STATUTORY INSTRUMENTS

1974 No. 690

CHARITIES

The Charities (Newton Poor's Land) Order 1974

Laid before Parliament in draft

Made - - - *8th April* 1974

Coming into Operation *22nd April* 1974

Whereas the Charity Commissioners for England and Wales have, in pursuance of section 19(1) of the Charities Act 1960(a), settled the Scheme set out in the Appendix to this Order with a view to its being given effect under that section:

And Whereas the said Scheme does not alter any statutory provision contained in or having effect under any public general Act of Parliament:

Now, therefore, I, the Right Honourable Roy Jenkins, one of Her Majesty's Principal Secretaries of State, in pursuance of section 19(2) of the Charities Act 1960, hereby make the following Order:—

1. This Order may be cited as the Charities (Newton Poor's Land) Order 1974 and shall come into operation on the fourteenth day after the day on which it is made.

2. The Scheme set out in the Appendix to this Order shall have effect.

Roy Jenkins,
One of Her Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
8th April 1974.

(a) 1960 c. 58.

APPENDIX

SCHEME FOR THE ADMINISTRATION OF THE CHARITY KNOWN AS THE NEWTON POOR'S LAND, IN THE CITY OF MANCHESTER

Whereas the Charity known as the Newton Poor's Land, in the City of Manchester, was constituted by:

(1) The Act of Parliament of the year 1802 intituled An Act for dividing, allotting, and inclosing the Common or Waste situate in the Manor of Newton in the County Palatine of Lancaster(a);

(2) The Act of Parliament of the year 1824 intituled An Act for confirming certain Leases and a Conveyance in Fee of certain Plots of Land allotted by an Act made in the Forty-second Year of the Reign of King George the Third, for dividing, allotting, and inclosing the Common or Waste situate in the Manor of Newton in the County Palatine of Lancaster, to the Overseers of the Poor of the Township of Newton; and for enabling the said Overseers to sell and convey in Fee other Plots of Land, all formerly Part of the said Waste, for building upon, in consideration of yearly Chief or Ground Rents to be reserved for the same(b);

and is comprised in:

(3) The County Borough of Manchester Confirmation Order 1896;

(4) The Manchester Confirmation Order 1916:

And Whereas the Charity has made application to the Charity Commissioners for a Scheme for the administration thereof:

And Whereas it appears to the Charity Commissioners that a Scheme should be established for the administration of the Charity but that it is necessary for the Scheme to alter the provision made by the said Acts of 1802 and 1824 as affected by the said Orders:

And Whereas pursuant to section 21 of the Charities Act 1960 public notice of the Charity Commissioners' proposals for this Scheme has been given and certain representations have been received by the Charity Commissioners in respect thereof:

And Whereas the said representations have been taken into consideration by the Charity Commissioners, who have decided to proceed with the said proposals subject to certain modifications which appear to them to be desirable in the light of the said representations:

And Whereas in pursuance of sections 18(8) and 19(6) of the Charities Act 1960 the Charity Commissioners have given notice to the charity trustees not party or privy to the application aforesaid of their intention to settle this Scheme:

Now, therefore, the Charity Commissioners for England and Wales, in pursuance of section 19(1) of the Charities Act 1960, hereby settle the following Scheme:—

(a) 1802 c. 107 (Private). (b) 1824 c. cxxxv.

SCHEME

1. *Administration of Charity.*—The above-mentioned Charity (hereinafter referred to as the 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 in lieu of the provisions now regulating the Charity.

2. *Vesting.*—The land and rentcharges specified in the said schedule are hereby vested in the Official Custodian for Charities for all the estate and interest therein belonging to or held in trust for the Charity.

3. *Trustees.*—The Trustees for the time being of the Charity called the City of Manchester Common Good Trust, acting in accordance with their usual procedure, shall be the Trustees of the Charity.

4. *Application of income.*—The Trustees shall apply the clear income of the Charity in accordance with the trusts of the above-mentioned Charity called the City of Manchester Common Good Trust: Except that in applying the said income the Trustees shall have special regard to the needs of the area of the Ancient Township of Newton, in the said city.

5. *Accounts.*—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.

