



DEED OF TRUST

made the twenty sixth day of May, Nineteen hundred and sixty six by

JAMES STEVENSON MORTON, County Councillor for County of Bute, Ravenscliffe, Whiting Bay, JOHN MACDONALD, Headmaster, Whiting Bay Schoolhouse, Whiting Bay, MRS ISOBEL GRAHAM LENNOX, Housewife, The Sheeans, Whiting Bay, DONALD McLARDY LENNOX, Garage Proprietor, Strathwillan House, Brodick, JAMES STEWART COOK, Justice of the Peace, Mayfield, Kings Cross, Whiting Bay, as Trustees at the date hereof for the Whiting Bay Public Hall (the persons from time to time acting hereunder being hereinafter called "the Trustees")

WHEREAS (One) by Feu Disposition granted by THE COMMISSIONER FOR THE ARRAN AND EASTON TRUSTEES IN THE SENSE OF THE HAMILTON ESTATES ACT, 1918 in favour of the then Trustees for the Whiting Bay Public Hall dated the sixth day of March and recorded in the Division of the General Register of Sasines applicable to the County of Bute on the thirteenth day of April both in the year Nineteen hundred and twenty five we as Trustees are heritably vest in the subjects therein described which comprise a hall for the use of the inhabitants of Whiting Bay and (Two) it is right and proper that we should declare the purposes for which we hold the said subjects THEREFORE WE HEREBY DECLARE as follows, videlicet:-

OBJECTS

FIRST

The said subjects and the building erected or to be erected thereon (hereinafter referred to as "the Trust subjects") are dedicated and shall be held by us and our successors as Trustees in all time coming for the purposes of physical and mental training and recreation, and social, moral and intellectual development through the medium of reading an recreation rooms, library, lectures, classes, recreation or otherwise as may be found expedient of the inhabitants of Whiting Bay District in the County of Bute as annexed and signed as relative to the said Feu Disposition without distinction of sex or of political, religious or other opinions subject to the provisions of these presents.

COMMITTEE OF MANAGEMENT

SECOND

(One) The general management and control of the Trust subjects and the arrangement for their use shall be vested in a Committee of Management (hereinafter called "the Committee") consisting of Elected and Representative Members with powers to co-opt additional Members; (Two) two elected Members of the Committee (other than those appointed under Clause Fourth to fill the casual vacancies) shall be elected at the first Annual General Meeting referred to in Clause Third hereof and on each subsequent appointment of Members at the Annual General Meeting; (Three) One Representative Member of the Committee shall be appointed by each of the following organisations, videlicet:- Whiting Bay Club of Drama & Music; Whiting Bay District Publicity Association; Whiting Bay Bowling Club; Whiting Bay Improvements Association; Whiting Bay Badminton Club; Whiting Bay Country Dance Class; Whiting Bay Youth Organisations; Whiting Bay Free Church; Whiting Bay Church of Scotland; Whiting Bay Golf Club; Whiting Bay Scottish Women's Rural Institute; (Four) the names of the Representative Members of the Committee will be notified by the organisation concerned to the Secretary of the Committee one month before the first General Meeting and each subsequent Annual General Meeting; (Five) the persons appointed by the said organisations together with the Members elected at the first General Meeting as aforesaid shall be the first Members of the Committee and until the first General Meeting has been held the Members of the Committee appointed by the said organisations shall have power to act; (Six) the Committee shall have power to co-opt not more than three Members to represent interests in the said District not represented by any organisation; (Seven) the elected members shall hold office for three years and the representative members for one year, but all members shall be eligible for re-election.

ANNUAL GENERAL MEETING

THIRD

There shall be an Annual General Meeting to be convened by the Committee in the month of November in each year; the first of such Meetings (herein called the "First General Meeting") shall be convened in the month of November Nineteen hundred and sixty six by one week's notice to be affixed to some conspicuous part of the trust subjects or other conspicuous place or places in the said District; those entitled to attend such Meetings shall be the inhabitants of the age of eighteen years and upwards of either sex in the said District; the purpose of the Meeting shall be to receive the Report and Accounts of the Committee to appoint Members under Clause Second hereof and to take such action as it may decide under Clause Six hereof.

CASUAL VACANCIES

FOURTH

In the event of a Member of the Committee dying, resigning or leaving the said District the vacancy arising thereby shall be filled by the organisation by which such Member shall have been appointed and the person appointed to fill the vacancy shall retire at the time when the vacating Member would have retired. In the event of any other Member of the Committee dying, resigning

or leaving the said District the Committee shall have power to fill such vacancy until the next Annual General Meeting.

ADDITIONAL MEMBERS

FIFTH In the event of any other organisation being formed in the said District with aims of a social or educational character not inconsistent with those upon which the Trust subjects are held hereunder, the Committee shall have power, by a Resolution of the Committee passed at a Meeting at which not less than two-thirds of all the Members vote in favour of the Resolution, to allow such new organisation to appoint an additional Member of the Committee in the same manner as if such new organisation had been mentioned in Clause Second hereof and for this purpose the total number of Members may be increased.

LAPSED ORGANISATIONS

SIXTH If any organisation entitled to appoint a Member of the Committee ceases to exist or fails to make the appointment in manner foresaid before the Annual General Meeting in any year the Annual General Meeting shall decide in what way, if at all, the vacancy shall be filled.

DETERMINATION OF MEMBERSHIP

SEVENTH 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.

