

CHARITY COMMISSIONERS FOR ENGLAND AND WALES

SCHEME

**THE STAPLEFORD FEOFFEE CHARITY
STAPLEFORD, CAMBRIDGESHIRE**

DATED 10TH APRIL 1986

Sealed 10th April 1986

111(S)
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County - Cambridgeshire
Parish - Stapleford
Charity - The Stapleford Feoffee
Charity

L1(E)
206,701 A/1

Scheme including appointment of
Trustees

CHARITY COMMISSION

In the matter of the Charity called The Stapleford Feoffee Charity,
in the Parish of Stapleford, in the County of Cambridgeshire,
regulated by a Scheme set forth in the second schedule to an
Order of the Charity Commissioners of the 6th March 1885; and
In the matter of the Charities Act 1960.

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:-

S C H E M E

1. Administration of Charity. The above-mentioned Charity and the
property thereof specified in the schedule hereto and all other the
property (if any) of the Charity shall be administered and managed subject
to and in conformity with the provisions of this Scheme by the body of
Trustees hereinafter constituted.

2. Investments and cash. Subject to any further direction of the
Charity Commissioners -

- (1) All investments now or at any time belonging to the Charity not
already standing in the name of the Official Custodian for
Charities shall be transferred to the said Official Custodian;
- (2) 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 the name of the said Official Custodian.

TRUSTEES

3. Trustees. The body of Trustees shall consist when complete of nine competent persons being

Three Ex-officio Trustees,
Two Nominative Trustees and
Four Co-optative Trustees.

4. Ex-officio Trustees. The Ex-officio Trustees shall be

The Vicar and Churchwardens all for the time being of the Ecclesiastical Parish of St. Andrew, Stapleford.

5. Nominative Trustees. Except at first as hereinafter provided the Nominative Trustees shall be appointed by Stapleford 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 council. 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 council.

6. First Nominative Trustees. The following persons shall be the first Nominative Trustees and subject to the provisions hereinafter contained for determination of trusteeship shall hold office for the following periods respectively.

John Gaymer King, of 6 Haverhill Road, Stapleford, and
Dorothy Frances Joan Barnes, of Galewood Lodge, Haverhill Road,
Stapleford,

both for three years from the date of this Scheme.

7. Co-optative Trustees. The Co-optative Trustees shall be persons who through residence, occupation or employment, or otherwise have special knowledge of the Parish of Stapleford.

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

George Laurie Noel Dunn, of 5 Granta Terrace, Stapleford, in the County of Cambridgeshire,
for two years from the date of this Scheme;

George Frederick Sparrow, of 78 London Road, Stapleford,
for three years from the said date;

Kathleen Lindsay Foreman, of 20 Greenfield Close, Stapleford,
for four years from the said date;

Leslie Aves Cannell, of 47 Mingle Lane, Stapleford,
for five years from the said date.

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9. Future Co-optative Trustees. Every future Co-optative 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-optative Trustee expires with effect from the date of expiry but so that the latter shall not vote on the matter.

10. 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.

11. Determination of trusteeship. Any Nominative or Co-optative Trustee who is absent from all meetings of the Trustees during a period of one year and any Trustee who is adjudged bankrupt or makes a composition or arrangement with his or her creditors or who is incapacitated from acting or who communicates in writing to the Trustees a wish to resign shall cease thereupon to be a Trustee.

12. 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.

MEETINGS AND PROCEEDINGS OF TRUSTEES

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

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

15. 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.

16. Special meetings. A special meeting may be summoned at any time by the chairman or any two Trustees upon not less than seven days' notice being given to the other Trustees of the matters to be discussed, but if the matters include an appointment of a Co-optative 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.

17. Quorum. There shall be a quorum when four Trustees are present at a meeting.

18. 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 give more than one vote.

19. Minutes and accounts. A minute book and books of account shall be provided and kept by the Trustees. Statements of account in relation to the Charity shall be prepared and transmitted to the Charity Commissioners in accordance with the provisions of the Charities Act 1960, except if and in so far as the Charity excepted by order or regulations.

20. 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 deposit of money at a proper bank and the custody of documents.

