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County - **Oxfordshire**
 Parish - **Stanford in the Vale**
 Charity - **The Public Purposes Charity**

CD(T)
266,718

Scheme including appointment of Trustees

Adjudged not chargeable with Stamp Duty

CHARITY COMMISSION

In the matter of the Charity called The Public Purposes Charity, in the Parish of Stanford in the Vale, in the County of Oxfordshire, regulated by a Scheme of the Charity Commissioners of the 3rd January 1980; and In the matter of the Charities Act 1993.

THE CHARITY COMMISSIONERS FOR ENGLAND AND WALES HEREBY ORDER that the following Scheme be approved and established as the Scheme for the regulation of the above-mentioned Charity:-

SCHEME

1. Administration of Charity. (1) The above-mentioned Charity and the property thereof shall be administered and managed subject to and in accordance with the provisions of this Scheme by the body of Trustees hereinafter constituted.

(2) The name of the Charity shall be The Public Purposes Charity, or such other name as the Trustees from time to time by resolution may decide with the prior approval of the Charity Commissioners.

2. Investment of cash. All sums of cash now or at any time belonging to the Charity , other than sums of cash needed for immediate working purposes, shall be invested in trust for the Charity.

3. Vesting. The land belonging to or held in trust for the Charity is hereby vested in the Official Custodian for Charities for all the estate and interest therein.

TRUSTEES

4. Trustees. The body of Trustees shall consist when complete of not less than 7 and not more than 10 competent persons being -

3 Nominated Trustees and

not less than 4 and not more than 7 Co-opted Trustees.

5. Nominated Trustees. Except at first as hereinafter provided the Nominated Trustees shall be appointed by Stanford in the Vale Parish Council.

Each appointment shall be made for a term of four years at a meeting convened and held according to the ordinary practice of the appointing body. The chairman of the meeting shall cause the name of each person appointed to be notified forthwith to the Trustees or their clerk. The person appointed may be but need not be a member of the appointing body.

6. First Nominated Trustees. The following persons shall be the first Nominated Trustees and subject to the conditions contained for determination of trusteeship shall hold office as if they had been appointed by the appointing body under this Scheme, for the following periods respectively:

Richard Anthony Harrison, of 19B Spencers Close,

for four years from the date of this Scheme,

Charles Peter Noel Gill, of 5 Chapel Road,

for three years from the said date, and

Kenneth W Carley-MaCauly, of Campdene House, 7 Upper Green,

for two years from the said date,

all of Stanford in the Vale, Faringdon, in the County of Oxfordshire.

7. First Co-opted Trustees. The following persons shall be the first Co-opted Trustees and subject to the provisions hereinafter contained for determination of trusteeship shall hold office for the following periods respectively:

Brian Edgar Foster, of 1 Cottage Road,

for five years from the date of this Scheme,

William Henry Jones, of Kitchener's Close, 47 High Street

for four years from the said date, and

Peter Edward Fahy, of 1 Cox's Court,

Albert Laurence Lintern, of Oak Meadow, Bow Road, and

Ian Lea Watts, of 37 High Street,

all for three years from the said date, and

Vera Gwyneth Smith, of 10 Chapel Road,

for two years from the said date,

all of Stanford in the Vale as aforesaid, and

Anthony Peter Twigger, of Elmwater, Blenheim Hill, Harwell in the County of Oxfordshire,

for two years from the said date.

8. Future Co-opted Trustees. Every future Co-opted Trustee shall be appointed for a term of five years by a resolution of the Trustees passed at a special meeting of which not less than 21 days' notice has been given and may be so appointed not more than one month before the term of an existing Co-opted Trustee expires with effect from the date of expiry but so that the latter shall not vote on the matter.

9. Declaration by Trustees. No person shall be entitled to act as a Trustee whether on a first or on any subsequent entry into office until after signing in the minute book of the Trustees a declaration of acceptance and of willingness to act in the trusts of this Scheme.

10. Determination of Trusteeship. A Trustee shall cease to be a Trustee if he or she:

- (1) is disqualified from acting as a trustee by virtue of section 72 of the Charities Act 1993; or
- (2) becomes incapable (in the opinion of the Trustees) by reason of illness, injury or mental disorder of managing his or her own affairs; or
- (3) is absent without the permission of the Trustees from all their meetings held within a period of six months and the Trustees resolve that his or her office be vacated; or
- (4) gives not less than one month's notice in writing of his or her intention to resign (but only if at least 4 Trustees will remain in office when the notice of resignation is to take effect).

