

LLANTRISANT TOWN TRUST

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**CHARITY COMMISSION:
SCHEME.**

BYE-LAWS & REGULATIONS

&c. &c.

CHARITY COMMISSION

In the Matter of the Property of the **DISSOLVED CORPORATION** of “**The CONSTABLE OF THE CASTLE, PORTREEVE, ALDERMEN, and BURGESSES OF LLANTRISSANT,**” in the County of **GLAMORGAN**; and

In the Matter of “The Municipal Corporations Act, 1883.”

WHEREAS Llantrissant is a place mentioned in the first Schedule to the Municipal Corporations Act, 1883, and Her Majesty has not been pleased to grant a charter to that place:

AND WHEREAS no part of the said place is comprised in the district of any Local Board or Improvement Commissioners:

NOW THE BOARD OF CHARITY COMMISSIONERS FOR ENGLAND AND WALES, in pursuance of the powers given by said Act:

AND after due notice of the intention to make this Order published according to the direction of the Board, by being affixed to or near a principal outer door of the Parish Church and of the Town Hall of Llantrissant, on the 9th April 1889, and by advertisement in the “Western Mail” and the “South Wales Daily News” newspapers on the 10th April 1889 [being in each case more than one calendar month previously to the date hereof]; and also sent through the post to

JOHN EVANS, late Portreeve of Llantrissant;
RODERICK LEWIS, late Deputy Portreeve;
JOSIAH LEWIS, late Senior Alderman;
EVAN JOHN, late Town Clerk, and an Alderman;
and
JOSEPH DAVIES,
DAVID EVANS,
WILLIAM JOHN,
THOMAS LLEWELLYN,
TALIESIN MORGAN,
JOHN THOMAS,
JOHN TREHARNE, and
JOHN STUART CORBETT, late Alderman;

the persons acting in the administration of the above-mentioned property, at their respective last known places of abode in Great Britain or Ireland, on the 4th September 1889:

AND after due consideration of all objections made to the proposed Order and suggestions for the variation thereof:

DO HEREBY ORDER, THAT the following Scheme be approved and established as the Scheme for the application of the property of the late Corporation of “The Constable of the Castle, Portreeve, Alderman, and “Burgesses of Lantrissant,” dissolved by the Municipal Corporations Act, 1883.

SCHEME.

<p>1. From and after the date hereof, the property specified in the Schedule hereto, and all other property of the above-mentioned dissolved Corporation, or of any person as member or officer thereof, shall be administered and managed by a body of Trustees herein-after constituted, subject to and in conformity with the provisions of this Scheme, under the title of "The Llantrissant Town Trust" and all charitable or other trusts [if any] administered by the said Corporation or any officers or nominees thereof, either alone or jointly with any other person or persons, shall be administered by the said Trustees.</p>	<p>Administration of Trust.</p>
<p>2. The hereditaments specified in the Schedule hereto and all other freehold and leasehold hereditaments [if any] belonging to the Trust, are hereby vested in The Official Trustee of Charity Lands".</p>	<p>Vesting of real property</p>
<p>3. All sums of stock belonging to the Trust shall be forthwith transferred under the authority of a separate Order of the Charity Commissioners into the name of the "The Official Trustees of Charitable Funds". All sums of cash belonging to the Trust, and not required for current expenditure, shall be forthwith invested under the like authority in Two and three-quarters per cent. Consolidated Stock [herein-after called New Consols], in the name of said Official Trustees. All the other personal property of the Trust shall be vested in the persons who are for the time being Trustees under this Scheme</p>	<p>Transfer of Stock, investment of cash, and vesting of other property.</p>

TRUSTEES

<p>4. The body of Trustees shall eventually consist of 13 competent persons, being Representative Trustees; but at first there shall be 15 Trustees.</p>	<p>Trustees</p>
<p>5. The Trustees shall be elected to office for a term of five years in each case as follows, viz. :- NINE [here-in-after called Freeman's Trustees] by the persons whose names are for the time being on the Freeman's Roll herein-after mentioned: THREE by the Vestry of the Parish of Llantrissant and ONE by the Cambrian Archaeological Association.</p>	<p>Term of office and electing bodies.</p>
<p>6. The first Freeman's Trustees shall be entitled, subject to the provisions of this Scheme, to hold office for life, and instead of being nine, shall be the following 11 persons, viz. :-</p> <ol style="list-style-type: none"> 1. JOHN EVANS, late Portreeve; 2. RODERICK LEWIS, late Deputy Portreeve; 3. JOSIAH LEWIS, late senior Alderman; 4. EVAN JOHN, late Town Clerk, and an Alderman; <li style="text-align: center;">and 5. JOSEPH DAVIES 6. DAVID EVANS 7. WILLIAM JOHN 8. THOMAS LLEWELLYN 9. TALIESIN MORGAN 10. JOHN THOMAS 11. JOHN TREHARNE, late Alderman of Llantrissant. <p>No further appointment of a Freeman's Trustee shall be made until the number of the above-named Trustees has been reduced below nine.</p>	<p>First Freeman's Trustees</p>

