

CHARITY COMMISSION.

In the matter of the following Charities, at Wheatley, in the County of Oxford:-

1. The Charity known as Simon's Close;
 2. The Charity known as Town Meadow; being the Charities comprised in Schemes of the Charity Commissioners of the 11th December 1863 and the 28th April 1911 and an Order made by the Commissioners on the 8th March 1904 under the Local Government Act, 1894, s.14(3);
 3. The Charity of Dr Cyril Jackson;
 4. The Charity of Dame Elizabeth Curzon;
 5. The Charity of Joseph Sims;
- being some of the Charities comprised in a Scheme of the Commissioners of the 28th January 1887;
6. The Educational Foundation of Dame Elizabeth Curzon and Joseph Sims, constituted by an Order made by the Commissioners on the 7th July 1905 under the Board of Education Act, 1899, s.2(2); 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 Charities

SCHEME.

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

2. investment of cash. - Sums of cash at any time belonging to the Charities and not needed for immediate working purposes shall be invested in the name of the Official Custodian, for Charities unless the Charity Commissioners otherwise direct.

TRUSTEES.

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

One Ex-officio Trustee,
Two Nominative Trustees and
Two Co-optative Trustees.

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

The Vicar for the time being of the Ecclesiastical Parish of St. Mary,
Wheatley.

5. Nominative Trustees. - The Nominative Trustees shall be appointed by the Parish Council of Wheatley. 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 be entitled to hold office as appointees of the council for the following periods respectively:

Stanley Underwood, of Stonecroft, Church Road, Wheatley, Hairdresser,
for four years from the date of this Scheme; Cyril David Yates, of 10 Littleworth Road, Wheatley, Chartered Accountant,
for two years from the said date.

7. Co-optative Trustees. - The Co-optative Trustees shall be persons residing or carrying on business in or near the Parish of Wheatley.

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 be entitled to hold office for the following periods respectively:

Glenville Rees Evans, of The School House,
Church Road, Wheatley, Head Teacher,
for five years from the date of this Scheme; Wilfrid Charles Sheldon, of Church Road, Wheatley, Retired Blacksmith,
for three years from the said date*

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.

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 Co-optative Trustee who ceases to be qualified as aforesaid, 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 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 and in the case of a vacancy in the office of Nominative Trustee shall cause notice thereof to be given as soon as possible to the council. Any competent Trustee may be re-appointed. No vacancy in the office of Co-optative Trustee shall be filled until after the lapse of one calendar month from its occurrence.

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 four days¹ notice being given to all the other Trustees of the matters to be discussed. A special meeting may be summoned to take place immediately after an ordinary meeting.

17. Quorum. - There shall be a quorum when three 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 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 Charities shall

be prepared and transmitted in accordance with the provisions of the Charities Act, 1960, except if and in so far as the Charities are 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 Charities 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.

CHARITIES NUMBERED 2 AND 5 ABOVE.

MANAGEMENT OF LANDS.

21» Management and letting of lands. - The Trustees shall let and otherwise manage all the lands belonging to the Charities numbered 2 and 5 above not required to be retained or occupied for the purposes thereof.

Except with the approval of the Commissioners the Trustees shall give public notice of the intention to let any of the said land in such manner as they consider most effectual for ensuring full publicity. 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.

22. 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.

23. Repair and insurance. - The Trustees shall keep in repair and insure for full value against fire all the buildings of the said Charities numbered 2 and 5 not required to be kept in repair and insured by the lessees or tenants thereof.

APPLICATION OF INCOME.

24. Expenses of management. - The Trustees shall first defray -

- (1) The cost of repairs and insurance and all other charges and outgoings payable in respect of the property of the said Charities numbered 2 and 5 out of the income of those Charities.
- (2) All the proper costs charges and expenses of and incidental to the administration and management of the Charities out of the income thereof and so far as may be rateably.

CHARITIES NUMBERED 1, 2 AND 3 ABOVE.