11. Vacancies. Upon the occurrence of a vacancy the Trustees shall cause a note thereof to be entered in their minute book at their next meeting and in the case of a vacancy in the office of Nominated Trustee shall cause notice thereof to be given as soon as possible to the proper appointing council. Any competent Trustee may be re-appointed.

MEETINGS AND PROCEEDINGS OF TRUSTEES

12. Ordinary Meetings. The Trustees shall hold at least two ordinary meetings in each year.

13. First meeting. The first meeting of the Trustees shall be summoned by the said Richard Anthony Harrison or if he fails for three calendar months after the date of this Scheme to summon a meeting by any two of the Trustees.

14. Chairman. The Trustees at their first ordinary meeting in each year shall elect one of their number to be chairman of their meetings until the commencement of the first ordinary meeting in the following year. The chairman shall always be eligible for re-election. If at any meeting the chairman is not present within ten minutes after the time appointed for holding the same or there is no chairman the Trustees present shall choose one of their number to be chairman of the meeting.

15. 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, but if the matters include an appointment of a Co-opted Trustee then upon not less than 21 days' notice being so given. A special meeting may be summoned to take place immediately after an ordinary meeting.

16. Quorum. When the trustee body comprises 8 or less the quorum shall be 3.

When the trustee body comprises 9 or more the quorum shall be 4.

17. Voting. Every matter shall be determined by the majority of votes of the Trustees present and voting on the question. In 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, ACCOUNTS AND ANNUAL REPORT

18. Minutes. The Trustees shall keep, in books maintained for the purpose, minutes of the proceedings of their meetings.

19. Accounts and annual report. The Trustees shall comply with their obligations under Part VI of the Charities Act 1993 with regard to:

- (1) the keeping of accounting records for the Charity;
- (2) the preparation of annual accounts for the Charity;
- (3) the preparation of an annual report;
- (4) where applicable the auditing or independent examination of the statements of account of the Charity;

- (5) where applicable the transmission of the statements of account of the Charity to the Commissioners.

20. Annual return. The Trustees shall, where applicable, comply with their obligations under the Charities Act 1993 with regard to the preparation of an annual return and its transmission to the Commissioners.

21. General power to make regulations. Within the limits prescribed by this Scheme the Trustees shall have full power from time to time to make regulations for the management of the Charity and for the conduct of their business including the summoning of meetings, the appointment of a clerk, the deposit of money at a proper bank and the custody of documents.

22. Clerk. The Trustees may appoint as clerk one of their number without remuneration who shall be dismissable at their pleasure or some other fit person at such reasonable salary and upon such reasonable terms as to notice within the limits permitted by law and otherwise as they think fit.

MANAGEMENT OF LAND/PROPERTY

23. Management and letting of lands. (1) The Trustees shall let and otherwise manage all the land belonging to the Charity not required to be retained or occupied for the purposes thereof. Except with the approval of the Commissioners the Trustees must give public notice of the intention to let any land in such manner as they consider most effectual for ensuring full publicity.

(2) The Trustees must comply with the restrictions on disposal imposed by Section 36 of the Charities Act 1993 unless the lease is excepted from such restrictions under Section 36(9)(b) or (c) or Section 36(10) of that Act.

24. Repair and insurance. The Trustees shall keep in repair and insure to the full value thereof against fire and other usual risks all the buildings of the Charity not required to be kept in repair and insured by the lessees or tenants thereof and shall suitably insure in respect of public liability.

25. Sale. The Trustees may sell the whole or any part of the said land and may do and execute all proper acts and assurances for carrying any such sale into effect subject nevertheless to complying with the restrictions on disposition imposed by Section 36 of the Charities Act 1993 unless the sale is excepted from such restrictions under Section 36(9)(b) or (c) or Section 36(10) of that Act.

26. Proceeds of sale. Unless the Commissioners otherwise direct the clear proceeds of any such sale as aforesaid shall be invested in trust for the Charity.

27. Discharge of restrictions. Any land let or sold as aforesaid shall be discharged during the period of the letting or on completion of the sale from any restrictions as to the use thereof imposed by or under the inclosure award dated 18th March 1784 made in pursuance of the Act of Parliament of the year 1783, 23 Geo.III c.15.

