
LANCASTRIAN TRANSPORT TRUST

Registered Charity No. 1080404

TRUST DEED

PREAMBLE

The Lancastrian Transport Trust was formed by a PROVISIONAL TRUST DEED made the 17th day of October 1996 by Eric Berry, Philip Karl Higgs and David William Wilson.

On the 19th day of April 2000 the Trust was registered by the Charity Commission as Registered Charity No. 1080404. The PROVISIONAL TRUST DEED was approved as the governing document for the Trust.

At a meeting of the Trustees held the 9th day of May 2000 the Trustees unanimously agreed that the PROVISIONAL TRUST DEED be adopted as the TRUST DEED of the Lancastrian Transport Trust save for the following amendments:

[a] Delete the word PROVISIONAL from the title

[b] In paragraph (A) replace the words “intend to establish” with the words “have established.”

LANCASTRIAN TRANSPORT TRUST

Registered Charity No. 1080404

TRUST DEED

This **TRUST DEED** is made the 9th day of May 2000 by ERIC BERRY of 7 Cliff Court, Cliff Place, Bispham, Blackpool FY2 9JL, PHILIP KARL HIGGS of 1 Beverley Grove, South Shore, Blackpool FY4 2BG, JAMES ALEXANDER JOHN MILLINGTON of 1 Beverley Grove, South Shore, Blackpool FY4 2BG, DAVID WILLIAM WILSON of 9 Starfield Close, Lytham St Annes, Lancashire FY8 4QA

(hereinafter called "the Trustees" which expression shall include the Trustees or Trustee from time to time hereof)

WHEREAS:-

- A) The Trustees have established a charitable trust to be known as "**LANCASTRIAN TRANSPORT TRUST**" (hereinafter called "the Trust") or such other name as the Trustees may from time to time decide.
- B) The Trustees have raised the sum of £100 and intend to raise other funds and accept Gifts for the objects of the Trust set out below

NOW THIS DEED WITNESSETH as follows:

- 1) **THE OBJECTS OF THE TRUST shall be to educate the public in the history of public transport by means of the acquisition of vehicles of historical significance and the restoration of such vehicles to operational condition so that the public may experience travel on transport of yesteryear.**

In furtherance of the above objects but not further or otherwise the Trustees shall have the following powers:

- i) to take over the assets and other rights attaching to the existing body known as the Lancastrian Transport Group which was formed on 1st January 1983 (but which hitherto had no formal trust deed) including the performance and discharge of any of the liabilities of the said body so far as that is not inconsistent with the charitable status of the Trust.
- ii) to take over the assets and other rights and liabilities attaching to the following vehicles presently owned jointly by Eric Berry and Philip Karl Higgs for the preservation of such vehicles in furtherance of the objects of the Trust:
 - a: Former Blackpool Corporation transport No. 246 (reg. DFV146), a 1949 built Leyland Titan PD2/5 double deck bus with Burlingham centre-entrance bodywork
 - b: Former Blackpool Corporation Transport No. 304, a 1952 built 'Coronation' Class tramcar with Vambac control equipment. The electrical equipment of this tram was demonstrated at the Festival of Britain in 1951.

- c: Former Lancashire United Transport No. 97 (reg. 561TD), a 1962 built Daimler 'Fleetline' double deck bus with Northern Counties bodywork. Oldest surviving rear engined 'Fleetline' bus.
- D: Former Ribble Motor Services No.2687 (reg. CCK663) a 1949 built Leyland Titan PD2/3 double deck bus with Brush Co. lowbridge bodywork.
- E: Former Ribble Motor Services No.1805 (reg. RRN405) a 1962 built Leyland Atlantean double deck bus with Weymann bodywork.
- F: Former Lancashire United Transport No. 394 (reg. RTJ442L), a 1972 built Daimler 'Fleetline' 33ft. long double deck bus with Northern Counties bodywork.
- G: Former Blackpool Corporation Transport No. 554 (reg.PFR554H), a 1970 built A.E.C. Swift single deck bus with Marshall bodywork.

