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DRAFT

County - Oxfordshire
Parish - Langford
Charities - 1. Langford
United
Charities
2. Robert Day

CD(T2)
238,299 A/1
2042557/1

Scheme including appointment of
Trustees

CHARITY COMMISSION

In the matter of the following Charities in the Parish of Langford, in the County of Oxfordshire:

1. The Charity called the United Charities, regulated by a Scheme of the Charity Commissioners of the 2nd July 1915;
2. The Charity of Robert Day, founded by will proved on the 24th September 1869; 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:-

S C H E M E

1. Administration of Charities. (1) 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 together as one Charity (the Charity) subject to and in accordance with the provisions of this Scheme by the body of Trustees hereinafter appointed.

(2) The name of the Charity shall be *The Langford 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. Area of benefit. In this Scheme the expression "area of benefit" shall mean the Parish of Langford.

TRUSTEES

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

One Ex-officio Trustees
Three Nominated Trustees and
One Co-opted Trustee.

5. Ex-officio Trustee. The Ex-officio Trustee shall be the incumbent for the time being of the present benefice of Langford St Matthew: Provided that -

(1) during any period when there is no incumbent as aforesaid or the bishop declares a period of suspension in respect of the benefice the priest for the time being in charge of the benefice shall by virtue of his office be the Ex-officio Trustee; or

(2) if at any time the Church Commissioners make a pastoral Scheme dissolving the present benefice the incumbent of a new benefice which incorporates the whole or a major part of the area of the present benefice shall by virtue of his office be the Ex-officio Trustee; or

(3) if at any time the Church Commissioners make a pastoral Scheme establishing a team ministry for the area of any benefice which includes the whole or a major part of the area of the present benefice the rector for the time being of that team ministry shall by virtue of his office be the Ex-officio Trustee unless by that Scheme or by virtue of a bishop's licence a special cure of souls is assigned to a vicar in respect of an area which includes the whole or a major part of the present benefice in which case that vicar shall by virtue of his office be the Ex-officio Trustee.

6. Nominated Trustees. Except at first as hereinafter provided the Nominated Trustees shall be appointed by Langford 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 council.

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

Derek Sydney Lafford of 5 Leys View ;

Jennifer Caroline Pitkin of Glebe Farm ;

both for a term of four years from the date of this Scheme;

Robert William Clack of 31, The Elms ;

for a term of two years from the date of this Scheme.

8. First Co-opted Trustee. The following person shall be the first Co-opted Trustee and subject to the provisions hereinafter contained for determination of trusteeship shall hold office for five years:

Richard James Kirby of Rectory Farm

9. 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.

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 Nominated or Co-opted 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 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 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

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 *Robert Clack* or if [he] [she] 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 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.

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 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.

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 is 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 appointment of a clerk, 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 dismissable at their pleasure or some other fit person at such reasonable terms as to notice within the limits permitted by law and otherwise as they think fit.

MANAGEMENT OF LAND

22. Management and letting of lands. 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 subject to such consents as are required by law.

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, 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.

APPLICATION OF INCOME

24. Expenses of management. The Trustees shall first defray out of the income of the Charity all the proper costs, charges and expenses of and incidental to the administration and management of the Charity.

25. Application of income. (1) Subject to payment of the expenses aforesaid the Trustees shall apply the income of the Charity in relieving either generally or individually persons resident in the area of benefit who are in conditions of need, hardship or 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 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 area of benefit 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 the area of benefit.

26. Restrictions. In applying the income of the Charity 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 grant on any occasion in any case.

GENERAL PROVISIONS

27. 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 such 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 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.

29. 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.

SCHEDULE

Land containing 4.04 acres or thereabouts situate at Langford, being the land known as Broughton Field or the Poor's Allotments.

Allotments 4.16 acres.

DT218.93 21.07.93 KS

Field No 1362.

Pits .67ac

Field No 0483.

£ * cash on deposit account at the Lechlade branch of Lloyds
Bank .

£ * cash on current account at the said branch of the said bank.
This schedule is made up to the

Note.

Sealed by Order of the Commissioners this day of

* to be completed

L.S.

I CERTIFY that to the best of my knowledge and belief this schedule is a full and true statement of the property of the above-mentioned Charity.

Signature _____

Capacity _____

Date _____

Note - If any land specified in the schedule hereto is not freehold its tenure should be stated. Names of persons should be set out in full.

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. The receipt of statutory benefits may be an indication of need but is not a decisive factor in itself. People receiving such benefits may need additional help from charitable funds. But it must be borne in mind that those who are not receiving statutory benefits may also need help.

4. Charity trustees proposing to give immediate aid in cases of emergency should take into account any arrangements made by the statutory authorities to provide essential services in such an emergency and should ascertain, so far as circumstances permit, 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:

i. 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) arrangements for a recuperative holiday or change of air.

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) payment towards the cost of adaptations to the homes of the disabled,

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(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.

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