<p>7. Each appointment of a Trustee by the Vestry of Llantrissant, and by the Cambrian Archaeological Association shall be made at a meeting convened and held in accordance with the ordinary practice of the electing body. Each Freeman's Trustee to be hereafter appointed shall be a person whose name is on the Freeman's Roll herein-after mentioned, and shall be appointed at a meeting of the persons whose names are for the time being on the said Freeman's Roll, to be convened and held in accordance with the following Rules :-</p> <p>[1.] Every meeting for the election of a Freeman's Trustee or of Freeman's Trustees shall be convened by or under the direction of the Trustees of the Trust after public notice given at least seven days, before the meeting in such manner as those Trustees shall think fit. The Hour of the meeting shall not be earlier than 7 p.m.</p> <p>[2.] A Chairman of the meeting shall be elected by a majority of persons present entitled to vote.</p> <p>[3.] Every candidate for office of Freeman's Trustee shall be proposed and seconded at the meeting.</p> <p>[4.] If no greater number of candidates than the number of vacancies shall be so proposed and seconded, such candidates so proposed and seconded shall be declared to be duly elected.</p> <p>[5.] If a greater number of candidates than the number of vacancies shall be so proposed and seconded, a sufficient number of voting lists of such candidates shall be prepared, and one list shall be given to every person present entitled to vote. A candidate shall not be entitled to vote.</p> <p>[6.] Votes shall be given by the voter making on the voting list so given to him a cross or crosses against the name or names [not exceeding the number of vacancies] of the candidate or candidates for whom he wishes to vote, and returning such voting list to the Chairman of the meeting within half an hour of the time when the delivery of voting lists to the voters present shall have been completed. No voter shall give more than one vote to any candidate.</p> <p>[7.] The Chairman shall at the expiration of time limited for the delivery to him of the voting lists, proceed to count the votes. He shall reject all lists in which there shall be greater number of crosses than the number of vacancies, and having counted the duly given votes, shall declare the number given to each candidate.</p> <p>[8.] In case of equality of votes, the Chairman shall be entitled to give a casting vote in favour of one or more candidate or candidates, as the case may be.</p> <p>[9.] To the extent of the vacancy or vacancies, the candidate or candidates obtaining the greater number of votes duly given shall be declared to be duly elected.</p> <p>[10.] No resolution or proceeding of any meeting shall be void or voidable by reason of any defect or irregularity of or in the notice of such meeting, or any other error in form in convening such meeting, or in the proceedings thereat, unless notice in writing of such defect, irregularity, or error, shall have been given at such meeting, or within four days after the day of the holding thereof, to the Trustees of the Trust, who shall decide the matter in question subject to an appeal within four days from such decision to the Charity Commissioners.</p>	<p>Mode of Appointment</p> <p>Rules for meetings for election of Freeman's Trustees.</p>
<p>8. Every appointment of a Trustee shall be forthwith notified to the Trustees by the electing body or the chairman of the meeting at which an appointment is made, and shall also be notified by the Trustees to the Charity Commissioners.</p>	<p>Notification of appointments.</p>