21. Clerk. The Trustees may appoint as clerk one of their number without remuneration who shall be dismissible 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.

PROPERTY

22. Management and letting of lands. The Trustees shall let and otherwise manage all the lands belonging to the Charity. The Trustees shall not without the sanction of the Commissioners or a competent court create any tenancy wholly or partly in consideration of a fine or for a term ending more than 22 years after it is granted or for less than the best rent obtainable.

23. Leases. The Trustees shall provide that on the grant by them of any lease the lessee shall execute a counterpart thereof. Every lease shall contain covenants on the part of the lessee for the payment of rent the proper cultivation of the land and all other usual and proper covenants applicable to the property comprised therein and a proviso for re-entry on non-payment of the rent or non-performance of the covenants.

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. Subject to the authority of a further Order or Orders of the Commissioners 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.

26. Proceeds of sale. Unless the Commissioners otherwise direct the Trustees shall pay over the proceeds of any such sale as aforesaid for investment in trust for the Charity in the name of the said Official Custodian.

APPLICATION OF INCOME

27. 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.

28. Application of income. (1) Subject to payment of the expenses aforesaid the Trustees shall apply the income of the Charity as follows:-

3/5ths to the Parochial Church Council of the Ecclesiastical Parish of Stapleford to be applied by them in or towards the maintenance and repair of the Parish Church of the Ecclesiastical Parish of Stapleford and the maintenance of services therein and subject thereto, for furthering the religious and other charitable work of the Church of England in the said ecclesiastical parish.

2/5ths to be applied in relieving either generally or individually persons resident in the Parish of Stapleford who are in conditions of need, hardship and distress by making grants of money or providing or paying for items, services or facilities calculated to reduce the need, hardship or distress of such persons.

(2) The Trustees may pay for such items, services or facilities by way of donations or subscriptions to institutions or organisations which provide or which undertake in return to provide such items, services or facilities for such persons.

(3) In exceptional cases the Trustees may grant relief to persons otherwise eligible therefor who are resident immediately outside the said parish but in the opinion of the Trustees ought nevertheless for sufficient reason to be treated as if resident therein or who are located for the time being within that parish.

29. Restrictions. In applying income of the Charity for relief in need the Trustees shall observe the following restrictions:

(1) They shall not apply any part of the income directly in relief of rates, taxes or other public funds but may apply income in supplementing relief or assistance provided out of public funds.

- (2) They shall not commit themselves to repeat or renew the relief granted on any occasion in any case.

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: Provided that the Trustees from time to time may appoint two or more members of their body to be a committee for dealing with any cases of emergency but all acts and proceedings of committees shall be reported in due course to the 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. 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 Commissioners upon such application made to them for the purpose as they think sufficient.

SCHEDULE

Land containing 15.5 acres or thereabouts situate at Stapleford in the County of Cambridgeshire and now let to Beavis Brothers and Norman Challis at the combined yearly rent of £620.

A yearly wayleave of £13.53 in respect of stays and poles payable by the Eastern Electricity Board.

The following Income Shares in the Charities Official Investment Fund.

23,021.81 Shares representing the proceeds of sale of real property (Order of the Charity Commissioners of the 11th March 1985).

52.28 Shares.

£110.92 cash on current account at the Great Shelford branch of Barclays Bank PLC.

This schedule is made up to 26th February 1986.

Note. The above-mentioned land is vested in the Official Custodian for Charities by virtue of the Scheme set forth in the above-mentioned Order of the Commissioners of the 6th March 1885 as affected by the provisions of the Charities Act 1960.

Sealed by Order of the Commissioners this 10th day of April 1986.

NOTE

This note has no legal force as part of the scheme but indicates ways in which income may properly be applied for the relief of people in need.

Relief in Need

1. Charities for relief in need operate in the same field as statutory social services. Trustees who administer such charities should not normally give aid until they are satisfied that the potential beneficiary has obtained all the relevant statutory benefits to which he has a claim and should be careful to avoid abating the statutory benefits. Trustees should accordingly acquaint themselves with the system of social benefits, the effect upon such benefits of grants from charitable sources, and the gaps in statutory provision which can be filled by charitable services or facilities for those in need. Leaflets describing the statutory benefits available for the elderly, disabled, sick, unemployed, those on low incomes and single parent families can be obtained from local offices of the Department of Health and Social Security.

