

**TRUSTEES OF RIVINGTON CHAPEL**

**ANNUAL REPORT**  
**AND**  
**FINANCIAL STATEMENTS**  
**FOR**  
**THE YEAR ENDED 31 DECEMBER 2022**

Registered Charity Number:

240302

Registered Charity Name:

RIVINGTON PRESBYTERIAN CHAPEL (TRUST PROPERTY HELD IN CONNECTION WITH)

## **RIVINGTON PRESBYTERIAN CHAPEL TRUST**

Registered Charity Number 240302

Date of Registration 03/05/1965

Operating as Rivington Chapel Trust

		Attendance
Chairman	A Richard Horrocks	(2)
Secretary	Peter C Bearon	(2)
Acting Treasurer	Peter C Bearon	
Trustees:	Fank Ascroft	(0)
	Paul M Fairclough	(2)
	Olive Fisher	(2)
	Christopher E Haighton	(2)
	Christopher P Martin	(1)
	Vincent G McCully	(2)
	Christopher J Oldham	(2)
	Carol Worsley*	(0)
	Timothy Kershaw	(2)

\* Carol Worsley retired as a trustee at the AGM in March 2022

During the year the Manchester District Association of Unitarians Cheshire (Inc) continued to act as the Custodian Trustee.

# Report of the Trustees for the year ended 31 December 2022

The Trustees present their report together with the Accounts of the Charity for the year ended 31 December 2022. The Accounts have been prepared on an historical cost basis and reviewed by an independent person to comply with the Charity's Constitution and applicable law.

## 1. Constitution & Objects

At the 2020 AGM in March, the Trustees agreed to adopt a new constitution. The Charity Commission have informed us that we are not able to change the objectives of the charity, nor include a winding up clause. We therefore reworded the constitution agreed in 2020 so that it met with the Charity Commission's approval. This was presented at the AGM in 2022 and subsequently accepted by the Charity Commission, although they refer to the constitution as a resolution. The full governing document of the Charity is now the original 1964 document (Rivington Chapel, Properties held by the Trustees and the Trusts affecting the same) together with the amended constitution/resolution. These are attached at the end of this report.

## 2. Public Benefit Statement

The Trustees have had regard to the Charity Commission guidance on public benefit. In pursuit of the Objects of the Trust, the Trustees provide a place of worship for all to attend.

## 3. Organisation

The Trust operates as an unincorporated association and new Trustees are appointed on the occasion of retirement and/or death of existing Trustees, with a new Deed of Retirement and Appointment being drawn up as required.

The names of the Trustees who have served during the year are set out on the front cover of the Report and Accounts. During the year two meetings of the Trustees were held.

## 4. Financial Review

The operating loss before revaluation of the stock market investments was £1,025 (2021: surplus of £6,468). The revaluation of investments showed a loss of £5,885 (2021: gain of £7,411) to show an overall loss of £6,910 (2021: surplus of £13,879).

## 5. Risk Management

The Trustees have examined the major strategic, business and operational risks which the Charity faces and confirm that systems have been established to enable regular reports to be produced so that the necessary steps may be taken to reduce and/or lessen those risks.

## **6. Management & Governance**

The Trustees make use of professional advisers and approved contractors\* whenever advice and work is required to manage investments and maintain the buildings and grounds.

\*see Appendix 1 for list

## **7. Reserves**

There are currently no designated or restricted funds i.e. endowments; those that have existed in the past have been absorbed into the current charity after all the provisions have been discharged. The Trustees have pursued a policy of spending on repairs and maintenance of the buildings and grounds in support of the Congregational Committee to continue the traditions and presence of Unitarianism in Rivington. Surplus funds are invested at an agreed level of risk and return to preserve capital values and generate income.

### **Appendix 1**

- 1/ M & G Investments – investment managers
- 2/ Quilter Cheviot – investment broker
- 3/ Edwards Insurance Brokers Ltd – insurance broker
- 4/ CAF Bank – banker
- 5/ D Worsley – independent auditor
- 6/ Mr Tyler Krushke (TTL Draincare Ltd.) – rerouting toilet drains
- 7/ A&G Roofing Ltd. – cleaning gutters and roof inspection/installing tearoom guttering
- 8/ Holt Brothers (Horwich) Ltd – attaching safety bar to gate
- 9/ Darlington & Sons – tarmac parking area
- 10/ Ivan Wilson – conservation architect (work undertaken in 2021 appears in these accounts)
- 11/ Andy Wing – Arborologist (work not yet complete, so will appear in the 2023 accounts)

## **Rivington Chapel Trust: Chairman's Annual Report 2022**

The first half of the year was governed by addressing the outcomes of the recent Quinquennial Review inspection undertaken in September 2021, which this time included a drone inspection of the roofs of both the Chapel and tearoom. The report acknowledged that the trustees have addressed the major issues identified in 2016, which had involved the expenditure of £35,828 since then.