- iii) to promote and organise either independently or in conjunction with other charitable organisations the preservation for the benefit of the public generally of buses coaches tramcars and trolleybuses, associated equipment and other items of general transport interest being of historic or scientific importance and to protect and preserve particular vehicles of merit.
- iv) to give the public access to the vehicles of the Trust restored to operational condition to demonstrate their historical significance by the following means:
 - a) by display at museums open to the public as static or operational exhibits
 - b) by attendance at organised vintage vehicle gatherings available to the public
 - c) by operation at organised events in connection with museums open to the public or vintage vehicle gatherings available to the public
 - d) by loan to other charitable organisations having similar aims to that of the Trust
 - e) subject to other consents as may be required by law, by loan to commercial transport operators where appropriate for use on services available to the public
 - f) by the organisation of trips and tours subject to such consents as may be required by law, using vintage vehicles to demonstrate 'the travel on transport of yesteryear.'
- v) to publish material about and to provide information about the vehicles of the Trust to further educate the public
- vi) to establish a body with a separate constitution to be known as "Friends of the Lancastrian Transport Trust" (or such other name as the Trustees may from time to time decide) to support the Trustees in the realisation of the objects of the Trust
- vii) to establish a transport museum open to the public
- viii) at the discretion of the Trustees to take and accept any gifts of property, whether subject to any special trust or not, for the objects of the Trust
- ix) to raise funds and to work and receive contributions from any person or persons whatsoever by way of subscription donation or otherwise provided that the Trustees shall not undertake any permanent trading activities in raising funds for its charitable objects
- x) to purchase take on lease or in exchange hire or otherwise acquire any real or personal property and any rights or privileges which the Trustees may consider necessary for the promotion of the objects of the Trust

- xi) subject to such consent as may be required by law, to sell let mortgage dispose of or turn to account all or any of the property or assets of the Trust as may be thought necessary for the promotion of its objects
- xii) to undertake and execute any charitable trusts which may lawfully be undertaken by the Trustees and may advance the objects of the Trust
- xiii) to purchase hire or take on loan suitable vehicles and equipment and to restore maintain and display to the public such vehicles
- xiv) to take all reasonable and necessary steps to insure the Trust property
- xv) to provide secure accommodation for the preserved vehicles belonging to the Trust
- xvi) to employ persons in return for remuneration to undertake activities on behalf of and under the instructions of the Trustees
- xvii) to do all such other lawful things as may be necessary for the attainment of the objects of the Trust

2) **MANAGEMENT OF THE TRUST**

- i) the Trust shall be administered by a Body of Trustees consisting of not more than nine nor fewer than three Trustees. Should the number of Trustees for any reason be fewer than three the remaining Trustees shall have power and shall use his her or their best endeavours to appoint sufficient new Trustees as soon as practicable
- ii) the FOUNDER MEMBERS of the Trust (Eric Berry, Philip Karl Higgs and David William Wilson) shall serve for life or until they decide to retire
- iii) all other Trustees shall serve for a 3 year period with the option on the expiration of the period to offer themselves for reappointment
- iv) the power of appointing new Trustees shall be vested in the Trustees remaining appointed at the time of such appointment
- v) Trustees shall remain in office until:
 - Death
 - Resignation in writing to the Secretary
 - Removal by resolution of not less than two-thirds of the Trustees appointed at that time
 - Expiration of term of office
- vi) the Trustees shall not receive any remuneration in connection with the activities of the Trust except for reasonable out-of-pocket expenses

3) **CHAIRMAN SECRETARY and TREASURER**

The Trustees shall at an Annual General Meeting appoint one of their number to act as Chairman, one to act as Honorary Secretary and one to act as Honorary Treasurer until the next A.G.M. A Trustee may hold more than one of the above mentioned positions at the same time.

4) **MEETINGS OF THE TRUST**

The following rules shall apply to the meetings and proceedings of the Trustees :

Ordinary Meetings

The Trustees shall hold at least four ordinary meetings each year.

Chairman

The Trustee appointed under clause 3 as Chairman shall be chairman of the meeting. If at any meeting the Chairman is not present within ten minutes after the appointed time for holding the same or there is a vacancy in the office of Chairman the Trustees shall choose one of their number to be chairman of the meeting.

Special Meetings

A special meeting may be summoned at any time by the Chairman or any two Trustees upon not less than four days notice being given to the other Trustees of the matters to be discussed.

Quorum

The quorum at any meeting shall be three Trustees.

Voting

Every matter shall be determined by a simple majority of votes of the Trustees present and voting on the question. In the case of equality of votes the Chairman of the meeting shall have a casting vote whether he or she has or has not voted previously on the same question but no Trustee in any other circumstances shall have more than one vote.

Minutes and Accounts

A minute book and books of accounts shall be provided and kept by the Trustees. Statements of accounts in relation to the Trust shall be prepared and transmitted to the Charity Commissioners in accordance with the provisions of the Charities Act 1960 (as amended), except if and in so far as the Trust is exempted by Order or Regulations.

General Power to Make Regulations

Within the limits prescribed herein the Trustees shall have full power from time to time to make regulations for the management of the Trust and for the conduct of their business including the summoning of meetings, the deposit of money at a proper bank and the custody of documents.