9. No person shall be entitled to act as a Trustee whether upon his first or any subsequent appointment, until he has signed in the minute book of the Trustees a declaration that he accepts and is willing to act in the Trusts of this Scheme.	Declaration by Trustees
10. Any Trustee who is adjudicated a bankrupt, or who refuses, or is unfit, or is incapacitated to act, or who communicates in writing to the Trustees his wish to resign, or who is absent from all meetings of Trustees during a period of two consecutive years, shall thereupon cease to be a Trustee.	Determination of Trusteeship.
11. Upon the occurrence of a vacancy caused as aforesaid or by death or the expiration of the term of office of any Trustee, the Trustees shall, at their next ensuing meeting, cause a note thereof to be entered in their minute book, and shall cause notice thereof to be given as soon as possible to the proper electing body. Each vacancy shall as soon as possible be filled by the appointment of a new Trustee. Any Trustee may be re-appointed. Any vacancy not filled by an appointment within six months from the notice thereof shall for that turn be filled by an appointment made by the then existing Trustees.	Vacancies
12. There shall be a quorum when five Trustees are present at any meeting. Pending any vacancy the Trustees for the time being, not being less in number than a quorum, may act for all purposes in the administration of the Trust	Quorum
13. At each meeting of the Trustees a Chairman shall be appointed. Every matter shall be decided by the majority of the Trustees present and voting. The Chairman shall have a casting vote.	Chairman and Voting
14. The Trustees shall appoint as their Clerk or Secretary during their pleasure one of themselves [without salary], or some other fit person at such reasonable remuneration as shall be approved by the Charity Commissioners.	Clerk or Secretary
15. The Trustees shall hold general meetings at least twice a year.	Meetings of Trustees
16. Any two Trustees may at any time summon a special meeting for any cause that seems to them sufficient.	Special meetings
17. Notice in writing of every meeting, whether general, special or adjourned, shall be delivered or sent through the Post to each Trustee, by the Clerk or Secretary, or by some other person acting under the direction of the Trustees, or, in the case of a special meeting, by or under the direction of the persons summoning the meeting, seven clear days at least before the date of the meeting, so far as, in the case of an adjourned meeting, the interval between the original and adjourned meetings will permit. Every notice of meeting shall state the place, day, and hour of the meeting, and every notice of a special meeting shall further state the matters to be discussed thereat.	Notice of meetings.
18. A minute book and proper books of account shall be provided and kept by the Trustees. All proper accounts in relation to the Trust, which on the establishment of this Scheme the Trustees will be bound, under the Charitable Trusts Acts or otherwise, to render, shall in each year be made out and certified, and copies thereof transmitted to the Charity Commissioners, and published in conformity with the provisions of those Acts.	Minutes and accounts
19. Within the limits prescribed by this Scheme the Trustees shall have full power from time to time to make regulations for the conduct of their business and for the management of the Trust, and such regulations shall be binding on all persons affected thereby.	General power to make regulations

RIGHTS OF FREEMEN

<p>20. Every person claiming to be entitled as a Freeman, or widow, or son or son-in-law of a Freeman, or grandsons of enrolled Freeman or an apprentice, in accordance with the provisions of section 10, sub-section 1, of the Municipal Corporation Act 1883, shall on or before the expiration of two calendar months from the date of this scheme, send to the Trustees his or her claim in writing, and future claims of Freeman's before the first Friday of May of every year. The Trustees shall within two calendar months after the expiration of the time for sending claims, make out a Roll (to be called "The Town Trust Freeman's Roll") containing the names of all persons entitled, or who, if the Act had not been passed, would have been entitled as Freeman or Freeman's widows or sons, or sons-in-law, or grandsons of enrolled Freeman, or apprentices, to rights of pasture on the Commons of Cymdda and Graig, and such Roll shall from time to time be revised by the Trustees by striking out the names of such of the persons entered therein as have died, or having been widows have married again, and entering therein the names of any Freeman's widows or sons or sons-in-law, or grandsons of enrolled Freeman, or of apprentices who may be entitled to be entered therein.</p>	<p>Freemen's Roll</p>
<p>21. The Trustees shall not make out the Roll until one calendar month after the expiration of the time for sending in claims, and public notice of the day for making out such Roll, and for revising the same shall be given by the Trustees 14 days previously.</p>	<p>Notice of making Roll.</p>
<p>22. No person whose name shall once have been entered shall [if alive] be struck off the Roll on any revision, unless notice in writing be served on him or her, or left at his or her last known place of abode at least seven days previously to the date fixed for such revision.</p>	<p>No person to be struck off without notice.</p>
<p>23. Every person whose name shall for the time being be on the Roll shall be entitled to exercise and enjoy his or her rights of pasture on the said Commons of Cymdda and Graig as fully and effectually, and for such time and in such manner as he or she, by any statute, charter, byelaw, or custom in force at the time of passing the Municipal Corporations Act, 1883, might or could have had or enjoyed such rights in case that Act had not been passed.</p>	<p>Rights of persons on the Roll.</p>
<p>24. If at any time previous to the extinction of all the said rights as aforesaid the number of persons entitled as aforesaid to exercise and enjoy the said rights shall fall below the number of persons so entitled on the formation of the Roll, the Trustees shall let a right or so many rights of pasture at the best rent that they can obtain for the same, so that the number of persons entitled to exercise and enjoy the said rights may, until such extinction as aforesaid, remain as near as may be the same.</p>	<p>Power to let rights before extinction.</p>
<p>25. The Clerk or Secretary of the Trustees shall be the person to whom shall be paid for the benefit of the Trust any fine, fee or sum of money payable in consideration of freedom or title to such rights as are reserved by section 10 of the Municipal Corporations Act, 1883.</p>	<p>Clerk or Secretary to receive fees for freedom.</p>
<p>26. Upon the extinction of the aforesaid rights of all the said Freeman and Freeman's widows, sons, and sons-in-law, and apprentices, the surface rights of the Trust over the said Commons shall be dealt with by the Trustees subject to the approval of the Charity Commissioners, for the purpose of some town improvement at Llantrissant, or in some other manner, for the public benefit of the inhabitants of the place.</p>	<p>Extinction of rights.</p>