CHAIRMAN AND VICE-CHAIRMAN

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

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

PROCEEDINGS OF COMMITTEE

NINTH The Committee may from time to time make and alter Rules and Regulations for the conduct of its business and for the summoning and conduct of its Meetings and in particular with reference to (a) the terms and conditions upon which the Trust subjects may be used for Meetings, social gatherings and

other purposes and the sum (if any) to be paid for such use; (b) the appointment of an Auditor or Auditors who shall not be a Trustee or a Member of the Committee, Treasurer and/ or Secretary or such other officers as it may consider necessary and the fixing of their respective terms of office, including any honorarium to be paid for their services; (c) the engagement and dismissal of such paid officers and servants for the Trust subjects as it may consider necessary; and (d) the number of Members who shall form a quorum at its Meetings provided that the number of Members who shall form a quorum shall never be less than one-third of the total number of Members of the Committee.

TENTH The proceedings of the Committee shall not be invalidated by any vacancy among its Members or by any defect in the appointment or qualification of any Member.

REPAIRS AND INSURANCE

ELEVENTH The Committee shall maintain the Trust subjects and the furniture and effects therein in good repair and shall keep them insured against fire and loss or damage from whatever cause arising for not less than their full value.

FINANCE

TWELFTH All payments in respect of the use of the Trust subjects and all donations for the benefit thereof shall be paid into a Trust Account at the Bank of Scotland at Whiting Bay or such other Bank as shall from time to time be substituted therefor by the Committee.

THIRTEENTH The monies standing to the credit of the said Account shall be applied as the Committee shall decide in repairing and insuring the Trust subjects or the furniture and effects therein as hereinbefore provided and in paying all rent (if any), rates, taxes, salaries of paid officers and servants and other outgoings and in providing furniture, books, newspapers, periodicals and other literature and means of recreation and otherwise for the upkeep and improvement of the Trust subjects.

FOURTEENTH The committee shall provide the Trustees with sufficient funds to meet all such expenditure (if any) in connection with the Trust subjects as the Trustees may be liable for and shall keep the Trustees indemnified against all liability (if any) in respect thereof.

FIFTEENTH The Committee may upon a vote of a majority of its Members and subjects to the consent of the Secretary of State for Scotland)or the Scottish Council of Social Services on his behalf) from time to time require the Trustees by heritable security or otherwise to obtain such advance on the security of the Trust subjects or any part thereof as may be required for maintaining,

extending or improving the same or any part thereof, or erecting any building thereon, or for the work carried on therein and may continue or repay in whole or in part and from time to time any existing loan on the security of the Trust subjects.

APPOINTMENT OF NEW TRUSTEES

SIXTEENTH Vacancies in the office of Trustee shall be filled up by persons appointed by the Committee declaring that the number of Trustees shall at no time be less than five. The Trustees themselves shall not have power to assume new Trustees.

DISSOLUTION

SEVENTEENTH If the Committee decide by a majority at any time that on the ground of expense or otherwise it is necessary or advisable to discontinue the use of the Trust subjects in whole or in part for the purposes herein mentioned they shall call a meeting of the inhabitants of the age of eighteen years and upwards in the said District of which meeting not less than fourteen days' notice shall be given by posting a copy of the notice containing a copy of the proposed Resolution to be moved in a conspicuous place or places on the Trust subjects and by advertising in a newspaper circulating in the said District and if such decision shall be confirmed by a majority of such inhabitants present at such meeting and voting the Trustees may subject to the consent of the Secretary of State for Scotland (or the Scottish Council of Social Services on his behalf) let or sell the Trust subjects or any part thereof and all monies arising from such letting or sale (after satisfaction of any liabilities properly payable thereout) shall be applied either in the hire or purchase of other subjects approved by the Committee and be held upon trust for the purposes and subject to the provisions hereinbefore written or as near thereto as circumstances will permit or towards such other charitable purposes or objects for the benefit of the inhabitants of the said District as may be approved by the Secretary of State for Scotland (or the Scottish Council of Social Services on his behalf) and in the interval such monies shall be invested in the name of the Trustees and any income arising therefrom shall either be accumulated (for such time as may be allowed by law) by investing the same and the 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 subjects may properly be applied.

VOTING

EIGHTEENTH Every matter shall (except as hereinbefore provided) be determined by a majority of the Members present and voting on the question. Each Member shall be entitled to one vote and proxies shall not be allowed. In the case of equality of votes the Chairman of the Meeting shall have a second or casting vote.

AMENDMENT

NINETEENTH These presents may be amended by a Resolution of a majority of the Trustees then acting if Government legislation is passed at any time necessitating such amendment.

RULES AND REGULATIONS

LASTLY If any rules and regulations made under the power hereinbefore provided are inconsistent with the provisions of these presents the latter shall prevail: IN WITNESS WHEREOF these presents typewritten on this and the seven preceding pages are subscribed by the said James Stevenson Morton, John Macdonald, Mrs Isobel Graham Lennox, Donald McLardy Lennox and James Stewart Cook as Trustees within mentioned all at Whiting Bay, Isle of Arran on the twenty sixth day of May, Nineteen hundred and sixty six before these witnesses Archibald Nicol, Farmer, Seaview, Largiebeg, Whiting Bay aforesaid and Alastair Brown, Retired Bank Manager, Eastwood, Whiting Bay aforesaid.

Archibald Nicol Witness.
Alastair Brown Witness.

James Stevenson Morton
John Macdonald
Isobel G. Lennox
Donald McLardy
James Stewart Cook