

Sealed            23<sup>rd</sup> October 1987  
County            Essex  
Ancient Parish   Rettendon  
Charity            Richard Cannon

## Scheme including appointment of Trustees

### CHARITY COMMISSION

In the matter of the Charity of Richard Cannon, in the Ancient Parish of Rettendon, in the County of Essex, founded in the year 1605; 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:-

### SCHEME

#### 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 five competent persons being:

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

#### 4. Ex-officio Trustee.

The Ex-officio Trustee shall be the Rector for the time being of the Ecclesiastical Parish of Rettendon.

During any period when there is no rector as aforesaid the priest for the time being in charge of the said ecclesiastical parish shall by virtue of his office be the Ex-officio Trustee of the Charity.

#### 5. Nominated Trustees.

Except at first as hereinafter provided the Nominated Trustees shall be appointed by Rettendon 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 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 council under this Scheme, for the following periods respectively:

Mrs Violet Benson, of Hanover, Hawk Lane, Battlesbridge, for four years from the date of this Scheme;

Ronald Fallows, of 36 East Hanningfield Road, Rettendon Common, in the said county, for two years from the said date.

## 7. Co-opted Trustees.

The Co-opted Trustees shall be persons who through residence, occupation or employment, or otherwise have special knowledge of the area of the Ancient Parish of Rettendon.

## 8. First Co-opted Trustees.

The following persons shall be the first Co-opted trustees and subject to the provisions hereinafter contained for determination of trusteeship shall hold office for the following periods respectively:

Frederick John Hawkins, of Fulbourne Lodge, Hawk Hill, Battlesbridge, in the County of Essex, for five years from the date of this Scheme;

David Lawrence-Jones, of Rettendon Old Hall, Rettendon, in the said county, for three years from the said date.

## 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 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 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 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 rector 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 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 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 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.

## APPLICATION OF INCOME

### 21. 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.

## 22. 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 the Ancient Parish of Rettendon 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 and 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 area 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 area.

## 23. Restrictions.

In applying the income of the Charity the Trustees shall observe 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

### 24. 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.

### 25. Trustees not to be personally interested.

No Trustee shall receive remuneration, or be interested in the supply of work or goods, at the cost of the Charity.

### 26. 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

The right to receive one-half of the clear income, or one-half of the clear proceeds of sale of the land belonging to the Estate Charity of Richard Cannon in the Ancient Parishes of Rettendon and West Hanningfield, in the County of Essex.

£2,135 cash on deposit account at the 2 Chelmsford High Street branch of Barclays Bank PLC.

This schedule is made up to the 12th October 1987.

Sealed by Order of the Commissioners this 23<sup>rd</sup> day of October 1987.