The highest priority item identified was the state of the tearoom gutters, which needed replacing as they could not cope with the heavy rainfall of the last few years and that would continue to do so as a consequence of climate change in the future. The architect recommended cast iron ones to match those previously installed on the chapel and the cost of these was shared by the Trustees and the tearoom tenants. These were purchased and installed.

Aside from the Review, the trustees arranged for a semi-permeable surface to be laid on the car park area in front of the Chapel with costs shared between the trustees, the Parish Council and the tearoom tenants. Since its instalment, access to the Chapel has been much improved, even during the recent heavy rains of autumn with none of the previous mud experienced in previous years. However, during a visit by the Hon. Treasurer to the Lancashire Archives, he copied the official map for the village green, which clearly showed that both the parking area and the access road are part of the village green and therefore the responsibility of the Parish Council. This means that any future initiative of this type should come from the Parish Council, not the Chapel, although the trustees would still expect to have to contribute to any costs involved.

During the same dry period of early summer, the toilet drains were fully repaired and involved re-routing the drain around the toilet block rather than simply replacing them and so avoid future tree root problems. A grant of £700 had been previously received in 2021 from the Hibbert Trust as a contribution towards the total cost of this work.

The trustees also received a map of the trees on the Chapel estate along with suggested remedial work to address all identified issues. At the time of writing this work is still ongoing with the most urgent work being undertaken first. Principally this involved the removal tree branches along the south wall which were in danger of making contact with the garage roofs and causing damage, together with the removal of any dead wood and other problem branches.

During the Review, the deteriorating state of the tearoom windows was noted and the tenants, who have a full repairing lease, have been requested to obtain quotations for their replacement, although this would have to be on a rolling programme over a number of years given the anticipated expense. Any new windows and plan for replacement require

trustee approval, and any works need to meet current regulations. Discussions with the tenants are ongoing.

The second coat of lime wash to the interior walls of the chapel initially planned to take place in November will be undertaken during early 2023.

With regard to the state of gravestones and monuments in the churchyard concerning their stability and possible need for stabilisation, an audit of their condition and details of what would be required to assure that they are safe is currently underway.

Finally, following the resignation of Carol Worsley from the Trustees after many years' valuable service, the trustees presented her with some 'best in the show' lilies in recognition of this. Tim Kershaw was elected as a trustee at the AGM in March 2022. The need to fill current trustee vacancies has continued to be an issue and several avenues to find candidates have been explored. It is expected that addressing this challenge will have proved to be successful by the time of the AGM in 2023.

Richard Horrocks

Chairman, Rivington Chapel Trust

# **Rivington Chapel Trust: Treasurer's Report 2022**

## **INCOME**

### **Bank Interest:**

- Bank interest rates have risen from their very low levels and £39 was received.

### **Vat reclaim:**

- We did not have enough VAT expenditure on eligible items to be able to reclaim any VAT this year.

### **Grants:**

- We received a grant of £600 from the Hibbert Trust towards the cost of the quinquennial review.

### **Donations and GiftAid:**

- Donations of £162 were received via CAFDonate on behalf of the congregation. This was all passed directly to the congregational accounts so does not appear in these accounts. There was one small donation at the very end of 2022 that will be transferred to the congregation in 2023. There were no donations to the trustees.

### **Investment Income:**

- Regular income has been paid by the M&G Charifund at £3,025 (2021: £2,696) and Charibond £227 (2021: £258).
- the 4 funds held by Quilter Cheviot have paid a total of income and accumulation of £835 (2021: £622) before deduction of fees and charges of £180 (2021: £180).

### **Sales:**

- We received £1,214 in sales (mainly 2023 calendars and Christmas Cards) which was a very reasonable profit on the print costs of £798. We still have Christmas Cards to sell in future years.

### **Rent:**

- Because of the aftermath of the COVID-19 pandemic, the Trustees did not apply the increase for inflation from September 2021 to August 2022. From September 2022 the full rent was charged, and it will re-evaluated from September 2023. Income from the tearoom lease was therefore slightly reduced to £7,073 compared to £7,220 full rent for the year.

### **Garden of Remembrance:**

- Niches payments and interments raised £2,150 during 2022.

### **Hire of Chapel**

- Chris Martin has done sterling work on fund raising during 2022. His profits from his murder mystery plays were split with the tearoom and raised £270. He also helped to organise two Craft Fairs which were held in the tearoom and the Chapel. Finally, he has done some tea and cake talks in the Chapel. The table rents and money received from the tea and cake talks raised £140 which was split equally with the Chapel congregation.