27. Subject as herein-before provided the Trustees shall have full power to make regulations for the management of the said commons, and the exercise of the rights of pasture thereon.	Rules for management of commons.
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APPLICATION OF INCOME

28. The Trustees shall out of the yearly income to be derived from rents as aforesaid of rights of pasture on the said commons or otherwise in respect of the said commons, and from the sum £535 19s 8d. New Consols mentioned in the Schedule hereto, defray the proper expenses of making out and revising the Freeman's Roll herein-before mentioned and of convening and holding meetings for the election of Freeman's Trustees, and shall apply so much as shall be required of the residue of such income in or towards the cost of draining, managing and improving the said commons, including the payment of such salaries as shall be approved by the Charity Commissioners of any necessary and proper officers or agents who may be appointed during the pleasure of the Trustees.	Application of income from commons, &c.
29. Subject as aforesaid, the Trustees shall apply the yearly income of the Trust as follows :- First, in defraying the proper expenses of and incidental to the administration and management of the Trust. Secondly, in maintaining the town pump at Llantrissant. Thirdly, to any town improvements at Llantrissant, subject to the approval of the Charity Commissioners.	Application of other income.

MISCELLANEOUS PROVISIONS

30. The Trustees shall cause the mace and other chattels, and the charter and other documents mentioned in the Schedule hereto, to be deposited in some place or places in Llantrissant, open free of charge to the inhabitants, if due provision is made for their safe custody and proper exhibition, or otherwise in some place to be approved by the Charity Commissioners, and the Trustees shall allow any reasonable application to copy the said documents.	Custody of chattels.
31. No Trustee acting as Clerk or Secretary, or in any other capacity in respect of the Trust, shall receive any salary or remuneration from the funds of the Trust. No Trustee shall for his own benefit or for the benefit of any other person directly or indirectly be engaged in the supply of work or goods at the cost of the Trust.	No Trustee to be paid or supply work or goods.
32. Any question that shall arise as to the construction of this Scheme, or as to the validity of any proceedings under it, or as to the administration of the Trust, shall be determined conclusively by the Charity Commissioners upon such application as they shall require.	Questions as to construction of Scheme and proceedings under it.
33. This Scheme shall come into operation on the day on which it is approved and established by an Order of the Charity Commissioners, which day is herein-before referred to as the date hereof.	Date of Scheme.

SCHEDULE

	Annual Value		
	£	s.	d.
1. Burgage rents in respect of waste lands held subject to a rent of £3. 1s. 7d. to the Marquis of Bute, amounting to – [not collected since 1875]	9	0	0
2. Surface rights over the commons of Cymdda and Graig, containing 284 acres or thereabouts.			
3. A sum of £535. 19s. 8d. New Consols standing in the names of John Stuart Corbett, William Charles Luard [deceased], Evan John, and John Thomas.			
4. Fees upon admission of Freemen [average] -	5	5	0
5. A Silver mace of date A.D. 1633			
6. The original charter of A.D. 1426 ; records and other documents.			
7. A sum of £44. 19s. 5d. cash.			
Sealed by Order of the Board this 17 th day of December 1889. G. H. GAUNTLETT Authorised under 50 & 51, Vict. c. 49, sec.3.			

