STATUTORY INSTRUMENTS

1974 No. 1839

CHARITIES

The Charities (The Hundred Acres Charity, Enfield) Order 1974

Laid before Parliament in draft

Made - - - *5th November* 1974

Coming into Operation *19th November* 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 (The Hundred Acres Charity, Enfield) 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.
5th November 1974.

(a) 1960 c. 58.

APPENDIX

SCHEME FOR THE ADMINISTRATION OF THE CHARITY KNOWN AS THE HUNDRED ACRES CHARITY, IN THE ANCIENT PARISH OF ENFIELD, IN GREATER LONDON

Whereas the Charity known as The Hundred Acres Charity, in the Ancient Parish of Enfield, in Greater London, was constituted by the Act of Parliament of the year 1776 intituled An Act for dividing the Chase of Enfield, in the County of Middlesex; and for other purposes therein mentioned(a):

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 make provision which may go beyond the powers exercisable by them apart from section 19 of the Charities Act 1960:

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 no representations have been received by the Charity Commissioners in respect thereof:

And Whereas all the charity trustees were party or privy to the application aforesaid:

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:—

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 in substitution for the provisions now regulating the same.

2. *Dissolution of corporation.*—The corporation of The Churchwardens of the Parish Church of Enfield, in the County of Middlesex constituted by the above-mentioned Act of the year 1776 is hereby dissolved.

3. *Investment of cash.*—Sums of cash at any time belonging to the Charity and not needed for immediate working purposes shall be invested in the name of the Official Custodian for Charities unless the Charity Commissioners otherwise direct.

OBJECT

4. *Object.*—The object of the Charity shall be to further all or any of the following purposes:—

(1) The relief of the aged, impotent and poor inhabitants of the area of the Ancient Parish of Enfield (the inhabitants of the said area being hereinafter referred to as "the said inhabitants");

(2) The relief of distress and sickness among the said inhabitants;

(3) The provision and support (with the object of improving the conditions of life for the said inhabitants in the interests of social welfare) of facilities for recreation or other leisure-time occupation;

(4) The provision and support of educational facilities for the said inhabitants;

(a) 1776 (17 Geo. 3) c. 17.

(5) Any other charitable purposes (whether or not of a nature similar to any of those hereinbefore specified) for the benefit of the said inhabitants:

Provided always that such purposes shall extend to those purposes for which provision is made out of rates, taxes or other public funds, only if and to the extent to which in the opinion of the Trustees further provision (in addition to that made out of rates, taxes or other public funds) can properly be made for such purposes.

TRUSTEES

5. *Trustees.*—The body of Trustees shall consist when complete of ten competent persons being

Four Nominative Trustees and

Six Co-optative Trustees.

6. *Nominative Trustees.*—The Nominative Trustees shall be appointed by the Council of the London Borough of Enfield. Except at first as hereinafter provided 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.

7. *First Nominative Trustees.*—The following persons shall be the first Nominative Trustees and subject to the provisions hereinafter contained for determination of trusteeship shall be entitled to hold office as appointees of the council for the following periods respectively:

John Alfred Alcock, of 18 Cypress Avenue, Crews Hill, Enfield, in the London Borough of Enfield, Assistant Shipping Manager, and

John Thomas Benson, of 63 Langford Crescent, Cockfosters, in the London Borough of Barnet, Director of Social Services,

both for four years from the coming into effetct of this Scheme;

Joseph James Cusack, of 102 Lancaster Road, Secretary, and

Patricia Elizabeth Joel, of 81 The Chine, Winchmore Hill,

both for two years from the coming into effect of this Scheme.

8. *Co-optative Trustees.*—The Co-optative Trustees shall be persons who through residence, occupation or employment, or otherwise have special knowledge of the area of the Ancient Parish of Enfield.