## **EXPENDITURE**

### **Grounds:**

- The grounds have continued to be maintained on a regular basis. £698 was spent, mainly on grass cutting and leaf clearing. This was a rise from £516 in 2021 as the contractor has had to increase his hourly rate due to inflation.
- In addition, there has been work undertaken on various trees, but this has not been completed yet, so will appear in the 2023 accounts.

### **Buildings:**

- The annual inspections of the fire appliances and organ were carried out during the year.
- The main items of expenditure for the year were further repairs to the drains, replacing gutters on the tearooms with cast iron ones and tarmacking the parking area in front of the Chapel.

### **Insurance:**

- The insurance premium to cover 2022 was £1,520.

### **Trust Administration - costs not referred to elsewhere:**

- Printing calendars and Christmas Cards £798
- Bank charges £81
- Smartwater annual payment £90
- Annual cost of website hosting £22 and purchase of domain name for two years (£20)

## **General Comments**

1. All figures quoted for expenditure items are Gross i.e. include VAT, where this is chargeable.
2. Values for land and buildings are now shown in the accounts as Trust assets following a period from 1988 to 2016 when they did not appear, although these are estimated rebuild costs for insurance purposes and not market values.

P Bearon

Treasurer, Rivington Chapel Trust



## Rivington Chapel Trust: Building & Grounds Annual Report 2022

In November 2021 the 2<sup>nd</sup> Quinquennial Inspection Report was carried out by Ivan Wilson AABC RIBA Building conservation architect, on behalf of the Trustees of Rivington Chapel.

This report is to provide the Chapel with information about the condition of the property, its present condition, and future maintenance requirements. This is to assist in making informed decisions in respect of ongoing maintenance or foreseeable future significant expenditure. Using the recommendations of this report, the following works have been carried out in the Year Ending 2022.

18 <sup>th</sup> January	A&G ROOFING LTD: check roof, clean gutters, fix small hole in lead valley and replace dislodged masonry on Chapel S.E corner
29 <sup>th</sup> March	TTL DRAINS: complete phase 2 of toilet drain repairs
10 <sup>th</sup> May	CAST IRON UK: supply oversize gutters and downspouts for the Tea Room
10 <sup>th</sup> May	K.DARLINGTON & SONS LTD: Resurface the Chapel Drive with permeable tarmacadam
19 <sup>th</sup> May	A&G ROOFING: fix gutters and downspouts to Tea Room and remove old PVC gutters & pipes
24 <sup>th</sup> June	A&G ROOFING: replace 2 ground hoppers, modify and realign downspout shoes to facilitate better water collection
15 <sup>th</sup> August	ADLINGTON ELECTRICAL SERVICES: Chapel PAT testing
21 <sup>st</sup> September	RADMORE & TUCKER; purchase of leaf blower for use on paths & new Chapel drive
6 <sup>TH</sup> November	HOLT BROS: safety bar fitted to side gate
20 <sup>th</sup> December	A&G ROOFING LTD: check and clean gutters on Chapel and Tea Room replace vestry extractor vent, check Chapel roof.

22<sup>nd</sup> January should have seen the final Lime Wash coat done in the Chapel, but due to several cancellations by the decorators, this work is still outstanding. However I am pleased to report that no further problems have arisen in connection with the toilet drains.

Looking forward: A safety survey is underway in respect of the gravestones and tree works are ongoing under the supervision of Andy Wing arborologist.

Paul Fairclough

Rivington Chapel Trust

## The Trustees of Rivington Chapel

### Income & Expenditure Account for the year ended 31 December 2022

	Notes	2021 £	2021 £	2022 £	2022 £
<b>Income</b>					
School Room Rent	2	5,688		7,073	
Niche payments and Interments		800		2,150	
Income M&G Charifund	1	2,696		3,025	
Income M&G Charibond	1	258		227	
Income Quilter Cheviot	1	622		835	
Grants & Donations	6	12,161		600	
Sale of Publications & Calendars	3	968		1,214	
Interest received		1		39	
Fund raising events		63		340	
VAT Refund		152	23,409	-	15,503
<b>Expenditure</b>					
Grounds Maintenance		8,196		698	
Insurance	7	1,435		1,520	
Repairs & Maintenance	4	6,189		11,377	
Organ		180		192	
Administration		120		132	
Quilter annual fee		180		180	
Bank charges		96		81	
Legal fees and reports	5	-		1,500	
Printing of Publications & Calendars		545		798	
Sundries		-	16,941	50	16,528
<b>Excess of Income to Expenditure (Expenditure to Income)</b>			<b>6,468</b>	<b>(1,025)</b>	
<b>Revaluation of investments at year end - Increase/(Decrease)</b>					
M&G Charifund	1	6,191		(3,158)	
M&G Charibond	1	(445)		(1,328)	
Quilter Cheviot	1	1,665	7,411	(1,399)	(5,885)
<b>Increase/(decrease) in reserves in the year</b>			<b>13,879</b>	<b>(6,910)</b>	

