Does The Heacham Club Charity Have Members?

This question has recently been discussed publicly and different interpretations of the 1921 Scheme have been suggested.

The Trustees' understanding is that The Heacham Club Charity is an unincorporated charitable trust and does not have a constitutional membership body separate from the Trustees.

What does the 1921 Scheme say?

The 1921 Scheme establishes:

- Trustees to administer the Charity.
- A Central Club and subsidiary clubs and societies.
- A Council structure connected with the management of the Charity's activities.
- Facilities and services intended for the benefit of the local community.

The Scheme contains references to "subscribing members" of the Central Club and subsidiary clubs. These provisions recognise membership of those clubs and societies.

The Trustees' view is that these references create membership of the relevant clubs and societies, not membership of the Charity itself.

Who benefits from the Charity?

The Charity was established for charitable purposes benefiting the community of Heacham.

The beneficiaries of the Charity are therefore much wider than the subscribers of any individual club or society operating within the Charity.

The purpose of the Charity is to serve the community as a whole, not solely those who hold subscriptions to the Central Club or any subsidiary organisation.

What is the difference between a Club Member and a Charity Member?

A person may be:

- A member of the Central Club.
- A member of a subsidiary club or society.
- A user of the Charity's facilities.
- A beneficiary of the Charity's work.

None of these categories automatically creates membership of the Charity itself.

Where a charity is intended to have members, governing documents normally set out matters such as:

- who may become a member;
- how membership begins and ends;
- members' meetings;

- voting rights;
- powers reserved to members; and
- procedures for member resolutions.

The Trustees' view is that the 1921 Scheme does not create such a framework.

Why does this matter?

Some have suggested that subscribing members of the Central Club should have powers equivalent to members of a membership charity.

The Trustees do not share that interpretation.

The Trustees' view is that the Scheme establishes a charitable trust administered by trustees for the benefit of the inhabitants of Heacham, rather than a membership organisation whose governance is controlled by members.

Respecting Different Views

The Trustees recognise that different interpretations of historic provisions have been advanced.

The Trustees remain committed to openness, transparency and lawful governance and will continue to work constructively with the Charity Commission in relation to the Charity's future governance arrangements.

The trustees' position is therefore straightforward:

Membership of the Central Club or any subsidiary club does not, in the Trustees' view, create membership of The Heacham Club Charity itself.