9. *First Co-optative Trustees.*—The following persons shall be the first Co-optative Trustees and subject to the provisions hereinafter contained for determination of trusteeship shall be entitled to hold office for the following periods respectively:

The Reverend Peter Birkett Morgan, of The Vicarage, Silver Street, Clerk in Holy Orders, and

Robert Henry Dugdale-Sykes, of Gough Park Cottage, Clay Hill, Solicitor, both in Enfield aforesaid,

both for five years from the coming into effect of this Scheme;

Leonard James Fletcher, of 45 Walsingham Road,
Builder, and

William Henry Spoerry, of 17 Riversfield Road,
Estates Officer, both in Enfield aforesaid,

both for three years from the coming into effect of this Scheme;

Jack Denis Westaway, M.B.E., of 103 Southbury Road,
Retired Buyer, and

Ivan Henry Rupert Woodrow, M.B., Ch.B., B.A.O.(Dub)., of 32 Village Road,
Medical Practitioner, both in Enfield aforesaid,

both for two years from the coming into effect of this Scheme.

10. *Future Co-optative Trustees.*—Every future Co-optative 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-optative Trustee expires with effect from the date of expiry but so that the latter shall not vote on the matter.

11. *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.

12. *Determination of trusteeship.*—Any Trustee who is absent from all meetings of the Trustees during a period of one year or who is adjudged bankrupt or makes a composition or arrangement with his 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.

13. *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 Nominative 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

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

15. *First meeting.*—The first meeting of the Trustees shall be summoned by Roland Clive Henderson, of 32 Little Park Gardens, Enfield aforesaid, Solicitor, or if he fails for three calendar months after the coming into effect of this Scheme to summon a meeting by any two of the Trustees.

16. *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.

17. *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-optative 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.

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

19. *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 has or has not voted previously on the same question but no Trustee in any other circumstances shall give more than one vote.

20. *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.

21. *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 deposit of money at a proper bank and the custody of documents.

22. *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 salary and upon such reasonable terms as to notice within the limits permitted by law and otherwise as they think fit.

Application of Income

23. *Application of income.*—The Trustees shall apply the clear income of the Charity for any purpose within the object of the Charity.

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.

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 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 investments standing in the name of the Official Custodian for Charities:

£8,018·84 8½% Treasury Loan, 1997.

£5,000 7% British Savings Bonds (Second Issue) representing accumulations of income.

£754·42 2½% Consolidated Stock.

£2,075 Peterborough Corporation 8¼% Bond No. B.2845.

£6,000 Hillingdon Corporation 8¼% Bond No. B.1007 representing accumulations of income.

£4,750 Ebbw Vale Urban District Council 9½% Bond No. 00449 representing accumulations of income.

87,162·26 Income Shares in the Charities Official Investment Fund.

1,203 Accumulation Shares in the Charities Official Investment Fund (accumulating pursuant to Orders of the Charity Commissioners of the 26th June 1931 and the 1st May 1964).

2,320 Accumulation Shares in the Charities Official Investment Fund (accumulating pursuant to an Order of the Charity Commissioners of the 19th July 1957).

12,539 Accumulation Shares in the Charities Official Investment Fund (accumulating pursuant to a further Order of the Charity Commissioners of the 19th July 1957).

678 Accumulation Shares in the Charities Official Investment Fund (accumulating pursuant to an Order of the Charity Commissioners of the 29th April 1958).

5,601 Accumulation Shares in the Charities Official Investment Fund (accumulating pursuant to the said Order of the Charity Commissioners of the 29th April 1958).

713 Accumulation Shares in the Charities Official Investment Fund (accumulating pursuant to the said Order of the Charity Commissioners of the 29th April 1958).

The right to receive a yearly sum pursuant to the provisions of an Order of the Charity Commissioners of the 15th March 1921.

The right to receive a yearly sum pursuant to the provisions of an Order of the Charity Commissioners of the 8th April 1921.

£3,518·94 cash at the Enfield branch of Barclays Bank Limited.

This schedule is made up to the 20th December 1973.

Sealed by Order of the Charity Commissioners on 13th June 1974.

(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 in the eighteenth century for the relief of the poor rate in the old parish of Enfield—a purpose which can no longer be carried out. This Scheme constitutes a new body of Trustees and provides new purposes for the Charity, which are set out in clause 4 of the Scheme.

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