackwood Arts Centre or any part thereof with power to charge or mortgage or to secure finance in any other way with the repayment of monies so borrowed.

(6) Fund Raising

To raise funds by appealing for or inviting contributions whether periodical or otherwise from any persons by way of donation covenant grant loan legacy or subscription and to accept donations on any special trusts in connection with the Charity provided that the Council shall not undertake any permanent trading activity in raising funds for the objects of the Charity.

(7) Acquisition of Property

To purchase take on lease or in exchange hire or otherwise acquire any property for use for the purpose of the Charity.

(8) Disposal of Property

Subject to such consent as may be required by law to sell mortgage let or exchange any property or funds belonging to the Charity.

(9) Investment

To invest on trust the money in the purchase of or at interest on the security of such stocks shares funds securities and other investments of whatever nature and wherever situated as the Council in their absolute discretion think fit to the intent that the Council shall have the same full and unrestricted power in investing and transposing investments as if they were beneficially entitled.

(10) Administrative Regulations

To make regulations from time to time for the administration of the Charity and for the management and conduct of the Charity's business including the summoning and chairmanship of meetings the number of Members of a Committee required to constitute a quorum the deposit of money at a proper bank and custody of Deeds Securities and Documents.

(11) Accounts

The Council shall keep a Minute Book and proper book of account and shall prepare consecutive statements of account consisting of any income and expenditure account relating to the period of not more than 12 months and the balance sheet relating to such period.

(12) Banking

The Council shall maintain such banking accounts in the name of the Charity as exists from time to time for the Council and every sum received on account of the Charity shall be paid to the Credit of such accounts all cheques and orders for the payment of money from any such account to be signed in accordance with the Council's existing standing orders thereto

(13) Amendment

The Council may amend any of the provisions in the Deed except those in clause 5 (14) for this Clause by any Deed or Deed supplemental to this Deed provided that no amendments shall be made which will cause the Charity to cease to be a Charity at law.

(14) Failure of Trusts

In the event of the failure of the Trusts if this Deed, any assets remaining after the satisfaction of the debts and liabilities of this particular Charity shall be given to such other Charitable Institution or Institutions having objects similar to those of the Charity as the Council shall decide.