### Statement of Financial Position at 31 December 2022

		2021 £	2021 £	2022 £	2022 £
<b>Assets</b>					
COIF Charity Fund		54		55	
M&G Charifund	1	56,706		53,548	
M&G Charibond	1	12,518		11,190	
Quilter Cheviot	1	28,183		26,784	
CAF Bank Gold Deposit Account		13,071		10,682	
CAF Bank Current Account		3,949		5,067	
Insurance prepaid		2,108		2,361	
			<b>116,589</b>	<b>109,687</b>	
<b>Liabilities</b>					
Sundry creditors			(2)		(10)
<b>Net Assets (excluding property)</b>			<b>116,587</b>	<b>109,677</b>	

# The Trustees of Rivington Chapel

## Notes to the accounts

### 1 Return on investment percentages - Increase/(Decrease)

	Income	Value change	Total
M&G Charifund	4.8%	(5.6%)	(0.8%)
M&G Charibond	2.1%	(10.6%)	(8.5%)
Quilter Cheviot	2.2%	(5.0%)	(2.8%)
Average			

### 2 School Room Rent

The rent reduction granted due to Covid was discontinued in September.

### 3 Sale of Publications

Included are sales of calendars, Christmas cards and booklets.

### 4 Repairs & Maintenance

This year the major expenditures were :- Further repairs to drains £3,480  
Tarmac to the area in front of the chapel gates cost £6,636 reducing to  
£2,568 after contributions from the Parish Council, the Tea Rooms and  
the Congregation Committee.  
Replacing the gutters with cast iron ones £4,570

### 5 Legal fees and reports

The quinquennial review was carried out for £1,500 to which a grant of £600 was given by the Hibbert Trust.

### 6 Grants and Donations

The Hibbert Trust made a grant of £600 towards the cost of the Quinquennial Review

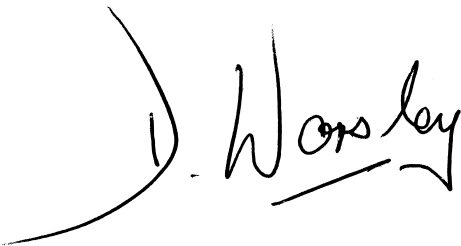
### 7 Insurance

The share payable by the tea room has been deducted.

### 8 Land & Buildings

In the past the value of the land and buildings have been ignored and records of historic costs are not complete and/or not available. The Trustees write off the expenses of repairs and improvements against that year's income. No formal valuation of the land and buildings has taken place. However a rebuild cost, ascertained for insurance purposes in 2017, is £2,135,491.

I have examined the Income and Expenditure Account for the year ended 31 December 2022 and the Statement of Financial Position at that date and have found them to be in accordance with the books, vouchers, investment and bank statements presented to me for audit.



D Worsley. 2 Feb 2023

**TRUSTEES OF RIVINGTON CHAPEL**

**CONSTITUTION**

**Agreed at the AGM of the Rivington Chapel Trustees  
held in March 2022**

Registered Charity Number:  
240302

Registered Charity Name:  
RIVINGTON PRESBYTERIAN CHAPEL (TRUST PROPERTY HELD IN CONNECTION WITH)

## Rivington Chapel Trustees

### **Background Document (amended March 2022)**

1. The trust was originally set up by a deed dated 15 June 1704. The following extract describes the land and what it should be used for:
  - a. *Whereas A Chappell or Oratory of foure bayes of buildinge is lately erected & built by severall protestants dissentinge from the Church of England upon a certain plott or parcel of ground lately severed & inclosed of and from a large close of ground situate and lyinge in Rivington aforesd containing fourty yards in length and thirty in breadth or thereabouts beinge the inheritance of the said John Andrew in-tended to bee A place for Religious Worship only and for an Asembly & meetinge of A pticular church or Congregacon of Protestants dissentinge from the Church of England for the free exercife of their Divine Worship therein And that the present and Successive Minister and Ministers or Teachers of the said Congregacon shall bee of Protestant Minister or Ministers of the Gospel dissentinge from the Church of England but Qualifyed accordinge to an Act of Parliament made in the first year of the Reigne of our late Soveraine Lord and Lady William and Mary of England fr king and Queen intituled on Act for exemptinge their Majties Protestant subjects dissentinge from the Church of England from the penalties of certain Laws or that shall bee qualified accordinge to some other Act of Parliament or Law that shall hereafter bee made and constitut-ed in favour and allowance of such dissentinge Protestants*
2. The area of land described in the original deed contained the graveyard. In 1859 the this was extended by 889 square yards by a gift of C J Darbyshire
3. Our current trust deed is based on a Deed of Appointment made on the 4th of May 1974. This in turn was supplemental to a deed dated 16<sup>th</sup> November 1966. We have been unable to locate a copy of this document, but Charles Taylor wrote the following in March 1974. We assume that this was to inform the new trustees on their duties.

