Sealed 22nd April 1997

W 105(S)
97

County - Oxfordshire
Place - Faringdon
Charity - Recreation Ground (Tucker Park)

CD(T)
300,156

Scheme including appointment of Trustee

CHARITY COMMISSION

In the matter of the Charity for a recreation ground known as Tucker Park, at Great Faringdon, in the County of Oxfordshire comprised in a deed of assignment dated the 4th August 1948; 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 Trustee hereinafter appointed.

(2) The name of the Charity shall be "The Tucker's Recreation Ground Trust" or such other name as the Trustee 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. Object. (1) The object of the Charity shall be the provision and maintenance of a recreation ground for the benefit of the inhabitants of the Parish of Great Faringdon without distinction of political, religious or other opinions, with the object of improving the conditions of life for the said inhabitants.

(2) The land belonging to the Charity shall be held on trust for use for the object of the Charity.

TRUSTEE

4. Trustee. The Faringdon Town Council shall be the Trustee of the Charity.

MANAGEMENT

5. Committee of management. (1) The Trustee may delegate such of its powers, duties and functions as relate to the day to day administration and management of the Charity, in such manner and subject to such rules as the Trustee prescribes, to a Committee of Management (hereinafter referred to as the Committee) consisting when complete of 5 persons (hereinafter referred to as members) being

Three Nominated Members and
Two Co-opted Members

(2) The Nominated Members shall be appointed by the Trustee.

(3) Every Co-opted Member shall be appointed by a resolution of all or a majority of the Nominated Members passed at a special meeting of the Committee of which not less than 21 days' notice has been given.

(4) Each appointment of a Member shall be made for a term of two years. Any competent Member may be re-appointed.

(5) All acts and proceedings of the Committee shall be reported in due course to the Trustee for approval and confirmation.

(6) The Trustee may at any time and without assigning any reason remove any or all of the members of the Committee from office.

6. Rules and management. Within the limits prescribed by this Scheme the Trustee shall have power to make, alter and revoke rules for the regulation and management of the property of the Charity.

MINUTES, ACCOUNTS AND ANNUAL REPORT

7. Minutes. The Trustee shall keep, in books maintained for the purpose, minutes of the proceedings of its meetings.

8. Accounts and annual report. The Trustee shall comply with its 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.

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

LETTING

10. Letting. (1) Subject to the provisions of this clause, the Trustee may let any part of the land belonging to the Charity which is not required for use for the object of the Charity.

(2) The Trustee may only let the land if:

(a) the letting will not unduly interfere with the use of the remaining land for the object of the Charity; and

(b) the decision to let is confirmed by a resolution passed at a meeting of the inhabitants of the area of benefit of 18 years and upward. At least 14 days notice of the meeting, setting out the terms of the resolution proposed, must be given.

(3) The Trustee 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.

APPLICATION OF INCOME

11. Expenses of management. The Trustee 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 not required to be kept in repair or insured by the lessees or tenants thereof) 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.

12. Application of income. Subject to payment of the expenses aforesaid the Trustee shall apply the income of the Charity in furthering the object of the Charity.

GENERAL PROVISIONS

13. 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.

Sealed by Order of the Commissioners this 22nd day of April 1997.

L.S.

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