6. *Questions of construction.*—Any question as to the construction of this Scheme may be referred to the Charity Commissioners for their opinion or advice in accordance with the provisions of section 24 of the Charities Act 1960.

SCHEDULE

The following land with the buildings thereon situate in the City of Manchester subject to and with the benefit of the following leases:—

Property	Tenant	Lease
1. 91 to 101 (odd numbers only) Droylsden Road	Joseph Holt Limited	Lease for term of 1000 years from the 29th March 1816 at the yearly rent of £10 created and reserved by a lease dated the 30th March 1816
2. 47 to 55 (odd numbers only) Old Church Street	E. E. Holmes	Lease for term of 1000 years from the 24th March 1822 at the yearly rent of £8 created and reserved by a lease dated the 25th March 1822
3. 41 and 43 Droylsden Road and 2a to 2c Bridge Street	Executrix of J. Fildes	Lease for term of 1000 years from the 15th May 1823 at the yearly rent of £6·75 created and reserved by a lease dated the 16th May 1823

The following perpetual yearly rentcharges charged upon or issuing out of the following land with the buildings thereon situate in the City of Manchester:—

Property	Owner or Occupier	Amount
4. 67 to 77 (odd numbers only) Old Church Street, 2 Great Newton Street and 2 and 4 School Street	Executors of J. Roper	£6·27
5. 1 to 9a (odd numbers only) Morecambe Street, 5 to 13 (odd numbers only) and Works, Mitchell Street and Laundry, Lytham Street	Edith Vale	£46·14
6. 11 to 21 (odd numbers only) Morecambe Street, 12 to 40 (even numbers only) Old Church Street, 3 to 11 (odd numbers only) Lytham Street and Works and 4 to 12 (even numbers only) Lytham Cottages	Executors of Thomas Milnes	£37·44
7. 88 and 90 Droylsden Road	All Saints Newton Heath Parochial Church Council	£0·67
8. 79 to 83 (odd numbers only) Old Church Street	E. Moores	£3·68
9. 85 to 89 (odd numbers only) Old Church Street	William Thomas Rothwell	£5·20
10. 91 to 97 (odd numbers only) Old Church Street	Executors of G. Briscoe	£6·05
11. 1258 to 1272 (even numbers only) Oldham Road, 4 to 8 (even numbers only) Old Church Street and 2 to 12 (even numbers only) Morecambe Street	Trustees of Samuel Wainwright	£13·39
12. 41 to 45 (odd numbers only) Old Church Street	L. Hall	£3·68
13. 29 to 35 (odd numbers only) Old Church Street	Executors of George Gosling	£7·19
14. 23 to 27 (odd numbers only) Old Church Street	William Thomas Rothwell	£4·10
15. 53 to 57 (odd numbers only) Droylsden Road	Executrix of J. Fildes	£3·42
16. 71 to 81 (odd numbers only) Droylsden Road	J. W. Carroll	£7·93
17. Mill in School Street and 1 to 7 (odd numbers only) Great Newton Street	B. K. Waywell and J. Conlen	£5·63

Property	Owner or Occupier	Amount
18. 83 and 85 Droylsden Road and 32 to 42 (even numbers only) Bridlington Street	H. Wood	£8·98
19. 59 to 69 (odd numbers only) Droylsden Road and 2 to 12 (even numbers only) Bridge Street	Executors of Henry G. Gelling	£12·41
20. 50 to 58 (even numbers only) Droylsden Road, 1 to 9 (odd numbers only) Cotton Street, 38 Silk Street and 19 Great Newton Street	M. N. Hare	£29·88
21. Mill in Peel Street and School Street	J. E. France	£39·17
22. 58A to 72 (even numbers only) Droylsden Road and 8 to 30 (even numbers only) Great Newton Street	Executrix of J. Fildes	£19·34
23. 13 to 21 (odd numbers only) Bridge Street, 5 to 13 (odd numbers only) King Street and Yard in Queen Street	Executors of H. Charles Thistleton	£10·57
24. 9 to 17 (odd numbers only) Great Newton Street, 2 to 6 (even numbers only) Cotton Street, 4 to 36 (even numbers only) Silk Street and Mill in School Street	B. K. Waywell and J. Conlen	£22·63
25. School in Bridge Street, 13 to 49 (odd numbers only) Queen Street and 6 to 42 (even numbers only) Peel Street	Jessie Elizabeth Wilson and Dorothy Copley	£27·38
26. 22 to 30 (even numbers only) Queen Street	W. Moody and Agnes Moody	£5·73
27. 32 to 40 (even numbers only) Queen Street	Executors of John Wood	£6·25
28. 42 to 46 (even numbers only) Queen Street and 38 and 40 King Street	Executrix of J. Fildes	£3·21
29. 117 to 123 (odd numbers only) Droylsden Road	J. Skelton	£10·13
30. 2 Dakerwood Street, 111 to 115 (odd numbers only) Droylsden Road and 1 Gaskell Street	J. Robinson	£14·76
31. 103 to 107 (odd numbers only) Droylsden Road and 44 to 54 (even numbers only) Bridge Street	Executrix of J. Fildes	£9·78

