

dated 24th May 1912.

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of the Board
24th May 1912

1415
12.

County—NORFOLK.

Parish—WELLS NEXT THE SEA.

Charities—1. Reverend Mungo Moray
and others.
2. Haycock.

1912

B.
43,197.

Scheme.

CHARITY COMMISSION.

In the Matter of—

1. The following Charities, in the Parish of WELLS NEXT THE SEA, in the County of NORFOLK, regulated by a Scheme of the Charity Commissioners of the 18th July 1876 as varied by a Scheme of the said Commissioners of the 17th May 1898:—

The Charity of The Reverend MUNGO MORAY; *n. e. c. all.*

The Charity of CHRISTOPHER RINGAR; *n. e. c.*

The Charity of ANN TIDD; *n. e. c.*

The Charity of WILLIAM BRANCH ELLIOTT; *n. e. c.*
and

The Charity called or known as the FUEL ALLOTMENT;

exclusive of the Educational Foundation of Moray and others constituted by an Order made by the said Commissioners on the 3rd May 1904 under the Board of Education Act, 1899, s. 2 (2);

2. The Charity of EMMA HAYCOCK, in the said Parish, comprised in an Indenture dated 19th February 1836; and

In the Matter of "The Charitable Trusts Acts, 1853 to 1894."

The Board of Charity Commissioners for England and Wales, upon an application made to them on the 8th December 1911, in writing, signed by

The Reverend GEORGE HENRY NATHANIEL INGLE,
Rector of Wells next the Sea; and

HERBERT AUGUSTINE DEWING, Miller;

ARTHUR JAMES RAMM, Butcher;

WILLIAM CORNISH, Ironfounder;

GEORGE GRUMMETT, Harness Maker; and

ARTHUR WILLIAM RALLING, Grocer; all of Wells next the Sea; and

EDWARD BUNTING LOYNES, one of the Churchwardens of Wells next the Sea;

a majority of the Trustees or persons acting in the administration of the above-mentioned Charities:

And after due notice of the intention to make this Order published according to the direction of the Board by being affixed to or near a principal outer door of the Parish Church and the Wesleyan Chapel, Wells next the Sea, on the 14th March 1912, and by advertisement in the newspapers called "The Eastern Daily Press" and "The Lynn Advertiser" on the 15th March 1912; and also sent through the post to

GEORGE FREDERICK SMITH, the other of the Churchwardens of Wells next the Sea; and

FRANCIS WALTER KERSLEY, of Wells next the Sea, Miller and Merchant;

being those of the Trustees or persons acting in the administration of the Charities who were not privy to the said application, at their respective last known places of abode in Great Britain or Ireland, on the 12th March 1912 (being in each case more than one calendar month before the date hereof):

And having received no notice of any objection to the proposed Order, and after due consideration of the only suggestion for the variation thereof:

Do hereby Order as follows:—

The subjoined Scheme is approved and established as the Scheme for the regulation of the Charities.

SCHEME.

1. *Administration of Charities.*—The above-mentioned Charities exclusive as above-mentioned (which Charities so exclusive are herein-after called the Charities) and the endowments thereof specified in the Schedules hereto, and all other the endowments (if any) of the Charities, shall be administered and managed by the body of Trustees herein-after constituted, subject to and in conformity with the provisions of this Scheme, under the title of the United Charities.

2. *As to Stock and Cash.*—All sums of Stock comprised in this Scheme and not already held by "The Official Trustees of Charitable Funds" shall be transferred, under the authority of a further Order of the Charity Commissioners, into the name of the said Official Trustees; and all sums of cash now or at any time belonging to the Charities and not needed for immediate working purposes shall (unless otherwise ordered) as soon as possible be invested, under the like authority, in the name of the said Official Trustees.

TRUSTEES.

3. *Trustees.*—The body of Trustees shall (except at first as herein-after provided), when complete, consist of ten competent persons, being

One Ex-officio Trustee,
Eight Representative Trustees, and
One Coöptative Trustee.

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

The RECTOR for the time being of the Parish of Wells next the Sea.

5. *Representative Trustees.*—The Representative Trustees shall be appointed as follows:—

Six by the Urban District Council of Wells next the Sea; and
Two by the Local Education Authority.

Each appointment shall be made for a term of three years at a meeting convened and held according to the ordinary practice of the appointing body. The Chairman

of the meeting shall forthwith cause the name of each person appointed to be notified to the Trustees or their Clerk. The person appointed may be, but need not be, a member of the appointing body.

6. *First Representative Trustees.*—The first Representative Trustees shall be appointed as soon as possible after the date hereof, and their names shall be notified to the Rector on behalf of the Trustees.

7. *Coöptative Trustees.*—The Coöptative Trustees shall be persons residing or carrying on business in or near the Parish of Wells next the Sea.

8. *First Coöptative Trustees.*—The following persons shall be the first Coöptative Trustees under this Scheme:—

The above-named

HERBERT AUGUSTINE DEWING,
ARTHUR JAMES RAMM,
WILLIAM CORNISH,
GEORGE GRUMMETT,
ARTHUR WILLIAM RALLING, and
FRANCIS WALTER KERSLEY.

They shall be entitled, subject to the provisions herein-after contained with respect to determination of Trusteeship, to hold office for life.

9. *Future Coöptative Trustees.*—Every future Coöptative Trustee shall be appointed for a term of five years by a resolution of the Trustees to be passed at a special meeting.

10. *Declaration by Trustees.*—No person shall be entitled to act as a Trustee, whether on a first or 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 Coöptative Trustee who ceases to be qualified as aforesaid, any Representative or Coöptative Trustee who is absent from all meetings of the Trustees during a period of one year, and any Trustee who is adjudicated a bankrupt, or who is incapacitated from acting, or who communicates in writing to the Trustees a wish to resign, shall thereupon cease to be a Trustee.