*The particular duties of the Trustees of the Chapel are:*

1. *To see that the chapel is kept fit for divine worship, and that it is used only by dissenting protestants, so long as that is legal*
2. *To preserve the land in section 4 as a burial ground*
  - *Section 4: This is the 1859 land bought by R D Darbyshire<sup>1</sup> and given to the trust to be used as a burial ground in connection with the chapel. The fees received from burials to be used for permanent improvement of the Chapel or grounds, or for the benefit of the minister or both. Strict conditions applied – no strangers, different charges depending on the class of person. The burial ground was considered in 1974 to be full, so these conditions were no longer relevant.*
3. *To apply the fund from section 6 for the benefit of local people*
  - *Section 6: This refers to an indenture (not sure what date but between 1887 and 1895). Unspecified properties were sold and the proceeds from the sales invested. The income from these investments was to be used for the promotion*

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<sup>1</sup> This is probably a mistake by Charles Taylor. R D Darbyshire was C J Darbyshire's nephew. He was also the solicitor for the Chapel. In a minute from 1859 taken from a Rivington Chapel Trustees Minutes, C J Darbyshire says that he has bought the land and proposes to make it a gift to the Chapel

*of knowledge or practice of the Presbyterian faith among the inhabitants of Rivington, Anglezarke, Heath Charnock, Anderton and Horwich, or for their spiritual or temporal benefit profit and advantage in any way*

4. *To apply the Shaw bequest in maintenance of the Shaw pew and grave*
  - *The Shaw bequest was £108.50 and the interest was to be used for the upkeep of the Shaw family pew and grave. By 1974, the interest was being paid to the Chapel general committee who had assumed the responsibility for carrying out the work*
5. *To pass the income from section 8 to the minister or preacher*
  - *Section 8: this refers to a deed dated 1906. Income from railway stock expected to be about £2.00 per year was to be paid to the minister or, if there is no minister, to the person occupying the pulpit*
6. *To apply certain other funds to the maintenance or improvement of the Trust property*

Charles Taylor goes on to say that:

*The use of the income from the sale of Chapel House is unclear. The Charity Commissioners gave no clear instructions on the matter. There may be the requirement to pay it to the minister. Even if this is so, the trustees might consider that the use of a portion of the money to build a positive income producing property such as the garden of rest as justifiable [ . . . ] and that this could be taken into account when resolving the amount due currently to the minister.*

*Meanwhile, the present policy of the Trustees is to pay to the Chapel general committee the major portion of the income produced from the investment for them to use in augmentation of the minister's stipend.*

4. In 1965 the trust was registered with the Charity Commission under the name: Rivington Presbyterian Chapel (Trust property in connexion with).
5. Notwithstanding the above, The Charity Commission have informed the Trustees that the governing document is one dated 1964: "Rivington Chapel, Properties held by the Trustees and the trusts affecting the same". A copy of this is attached in Appendix 1 for reference purposes.
6. There were 6 linked charities which reflect the paragraphs above
  - *Linked charity 1: Land held in connexion with Rivington Presbyterian Chapel*
    - *Income to be paid to the minister for the time being of Rivington Presbyterian Chapel.*
  - *Linked charity 2: Land held in connexion with Rivington Presbyterian Chapel*
    - *To be used and employed for the exercise of divine worship*
  - *Linked charity 3: Burial ground in connexion with Rivington Presbyterian Chapel*
    - *To be used as a burial ground in connection with Rivington Presbyterian Chapel.*
  - *Linked charity 4: Alice Lowe will trust*
    - *To be applied towards the maintenance or repair and improvement of the chapel building and graveyard*
  - *Linked charity 5: Various small bequests to Rivington Presbyterian Chapel*
    - *The promotion of the Christian faith, protestant religion and holiness according to the Presbyterian persuasion*
  - *Linked charity 6: James Shaw gift*