APPLICATION OF INCOME

28. Expenses of management. The Trustees shall first defray out of the income of the Charity the cost of maintaining the property of the Charity (including the repair and insurance of any buildings thereon) and all other charges and outgoings payable in respect thereof and all the proper costs, charges and expenses of and incidental to the administration and management of the Charity.

29. Application of income. Subject to payment of the expenses aforesaid the Trustees shall apply the income of the Charity for the general benefit of the inhabitants of the Parish of Stanford in the Vale.

GENERAL PROVISIONS

30. Appropriation of benefits. The appropriation of the benefits of the Charity shall be made by the Trustees at meetings of their body and not separately by any individual Trustee or Trustees.

31. Trustees not to be personally interested. No Trustee shall take or hold any interest in property belonging to the Charity otherwise than as a Trustee for the purposes thereof and no Trustee shall receive remuneration or be interested in the supply of work or goods, at the cost of the Charity.

32. Delegation of Investment Management. (1) The Trustees may appoint as the investment manager for the Charity a person who they are satisfied after inquiry is a proper and competent person to act in that capacity and who is either -

- (a) an individual of repute with at least fifteen years' experience of investment management who is an authorised person within the meaning of the Financial Services Act 1986 or
- (b) a company or firm of repute which is an authorised or exempted person within the meaning of that Act otherwise than by virtue of s.45(1)(j) of that Act;

(2) The Trustees may delegate to an investment manager so appointed power at his discretion to buy and sell investments for the Charity on behalf of the Trustees in accordance with the investment policy laid down by the Trustees. The Trustees may only do so on terms consistent with this clause.

(3) Where the Trustees make any delegation under this clause they shall:-

- (a) inform the investment manager in writing of the extent of the Charity's investment powers;
- (b) lay down a detailed investment policy for the Charity and immediately inform the investment manager in writing of it and of any changes to it;

- (c) ensure that the terms of the delegated authority are clearly set out in writing and notified to the investment manager;
- (d) ensure that they are kept informed of, and review on a regular basis, the performance of their investment portfolio managed by the investment manager and the exercise by him of his delegated authority;
- (e) take all reasonable care to ensure that the investment manager complies with the terms of the delegated authority;
- (f) review the appointment at such intervals not exceeding 24 months as they think fit; and
- (g) pay such reasonable and proper remuneration to the investment manager and agree such proper terms as to notice and other matters as the Trustees shall decide and as are consistent with this Scheme provided that such remuneration may include commission fees and/or expenses earned by the investment manager if and only to the extent that such commission fees and/or expenses are disclosed to the Trustees.

(4) Where the Trustees make any delegation under this clause they shall do so on the terms that:-

- (a) the investment manager shall comply with the terms of his delegated authority;
- (b) the investment manager shall not do anything which the Trustees do not have the power to do;
- (c) the Trustees may with reasonable notice revoke the delegation or vary any of its terms in a way which is consistent with the terms of this clause; and
- (d) the Trustees shall give directions to the investment manager as to the manner in which he is to report to them all sales and purchases of investments made on their behalf.

33. Appointment of a nominee. The Trustees may:-

- (1) make such arrangements as they think fit for any investments of the Charity or income from those investments to be held by a corporate body which is incorporated in England and Wales (or which has established a branch or a place of business in England and Wales) as the Trustees' nominee; and
- (2) pay reasonable and proper remuneration to any corporate body acting as the Trustees' nominee in pursuance of this clause.

34. Power of amendment. (1) Subject to the provisions of this clause, the Trustees may amend the provisions of this Scheme.

(2) Any amendment must be made under the authority of a resolution passed at a special meeting of the Trustees.

(3) The Trustees must not make any amendment which would:

- (a) vary this clause;
- (b) vary clause 29 (Application of income) of this Scheme;
- (c) confer a power to dissolve the Charity;
- (d) enable them to spend permanent endowment of the Charity .

(4) The Trustees must obtain the prior written approval of the Commissioners to any amendment which would:

- (a) affect the composition of the Trustees or the terms on which they hold office;
- (b) vary the Trustees' power of investment.

(5) The Trustees must:

- (a) promptly send to the Commissioners a copy of any amendment made under this clause; and
- (b) keep a copy of any such amendment with this Scheme.

35. Questions under Scheme. Any question as to the construction of this Scheme or as to the regularity or the validity of any acts done or about to be done under this Scheme shall be determined by the Charity Commissioners upon such application made to them for the purpose as they think sufficient.

Sealed by Order of the Commissioners this 21st day of August 1997

L.S.