LLANTRISANT TOWN TRUST

BYE-LAWS & REGULATIONS

For the Management of Commons and exercise of pasture rights of Common Lands – Cymdda and Graig – made by the Trustees of Llantrisant Town Trust, under authority of Scheme or Order of the Board of Charity Commissioners of England and Wales, dated 17th December, 1889.

1. No person unless authorised by Trustees shall affix or post any bill, placard, or notice to or upon any wall, or fence, or upon any tree, railing, or seat on any of the said lands.
2. No person or persons shall hold or take part in any meeting for the purpose of any political, religious demonstration or of any religious service, on the said Lands, without the permission of the Trustees.
3. No person shall cut any tree, sapling, shrub, under-wood, or plant, or damage or deface, or in any way damage or remove any soil, turf, gates, notice boards, or other properties on the said Lands.
4. No person, except those entitled to the grazing rights on the said Lands shall cut any Fern or Gorse thereon, and persons so entitled shall cut only reasonable quantities for their own use, and not for sale, nor for the use of any other persons.
5. No person shall deposit any soil, refuse, or any substance whatsoever on any part of the said Lands, without the consent, and by the directions of the Trustees.
6. No person shall roll or throw stones, or burn Fern or Gorse, on the said Lands, nor shall any person do any acts thereon which may be dangerous to persons or animals.
7. The Trustees reserve the power to exclude all persons from said Lands not being entitled to the rights and privileges appertaining to the Trust.
8. No entire horses or bulls over twelve months old shall be allowed on the said Lands.
9. No swine over two months old shall be allowed on the said Lands unless they are properly ringed.
10. No person shall turn any animal suffering from any disease on the said Lands.
11. No person shall be allowed on the said Lands in search of Game, Hares, or Rabbits, without the consent of the Trustees, except those entitled to the grazing rights.
12. The Trustees reserve the power to regulate the number of Stock grazing on the said Lands and regulate the positions and portions of ground for grazing.
13. The overseers or some other authorised persons are empowered to remove or impound any animals not in accordance with these regulations; or any stray animal not being the property of persons entitled to the grazing rights on the said Lands.

Every person who shall offend against any of the fore-going Bye-Laws will be proceeded against as the Law directs.

BY ORDER OF THE TRUSTEES.

Scheme Amendments

Item 20, Original Text

Every person claiming to be entitled as a Freeman, or widow, or son or son-in-law of a Freeman, or an apprentice, in accordance with the provisions of section 10, sub-section 1, of the Municipal Corporation Act 1883, shall on or before the expiration of two calendar months from the date of this scheme, send to the Trustees his or her claim in writing, and future claims of Freeman's before the first Friday of May of every year. The Trustees shall within two calendar months after the expiration of the time for sending claims, make out a Roll (to be called "The Town Trust Freeman's Roll") containing the names of all persons entitled, or who, if the Act had not been passed, would have been entitled as Freeman or Freeman's widows or sons, or sons-in-law, or apprentices, to rights of pasture on the Commons of Cymdda and Graig, and such Roll shall from time to time be revised by the Trustees by striking out the names of such of the persons entered therein as have died, or having been widows have married again, and entering therein the names of any Freeman's widows or sons or sons-in-law, or of apprentices who may be entitled to be entered therein.

Item 20, Amended Text

Every person claiming to be entitled as a Freeman, or widow, or son or son-in-law of a Freeman, or grandsons of enrolled Freeman or an apprentice, in accordance with the provisions of section 10, sub-section 1, of the Municipal Corporation Act 1883, shall on or before the expiration of two calendar months from the date of this scheme, send to the Trustees his or her claim in writing, and future claims of Freeman's before the first Friday of May of every year. The Trustees shall within two calendar months after the expiration of the time for sending claims, make out a Roll (to be called "The Town Trust Freeman's Roll") containing the names of all persons entitled, or who, if the Act had not been passed, would have been entitled as Freeman or Freeman's widows or sons, or sons-in-law, or grandsons of enrolled Freeman, or apprentices, to rights of pasture on the Commons of Cymdda and Graig, and such Roll shall from time to time be revised by the Trustees by striking out the names of such of the persons entered therein as have died, or having been widows have married again, and entering therein the names of any Freeman's widows or sons or sons-in-law, or grandsons of enrolled Freeman, or of apprentices who may be entitled to be entered therein".

Amended with the approval of the Charity Commission on the 26th February 2009

Howard Thomas
Clerk & Trustee