- *Income to be paid to the minister for the time being of Rivington Presbyterian Chapel*
7. By 2019, the bequests had been subsumed into the general accounts of the trustees. The trustees therefore decided to close all the linked charities and there is now just one overarching charity registered with the Charity Commissioners.
  8. After some correspondence with the Charity Commission, they have accepted that these linked charities were closed correctly
  9. The object of the charity as stated for public viewing on the Charity Commission website is:  
*“The charity is responsible for the management of the fabric of Rivington Chapel and the associated grounds and buildings to enable religious worship and other related activities to continue.”*
  10. However, the governing document actually states:  
*“the said chapel or Oratory to be used and employed for the exercise of Divine Worship therein and by such a congregation and assembly of Protestants only as shall be dissenting from the Church of England...” and “Upon trust to permit the said plot of land to be used as a burial ground...”*
  11. In 2016 the trustees formally registered the land and the chapel buildings with the Land Registry. This excludes the land occupied by the Garden of Remembrance [Land Registry Title LAN 182254]
  12. The land comprising the Garden of Remembrance was held by the chapel under a licence from United Utilities. In 2018 this piece of land was formally transferred to the trustees and is now registered with the Land Registry [Land Registry Title LAN 212766]
  13. Both pieces of land have now been vested in the Official Custodian for Charities under a bulk vesting order
  14. The trustees lease out the former schoolroom to a private operator as a tearoom. The lease is a full maintenance lease, so the costs of maintaining the building currently fall on the lessee
  15. The income from the lease of the former schoolroom forms a major part of the annual income of the trust
  16. The Manchester District Association of Unitarian and Free Christian Churches (MDA) are appointed as a custodian trustee to the trust
  17. A new constitution was agreed by the Trustees in March 2020. However, the Charity Commission have deemed this invalid. This was on two grounds:
    - the charity cannot change its objects or purpose without the involvement of the Commission through a scheme
    - The charity does not have the power to add a dissolution clause to its governing document. This is because the charity holds designated land

18. Following further correspondence with the Charity Commission, it is clear that we would not meet the criteria for a scheme to be made

19. The Trustees have now amended the constitution agreed in March 2020 as follows:

- The objectives have been reworded to reflect the legal situation
- The winding up clauses have been removed



## **Taking the Trust into 2022 and Beyond**

### **1. Name of the Trust**

1.1. The name of the trust is currently: Rivington Presbyterian Chapel (trust property held in connection with), but known as the 'Rivington Chapel Trust'

### **2. Objectives of the Trust**

2.1. These are as laid out in the governing document dated 1964 and attached as Appendix 1. In summary they are:

2.2. *"the said chapel or Oratory to be used and employed for the exercise of Divine Worship therein and by such a congregation and assembly of Protestants only as shall be dissenting from the Church of England..." and "Upon trust to permit the said plot of land to be used as a burial ground..."*

### **3. Number of Trustees**

3.1. The number of trustees should be a minimum of four and a maximum of sixteen

3.2. In addition, an appropriate organisation should be appointed as custodian trustee. This organisation must have objectives which are aligned to the objectives of the trust and should ideally be a regional or national body representing dissenting protestant congregations.

3.3. Notwithstanding the above, if the trustees feel that they lack expertise in a particular field, then suitable persons can be co-opted onto the trust for as long as the trust deems necessary. Addition and removal of co-opted trustees is by simple vote of the trustees. A co-opted trustee will have the same voting rights as a full trustee during the period that they are co-opted.

3.4. If the number of trustees falls below four, then the custodian trustee will assume all rights and responsibilities in the running of the trust until such time as the trust can be correctly constituted again

3.5. While the chapel currently hosts a congregation of the Unitarian faith, applicants need not be Unitarians but must support the objectives of the trust

### **4. Officers**

4.1. The officers of the trust should be a Chairman, Treasurer and Secretary

4.2. Only current trustees may be elected to these positions

4.3. These positions will be elected by simple vote of the trustees at each Annual General Meeting

4.4. If a suitable candidate for these posts cannot be found from within the current trustees, then the trust may co-opt a suitable candidate who will be entitled to serve until the next Annual General Meeting, at which point an election for the post must be held. The co-opted candidate may not stand for election at this time unless they have become a full trustee.

### **5. Co-opted Trustees**

5.1. Where it has been found necessary to co-opt a trustee, then that person must not serve for longer than three years without become a full member of the trust

### **6. Quorum**

6.1. The quorum for meetings must be at least three trustees or co-opted members of the trust and must include at least one officer

## **7. Frequency of Meetings**

- 7.1. The trustees will hold an annual general meeting, preferably held in March, but otherwise as near to that month as possible
- 7.2. There shall be at least one other full meeting of the trustees each year. In addition, the officers of the trust may call extraordinary meetings as and when necessary
- 7.3. All trustees must be notified of any trust meeting in writing at least 14 days before the date of the meeting

## **8. Requirement to Attend Meetings**

- 8.1. If a trustee misses more than 4 meetings in a row without a reasonable explanation, then that person shall cease to be a trustee

## **9. Standard Lifetime of a Trustee**

- 9.1. In an ideal world, there should be a steady turnover of trustees. Therefore trustees who have served for ten-years are required to stand down.
- 9.2. However, it is necessary to be realistic as the pool of people available to be trustees is fairly small. So, the standard lifetime of a trustee should be ten years, but if at the end of that period the trustee stands down and there are not enough people to fill all the places on the trust, then that trust may choose to retain the trustee for another 10 year term by simple majority vote.