Property	Owner or Occupier	Amount
32. 85 to 137 (odd numbers only) Queen Street, 29 to 37 (odd numbers only) Gaskell Street, 2 to 26 (even numbers only) Flash Street and Mill in Queen Street	Frank Newton	£49·66
33. 102 to 114 and 122 to 130 (even numbers only) Gaskell Street	Executrix of J. Fildes	£10·27
34. 20 to 28 (even numbers only) Gaskell Street	James Hall	£4·94
35. 40 to 48 (even numbers only) Gaskell Street	H. L. Pontin	£5·15
36. 10 to 18 (even numbers only) Gaskell Street	D. Tetlow and J. Tetlow	£4·94
37. 2 to 8 (even numbers only) Gaskell Street	D. Tetlow and J. Tetlow	£3·71
38. 30 to 34 (even numbers only) Gaskell Street	J. M. McDonald	£4·94
39. 4 to 14 (even numbers only) Dakerwood Street and 3 to 13 (odd numbers only) Gaskell Street	Thomas M. Gradwell	£6·97
40. 15 to 27 (odd numbers only) Gaskell Street and 16 to 28 (even numbers only) Dakerwood Street	Failsworth Industrial Society Limited	£8·53
41. 50 to 58 (even numbers only) Gaskell Street	Hilda Lyons	£7·43
42. 60 to 70 (even numbers only) Gaskell Street	J. H. Nevitt	£9·65
43. 1 to 13 (odd numbers only) Dakerwood Street, 37 to 41 (odd numbers only) Bridge Street and 2 to 8 (even numbers only) Swift Street	Executors of William Orbell	£12·87
44. 76 to 86 (even numbers only) Gaskell Street	Thomas Schofield	£9·91
45. 15 to 27 (odd numbers only) Dakerwood Street and 10 to 22 (even numbers only) Swift Street	Thomas Horrocks and Sons Limited	£11·56
46. 23 to 35 (odd numbers only) Bridge Street, 1 Swift Street and 10 to 26 (even numbers only) King Street	James Walker	£13·95
47. 90 to 100 (even numbers only) Gaskell Street	L. Burges	£9·90

Property	Owner or Occupier	Amount
48. 74 to 86 (even numbers only) Droylsden Road, Stables in Alice Street, 17 to 23 (odd numbers only) School Street and 1 to 11 (odd numbers only) Fildes Street	E. A. Wolstencroft, S. Wolstencroft and L. Wolstencroft	£31·10
49. 51 to 65 (odd numbers only) Queen Street and 2 to 20 (even numbers only) Peel Street East	F. Jaques	£25·83
50. 67 to 83 (odd numbers only) Queen Street	W. A. Chatburn	£18·94

Sealed by Order of the Charity Commissioners on 7th December 1973.

(L.S.)

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order gives effect to a Scheme of the Charity Commissioners relating to a charity which was established early in the nineteenth century for the relief of the poor rate in the former Township of Newton, which now forms part of the City of Manchester.

The Scheme vests the property of the charity in the Official Custodian for Charities, appoints the trustees of the City of Manchester Common Good Trust as trustees, and provides for the clear income of the charity to be applied in accordance with the trusts of the City of Manchester Common Good Trust, except that in applying the income the trustees are to have special regard to the needs of the area of the former Township of Newton.

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