5) **ANNUAL GENERAL MEETING**

The Annual General Meeting of the Trust shall be held at least once in every calendar year, not more than fifteen months nor less than six months after the last such meeting. Not less than twenty-one days notice shall be given of the time and place of each Annual General Meeting. The meeting shall receive the following:

- Audited accounts as at the end of the previous financial year
- Reports by the Secretary and Treasurer on the activities and finances of the previous financial year
- A report on the anticipated activities and income and expenditure for the current financial year

6) **ALL SUMS OF CASH**

at any time belonging to the Trust shall for any period when it is not needed as a balance for working purposes be invested in or upon any investments for the time being authorised by law for the investment of Trust funds but the Trustees may at any time realise investments of accumulated income and apply the proceeds thereof as income.

7) **BORROWING POWERS**

Subject to such consents as may be required by law, the Trustees shall have power to borrow money for furthering the objects of the Trust provided that both the amount and terms of such borrowing are favourable to the Trustees.

8) **ACTIONS AND INDEMNITY**

The Trustees shall have power to bring and defend actions on behalf of and in the name of the Trust and they shall also be entitled to be indemnified from and against all costs charges expenses and damages incurred by them as Trustees of the Trust to the extent of the assets of the Trust.

9) **PROPERTY AND DISPOSAL**

The property and assets of the Trust shall be vested in the Trustees. All vehicles owned by the Trust shall be for preservation and restoration to an operable condition unless the Trust shall be unable or unwilling to retain a vehicle when it shall be disposed of in such a manner as the Trustees appointed at the time shall decide.

10) **AUDITOR**

At every Annual General Meeting the Trustees shall appoint an independent Auditor for the current financial year.

11) **THE TRUSTEES**

shall have the power by any deed or deeds revocable or irrevocable to supplement or alter or amend the provisions of this Deed other than clause 1 (objects) and this clause provided that they shall not supplement or alter or amend the provisions hereof so as to cause the Trust to cease to be charitable in law.

12) **THE DISSOLUTION OF THE TRUST**

may be effected by a unanimous decision of the Trustees. In the event of a dissolution of the Trust any assets remaining after the satisfaction of all its debts and liabilities shall not be paid or distributed among the Trustees but shall be given to such charitable institution or institutions having similar objects to the Trust as the Trustees with the approval of the Charity Commissioners shall decide.

IN WITNESS whereof the parties to these presents have hereunto set their hands and seals the day and year first before written.

SIGNED SEALED AND DELIVERED by the said
ERIC BERRY in the presence of

[Signature of Eric Berry]

[Signature of Brian Whaley]

SIGNED SEALED AND DELIVERED by the said
PHILIP KARL HIGGS in the presence of

[Signature of Philip Higgs]

[Signature of Monika Toth]

SIGNED SEALED AND DELIVERED by the said
JAMES ALEXANDER MILLINGTON in the presence of

[Signature of J Millington]

[Signature of R S Clarke]

SIGNED SEALED AND DELIVERED by the said
DAVID WILLIAM WILSON in the presence of

[Signature of David W Wilson]

[Signature of Paul Turner]

LANCASTRIAN TRANSPORT TRUST

Registered Charity No. 1080404

SUPPLEMENTAL DEED

POLICY ON ANNUAL ACCOUNTS

1. Commencing with the period November 2000 to October 2001 the Trust's accounts will be produced on an income and expenditure basis and will be subject to scrutiny by an Independent Examiner, in accordance with guidelines issued by the Charity Commission and with relevant legislation.
2. This policy will be reviewed in the light of any change in:
 - a) the annual income and expenditure of the Trust
 - b) guidance from the Charity Commission
 - c) relevant legislation

Signed by the Trustees on the 20th day of May 2002

ERIC BERRY

in the presence of

[Signature of Eric Berry]

[Signature of Brian Whaley]

PHILIP HIGGS

in the presence of

[Signature of Philip Higgs]

[Signature of R S Clarke]

JAMES MILLINGTON

in the presence of

[Signature of J Millington]

[Signature of]

PAUL TURNER

in the presence of

[Signature of P Turner]

[Signature of A Rogerson]

DAVID WILSON

in the presence of

[Signature of David W Wilson]

[Signature of D]

Approved by Charity Commission by letter ref: AMT/1080404/275654/CS dated 13 June 2002

05 December 2006

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Website: www.ltt.org.uk
Registered Charity: 1080404

Supplement to Trust Deed

At a meeting of the Trustees and Management Group of the Lancastrian Transport Trust on 30th November 2006, it was agreed to form a Community Interest Company (CIC) to develop the trading activities of Classic Bus Lancashire and the BusWorks.

The LTT would be the majority shareholder of the CIC, to be registered as Totally Transport Community Interest Company.

It was further agreed that the LTT would pledge start-up funds by way of initial investment and loans to the CIC. The LTT's shareholding would be represented by Trustee Philip Higgs who would also be a Director of the CIC.

Signed by:

Witnessed by:

Philip Higgs

Eric Berry

Paul Turner

David Wilson