25. Application of income. - Subject to the payments aforesaid the Trustees shall apply the income of the Charities numbered 1, 2 and 3 above for the benefit of poor persons resident in the Parish of Wheatley either in gifts in kind or grants of money which may include grants to any almshouse or other charitable institution established for the benefit of persons qualified as aforesaid.

CHARITIES NUMBERED 4, 5 AND 6 ABOVE.

26. Application of income. - Subject to the payments aforesaid the Trustees shall apply the income of the Charities numbered 4, 5 and 6 above in either or both of the following ways for the benefit of persons resident in the Parish of Wheatley who have not attained the age of 25 years and who are, in the opinion of the Trustees, in need of financial assistance:

- (1) In assisting them to prepare for, or enter upon, or engage in, any trade, occupation, profession or service by providing them with outfits or by the payment of fees or maintenance allowances or travelling expenses for the purpose of obtaining instruction or training;
- (2) In otherwise promoting their education (including social and physical training).

GENERAL PROVISIONS.

27. Appropriation of benefits. - The appropriation of the benefits of the Charities 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.

28. Trustees not to be personally interested. - No Trustee shall take or hold any interest in property belonging to the said Charities numbered 2 and 5 otherwise than as a Trustee for the purposes thereof and no Trustee shall receive remuneration, or be interested in the supply or work or goods, at the cost of the Charities.

29. Charities not to relieve public funds. - The funds or income of the Charities shall not be applied in relief of rates, taxes or other public funds.

30. 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 or the Secretary of State for Education and Science as appropriate upon such application made to them or him for the purpose as they think or he thinks sufficient.

SCHEDULE.

Charity numbered 1 above.

A perpetual yearly rent charge of £5 charged upon or issuing out of land situate at Wheatley in the County of Oxford known as Simon's Close the possession or ownership of which land is now divided as follows:

1. Land known as 5 Simon's Close now in the possession or ownership of Sylvanus Sydney Denton.
2. Land known as 6 Simon's Close now in the possession or ownership of Stephen Webb.
3. Land known as Green Hedges, Ladder Hill now in the possession or ownership of William John Osborne.
4. Land situate between the land known as Green Hedges and Simon's Close with a frontage to Ladder Hill now in the possession or ownership of Alfred John Richard Samuels.

Charity numbered 2 above.

Land containing 5 acres or thereabouts situate at Wheatley and known as Town Meadow now in the occupation of Richard Edmund Greaves at the yearly rent of £6.

Charity numbered 3 above.

£166 13s. 4d. 2] per cent. Consolidated Stock standing in the name of the Official Custodian for Charities.

£29 2s. 6d. cash on current account at the Headington branch of Barclays Bank Limited.

Charity numbered 4 above.

197 Income Shares in the Charities Official Investment Fund.

Charity numbered 5 above.

Land containing 5 acres 29 perches or thereabouts situate at Dinton in the County of Buckingham now in the occupation of T. Rossiter at the yearly rent of £30.

Charity numbered 6 above.

The endowment consists of one half of the net yearly income of the Charities numbered 4 and 5 above.

Charities numbered 1 and 2 above.

£21 17s. 10d. cash on current account at the Oxford branch of Lloyds Bank Limited.

Charities numbered 4, 5 and 6 above.

£37 14s. 1d. cash on current account at the Headington branch of Barclays Bank Limited.

£208 8s. 2d. cash on deposit account at the Headington branch of Barclays Bank Limited.

Notes. - (1) The above-mentioned rent charge belonging to the Charity numbered 1 above and the above-mentioned land belonging to the Charity numbered 2 above are vested in the said Official Custodian by virtue of the above-mentioned Scheme of the Commissioners of the 11th December 1863 as affected by the provisions of the Charities Act, 1960.

(3) The above-mentioned land belonging to the Charity numbered 5 above is vested in the said Official Custodian by virtue of the Order establishing the above-mentioned Scheme of the 28th January 1887 as affected by the said provisions.

Sealed by Order of the Commissioners this 4th day of June 1968