12. *Vacancies.*—Upon the occurrence of a vacancy the Trustees shall, at their next meeting, cause a note thereof to be entered in their minute book, and in the case of a vacancy in the office of Representative Trustee shall cause notice thereof to be given as soon as possible to the proper appointing body. Any competent Trustee may be re-appointed. No vacancy in the office of Coöptative Trustee shall be filled till after the lapse of one calendar month from its occurrence, and there shall be no such vacancy until all the said first Coöptative Trustees have ceased to hold office as Trustees.

MEETINGS AND PROCEEDINGS OF TRUSTEES.

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

14. *Chairman.*—The Trustees shall at their first ordinary meeting in each year elect one of their number to be Chairman of their meetings for the year. They shall make regulations for supplying his place in case of his death, resignation, or absence. The Chairman shall always be re-eligible.

15. *Special Meetings.*—A special meeting may at any time be summoned by the Chairman or any two Trustees upon four days' notice being given to all the other Trustees of the matters to be discussed.

16. *Quorum.*—There shall be a quorum when four Trustees are present at a meeting.

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 shall have a casting vote, whether he has or has not previously voted on the same question, but no Trustee shall in any other circumstances give more than one vote.

18. *Minutes and Accounts.*—A minute book and books of account shall be provided and kept by the Trustees. All proper accounts in relation to the

shall in each year be made out and certified in such manner as the City Commissioners require, and copies thereof shall be transmitted to the said Commissioners, and published in conformity with the provisions of the Charitable Trusts Acts.

19. *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 deposit of money at a proper bank, the custody of documents, and the appointment as Clerk during their pleasure of one of themselves (without salary) or of some other fit person.

MANAGEMENT OF REAL PROPERTY.

20. *Allotments Extension Act, 1882.*—The Trustees shall let and otherwise manage in conformity with the provisions of the Allotments Extension Act, 1882, such of the lands belonging to the Charities as are subject to the provisions of the Fourth Section of that Act. The Trustees may set apart and let in allotments in the manner prescribed by and subject to the provisions of the said Act any portion of the land belonging to the Charities other than buildings and the appurtenances of buildings.

21. *Management and Letting of Property.*—Subject as aforesaid, all the property of the Charities not required to be retained or occupied for the purposes thereof shall be let and otherwise managed by the Trustees. In every case public notice of the intention to let any land or other property shall be given by the Trustees in such manner as they consider most effectual for ensuring full publicity. The Trustees shall not create any tenancy in reversion after more than 3 years of any existing term, or for more than 21 years certain, or for less than the improved annual value at rackrent, without the sanction of the Charity Commissioners or a competent Court.

22. *Leases.*—The Trustees shall provide that on the grant by them of any lease the lessee shall execute a counterpart thereof; and every lease shall contain covenants on the part of the lessee for the payment of rent and 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 against fire all the buildings of the Charities 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 Charities other than the Charity of Emma Haycock, out of the income of those Charities;
- (2) All the proper costs, charges, and expenses of and incidental to the joint administration and management of all the Charities, out of the income thereof, and as between the Charities other than the Charity of Emma Haycock on the one hand, and the Charity of Emma Haycock on the other hand, so far as may be rateably.

25. *Existing Trusts.*—Subject to the payments aforesaid, the yearly income of the Charities shall be applied by the Trustees in accordance with the existing trusts, but so that the Trustees may, if they think fit, apply at any time the income of the Charity of Emma Haycock for the benefit of duly qualified persons, in the supply of Clothes, Linen, Bedding, Fuel, Tools, Medical or other aid in Sickness, Food or other articles in kind.

GENERAL PROVISIONS.

26. *Appropriation of Benefits.*—The appropriation of the benefits of the Charities shall be made by the Trustees from time to time at meetings of their body, and not separately by any individual Trustee or Trustees.

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

18. *Charities not to relieve Rates.*—The funds or income of the Charities shall not in any case be applied in aid of any rates for the relief of the poor or other purposes in the Parish.

19. *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 conclusively by the Charity Commissioners, upon such application made to them for the purpose as they think sufficient.

SCHEDULE OF PROPERTY.

Description.	Extent or Amount.	Tenant, Person liable, or Persons in whose Name invested.	Gross Yearly Income.
<i>Charity of the Reverend Mungo Moray.</i> Rentcharge or yearly payment issuing out of the Bale Estate, situate at Bale, in the County of Norfolk.	—	Rector of Wells next the Sea	£ s. d. 18 0 0
<i>Charity of Christopher Ringar.</i> Consols	£ s. d. 6,324 19 10	"The Official Trustees of Charitable Funds."	158 2 4
<i>Charity of Ann Tidd.</i> Rentcharge or yearly payment issuing out of land in Wells next the Sea.	—	The Earl of Leicester	5 0 0
<i>Charity of William Branch Elliott.</i> Consols	388 2 0	"The Official Trustees of Charitable Funds."	9 14 0
<i>Fuel Allotment.</i> Piece of land in Wells next the Sea	A. R. P. 10 0 0	The Earl of Leicester	30 0 0
<i>Charity of Emma Haycock.</i> Consols	£ s. d. 492 3 1	Joshua Gales (deceased), Hugh Robert Rump (deceased), George Everitt, John Mack.	12 6 0

NOTE.—One-third of the clear yearly income of the Charities other than the Charity of Emma Haycock constitutes the endowment of the above-mentioned Educational Foundation.

Sealed by Order of the Board this 24th day of May 1912.

L.S.