## **10. Additional Information**

### **10.1. Appointment of Trustees**

**10.1.1.** "Appointment of additional or replacement trustees may occur by either personal recommendation from a current trustee or by placing an appropriate advert on the chapel's website or within its Newsletter and/or by use of other appropriate advertising media such as are recommended in the Charity Commission document CC30 "The recruitment, appointment and induction process for new charity trustees and how to set a framework for recruitment."

**10.1.2.** Interested parties would be requested for the following:

- Your name and contact details
- CV
- Contact details for two referees
- A personal statement (no more than one side of A4) telling us why you would like to be a trustee
- Confirmation that you are eligible to become a trustee (see paragraph 5.1 of the Charity Commission document CC30) and declare if you feel there may be any conflicts of interest."

### **10.2. Relationship between the Trust and the Congregation of the Chapel**

10.2.1. The congregation of the chapel have their own constitution

10.2.2. A separate document will be produced that identifies the relevant roles of the trustees and congregation

10.2.3. This document will be produced jointly with the congregational committee

15 March 2022

Signed:

A handwritten signature in black ink, consisting of a series of loops and curves, appearing to be the name 'P. Khan'.

Chairman

RIVINGTON CHAPEL

Properties held by the Trustees and the trusts  
\*  
affecting the same.

1. ALL THAT plot of land situate in Rivington and containing 40 yards in length and 30 yards in breadth and in the whole 1200 square yards or thereabouts And all that Chapel or Oratory and other buildings erected thereon and known as Rivington Chapel.

Held by the Trustees of the Chapel subject to the Trusts declared in a Trust Deed dated 15th June 1704 viz:- To suffer the said chapel or Oratory to be used and employed for the exercise of Divine Worship therein and by such a congregation and assembly of Protestants only as shall be dissenting from the Church of England and for and during so long time as the laws of this realm will permit the same in manner and form aforesaid And if the laws of this realm will not permit the same in manner and form aforesaid that then and in such case the Trustees shall and may as they think fit employ the said plot of land and the said chapel or shall distribute all such yearly revenues as they shall make of the same premises (if any profit shall be by them made thereof) in such acts and works of charity and piety as they the Trustees or the major part of them shall think most fit.

2. All that plot of land situate at Rivington aforesaid formerly being part of a certain close commonly called Goose Hey and containing in length on the front or northwesterly side thereof 43 yards or thereabouts on the northeasterly side thereof 14 yards or thereabouts on the southeasterly side thereof 43 yards or thereabouts and on the southwesterly side thereof 40 yards or thereabouts and in the whole 1601 square yards be the same more or less And also the messuage or dwellinghouse erected thereon

Held by the Trustees of the chapel on the Trusts declared in a Deed of Trust dated 31st July 1786 viz:- upon Trust from year to year to let or demise the same premises unto

any person or persons whomsoever for any term not exceeding one year for the best yearly reserved rent that can be reasonably had for the same such term to commence in --- possession within the space of 6 calendar months after any such letting thereof And upon further trust to pay the yearly rents of the same after deducting therefrom all such sums of money as shall have been expended or laid out by the said Trustees in repairs payment of taxes or otherwise relating to the said premises unto such person as for the time being shall be minister of the congregation or -- society of Protestant Dissenters at Rivington provided such person be chosen and continue Minister of the said congregation with the consent and approbation of the major part of the Trustees and in case any person shall at any time be chosen or continued Minister of the said congregation or society of Protestant Dissenters at Rivington without the consent or approbation of the major part of the Trustees or in case there shall at any time be no Minister of the said congregation or society then and so often and during such time or times as any such case or cases shall happen upon trust from time to time to invest the rents of the said premises in the purchase of freehold lands of inheritance to be conveyed unto and to the use of the same Trustees upon the same trusts and to and for the same intents and --- purposes and under and subject to the same powers provisoes conditions limitations and agreements as were thereby nominated appointed expressed or declared of for and concerning the same premises and to for or upon no other use trust intent or purpose whatever

3. All that plot of land situate at Rivington aforesaid being other part of the said close called Goose Hey and containing inlength on the northerly side thereof 33 yards on the

easterly side thereof 11 yards 24 inches on the southerly side thereof 39 yards 12 inches and on the westerly side thereof 16 yards and in the whole square yards be the same more or less And also all those the school buildings and premises erected on the said plot of land or on some part thereof:-

Held by the Trustees on the trusts declared in a Conveyance dated 19th June 1872 viz:- upon the like trusts and to and for the same ends intents and purposes and with under and subject to the like powers provisoes declarations and agreements as the said chapel and the site thereof are now held by them.