2. By consulting officers in the local Social Security offices and in the Social Services Department of the local authority trustees will be able to learn what assistance and services these authorities can give in particular circumstances whether by way of special grants or otherwise and may also discover people living within the charity's area of benefit who have needs which the statutory services do not meet in full. In this way trustees can also ensure that an allowance from the charity or the provision of some item or facility will not affect any statutory benefits.

3. It is for the charity trustees to decide whether need exists in any particular case and to assess the extent of that need. Eligibility for statutory benefits is not a decisive factor in itself. People receiving such benefits may need additional help from charitable funds. Equally, it must be borne in mind that those who are not receiving statutory benefits and who are not eligible for them may also need help.

4. Charity trustees proposing to give immediate aid in cases of emergency should taken into account any arrangements made by the statutory authorities to provide essential services in such an emergency and should ascertain, so far as they can, that emergency relief is not available from public funds.

5. Trustees may either pay directly for the benefits they provide, or give money to beneficiaries to pay for benefits, or they may make arrangements for the benefits to be provided by other organisations in return for subscriptions or donations.

6. The scheme gives the trustees a wide choice in the sort of relief that they can give out of the income of the charity so long as the need is clear. Relief must be given only to assist people who are eligible under the scheme, must be related to the need in each case, and must be reasonable in the circumstances, taking into account any relief available from other sources. Some examples follow and others may occur to trustees:

1. Grants of money in the form of -

(a) weekly allowances for a limited period to meet a particular need,

(b) special payments to relieve sudden distress,

(c) payment of travelling expenses for visiting people in hospitals, convalescent homes or similar institutions, or in children's homes, or in prison, or other correctional establishments, particularly where more frequent visits are desirable than payments from public funds will allow; and payments to meet consequential expenses of accommodation, refreshments, child-minding, etc.,

(d) payments to other charities accommodating those in need in the area of the charity such as almshouses, or homes or hostels for the residence or care of old, infirm or homeless people.

(e) payments to assist in meeting electricity and gas bills,

(f) payment of television licence fees.

ii. The provision of items either outright or, if expensive and appropriate, on loan, such as -

(a) furniture, bedding, clothing, food, fuel, heating appliances.

(b) washing machines for widows with large families or radio or television sets for the lonely, bedridden or housebound.

iii. Payment for services such as house decorating, insulation and repairs, laundering, meals on wheels, outings and entertainments, child-minding.

iv. The provision of facilities such as -

(a) the supply of tools or books or payment of fees for instruction or examinations or of travelling expenses so as to help the recipients to earn their living, or

(b) provision of equipment and funds for recreational pursuits or training intended to bring the quality of life of the beneficiaries to a reasonable standard.

Further examples follow of the sort of additional help that can be given when those in need are also sick, convalescent, disabled, handicapped or infirm, whether mentally or physically:

v. Grants of money in the form of -

(a) special payments to relieve sickness or infirmity,

(b) payment of travelling expenses on entering or leaving hospitals, convalescent homes or similar institutions, or for out-patient consultations,

(c) payments towards the cost of adaptations to the homes of the disabled,

(d) payment of telephone installation charges and rentals.

vi. The provision of items either outright or, if expensive and appropriate, on loan, such as -

(a) food for special diets, medical or other aids, nursing requisites or comforts,

(b) invalid chairs for the disabled, handicapped or infirm.

vii. The provision of services such as bathing exchange of library books, foot care, gardening, hair washing, shaving, help in the home, nursing aid, physiotherapy in the home, reading shopping, sitting-in, tape-recording for the housebound, travelling companions.

viii. The provision of facilities such as arrangements for a period of rest or change of air or to secure the benefits of any convalescent home or other institution or organisation or to provide temporary relief for those having the care of the sick or handicapped person: help for relatives and friends to visit or care for patients, transport.