4. All that plot of land situate at Rivington aforesaid and containing 889 square yards which said plot of land is more particularly delineated and described in the plan drawn in the margin of an Indenture dated the day of 1859.

Held by the Trustees upon the Trusts therein declared namely Upon trust to permit the said plot of land to be used as a burial ground to be occupied and used in connection with the said chapel provided always that the said Trustees shall not permit or suffer to be buried in or upon the said plot of land any dead body or bodies for the interment of which or each of which the said Trustees shall not have received the sum of 20/- at the least as a burial fee for the benefit of the said chapel and to be applied by them as they shall from time to time deem best either in the way of permanent repairs or improvements in connection with the said plot of land or of the said chapel or the ancient chapel yard thereunto attached or for the benefit of the Minister for the time being officiating in the said chapel or partly in one way and partly in the other in their absolute discretion.

*Original Deed missing. We hold an uncompleted draft deed only. T.W. & Co.*

- £200 Proceeds of sale of £15 Chief Rent  
(Sold to The British Transport Commission in  
November, 1962)
- £300 Proceeds of sale of £2. 3. 9. Chief Rent and  
£4. 18. 0. Ground Rent.  
(Sold to Rivington Estates Management Limited  
in October 1964)

Alice Lowe Will Trust.

Held by the Trustees on the trusts declared in a  
Conveyance dated 21st January 1887 Viz:- To apply the same in  
or towards the maintenance and also if necessary on the repairs  
and improvements of the said chapel building and of the  
Graveyard attached thereto.

6. £356. 1. 3. British Transport 3% Guaranteed Stock, 1978/88.

Held by the Trustees on the Trusts declared in an  
Indenture dated 2nd February 1779 viz:- To be applied by the  
Trustees as they shall think fit either for the promotion of  
the christian faith Protestant Religion and Holiness according  
to the Presbyterian persuasion and for the promoting of the  
knowledge principles and furtherance and advancement of the  
practice of Christianity and Godliness in and amongst the  
inhabitants and persons and their children inhabiting and  
being or that shall hereafter from time to time inhabit and  
be in the towns or hamlets of Rivington Anglezark Folds Heath  
Charnock Anderton and Horwich for their Spriritual good and  
comfort or otherwise for the promoting the Temporal benefit  
profit and advantage of them some or any of them in such ways  
and by such methods and means public or private as the Trustees  
or the major part of them shall think meet.

Note. This Indenture recites that several sums amounting  
to the sum of £440 had from time to time been given to Trustees  
by different persons. Also that £146 (part of the said sum  
of £440) had been applied towards erecting and finishing a  
dwellinghouse for residence of Minister.

£108. 10. 10. £2. 10. 0. per cent Consolidated Stock.  
Bequeathed to Trustees by Richard Shaw Esq. to be applied by them as to capital and income as they shall in their absolute discretion think fit and so long as the law will permit on sustaining the Pew of the Shaw Family in the said chapel and in keeping in order the Graves and Gravestones of members of the Shaw Family interred in the burial ground of the said chapel or wholly for one of such objects and generally in such manner as they may think necessary

8. £81. 3. 3. British Transport 3% Guaranteed Stock, 1978/88  
James Shaw Gift of £100.

Held by the Trustees upon the Trusts contained in a Deed Poll dated 12th January 1906 under the hands and seals of Andrew Crompton, Thomas Harwood, Thomas Howarth, Thomas Cole Liptrott and Charles Woods viz:- Upon trust to pay the annual interest and income thereof to the Minister for the time being of the Presbyterian Chapel in Rivington and if and while there shall be no such Minister upon trust to apply the same for or towards the maintenance of the person or persons occupying the pūlpit during such period or periods as there shall be no such Minister.



1964.

RIVINGTON CHAPEL

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PROPERTIES.

held by the Trustees and the trusts  
affecting the same.

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Tatham Worthington & Co.,  
MANCHESTER.

List of trustees 15 March 2022

Arthur Richard Horrocks          Chairman

Peter Charles Bearon          Secretary

Olive Fisher JP

Christopher Edmund Haighton

Christopher Jonathan Oldham

Christopher Paul Martin

Frank Ascroft

Paul Melvyn Fairclough

Vince Gerard McCully

Timothy Kershaw