

Sealed 21st June 1988

230(S)
88

County - Wiltshire

Town or)
District) - Devizes
Charity - 1. Devizes Almshouse
Charity

Former)
Borough) - Devizes
Charity - 2. The Ward Homes

CD(S1)
204,453/10

Adjudged not chargeable
with stamp duty

Scheme including appointment of
Trustees

C H A R I T Y C O M M I S S I O N

In the matter of the following Charities in the County of Wiltshire:-

1. The Devizes Almshouse Charity, in the Town or District of Devizes, regulated by a Scheme of the Charity Commissioners of the 31st December 1975;
2. The Charity called The Ward Homes, in the former Borough of Devizes, founded by will of Samuel Harry Ward proved with codicil thereto in the Principal Registry on the 24th June 1952 and comprised in a declaration of trust dated the 21st September 1961; 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:-

S C H E M E

1. Administration of Charities. (1) The Charity numbered 1 above (hereinafter referred to as the Charity) and the property thereof specified in the schedule hereto and all other the property (if any) of that Charity shall be administered and managed subject to and in conformity with the provisions of the above-mentioned Scheme of the 31st December 1975 as affected by the provisions of this Scheme by the body of Trustees hereinafter constituted.

(2) The property of the Charity numbered 2 above specified in the said schedule and all other the property (if any) of that Charity shall be administered and managed as part of the property of the Charity.

2. Vesting. The land with the buildings thereon specified in said schedule and belonging to the said Charity numbered 2, is hereby vested in the Official Custodian for Charities for all the estate and interest therein belonging to or held in trust for that Charity.

3. Trustees. The body of Trustees of the Charity (hereinafter referred to as the Trustees) shall consist when complete of 11 competent persons being -

Ten Ex-officio Trustees and
One Nominated Trustee.

4. Ex-officio Trustees. The Ex-officio Trustees shall be

The persons who are the Trustees for the time being of the Municipal Charities, in the former Borough of Devizes, in the County of Wiltshire.

5. Nominated Trustee. Except at first as hereinafter provided the Nominated Trustee shall be appointed by Devizes Town 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 Trustee. The following person shall be the first Nominated Trustee 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 four years from the date of this Scheme:-

Elsie May Payne, of The Rosary, Wickfield, Devizes, in the
County of Wiltshire,

7. 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 the Charity.

8. Determination of trusteeship. Any Nominated 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.

9. 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.

10. Ordinary meetings. The Trustees shall hold at least two ordinary meetings in each year.

11. First meeting. The first meeting of the Trustees shall be summoned by Mrs Jean Simpson, of Tanglewood, 33 The Fairway, Devizes, or if she fails for three calendar months after the date of this Scheme to summon a meeting by any two of the Trustees.

12. 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.

13. 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. A special meeting may be summoned to take place immediately after an ordinary meeting.

14. Quorum. There shall be a quorum when four Trustees are present at a meeting.

15. 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.

16. 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.

17. 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.

18. Clerk. The Trustees may appoint as clerk one of their number without remuneration who shall be dismissible 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.

19. Committees. The Trustees may from time to time appoint three or more members of their body to be a Committee or Committees for dealing with any matters delegated to it or them by the body of Trustees as a whole but all acts and proceedings of such Committee or Committees shall be reported as soon as possible to the Trustees.

20. Use of property. Upon the termination of the existing tenancies or any statutory tenancies arising by transmission thereafter of the land and buildings belonging to the said Charity numbered 2 the said land and buildings shall be appropriated and used as almshouses of the Charity (hereinafter referred to as the Ward Almshouses) for the residence of almspeople in accordance with the provisions of the said Scheme of the 31st December 1975.

21. Qualification of almspeople. The almspeople of the Ward Almshouses shall be persons duly qualified in accordance with the provisions of clause 10 of the said Scheme of the 31st December 1975 but preference shall be given to such persons who are aged.

22. 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.

S C H E D U L E

Charity numbered 1 above

Description	Tenant, person liable or persons in whose name invested	Gross yearly income
The following property situate at Devizes, in the County of Wiltshire:-		£
1. The Almshouses, 1 and 2 St. John's Churchyard	In hand	-

Description	Tenant, person liable or persons in whose name invested	Gross yearly income
The following property situate at Devizes, in the County of Wiltshire:-		£
2. The Almshouses, 1 to 12 Sedgefield Gardens	In hand	-
3. The Almshouses, 13 to 18 Sedgefield Gardens	- ditto -	-
4. The New Almshouses, 15a, 15b, 15c, 18a and 18b Sedgefield Gardens	- ditto -	-
5. The Almshouses, 68 to 82 Victoria Road	- ditto -	-
6. The Wardens House, Victoria Road	- ditto -	-
7. The Almshouses, The Grange, Bridewell Street	- ditto -	-
8. The Almshouses, 11 to 14 Commercial Road	- ditto -	-
9. Land at 9 Commercial Road	- ditto -	-
10. 3 St. John's Churchyard	Mr John Chowney	728
11. 6 The Brittox	Mr Roger Richard Down	3,750
12. 15 The Market Place	Mr Dennis John Greenaway & Mrs Jennifer May Greenaway	2,500
13. 17 The Market Place	David Owen & Co	6,750
14. The Coach House	Miss Hilda Walker	2,400
15. 2 Maryport Street	Mr Albert John Slade	7,500
16. 31 to 33 Maryport Street	Mr Louis John Rutter	14,000

The following investments standing in the books of the Official Custodian for Charities:-

£32,284.20 9½% Treasury Loan 1999.
£31,954.59 10% Treasury Stock 1992.

The following Shares in the National Association of Almshouses Common Investment Fund:-

112,870 Income Shares.
104 Accumulation Shares (Order of the Charity Commissioners of the 15th October 1971).
224 Accumulation Shares (Order of the Commissioners of the 5th December 1978).
593 Accumulation Shares (Order of the Commissioners of the 30th July 1981).
1,692 Income Shares (accumulations of income).

The following investments standing in the name of the Official Custodian.

£647.87 6¾% Treasury Stock 1995-98.
£9,324.37 6% Funding Stock 1993.
£1,752 12% Exchequer Stock.

£6,732.34 cash on current account at the Devizes branch of Lloyds Bank Plc.

Charity numbered 2 above

Description	Tenant, person liable or persons in whose name invested	Gross yearly income
The following property situate at Devizes:-		£
1. 51 Brickstead Avenue	Mrs Ellen Haines	130
2. 53 Brickstead Avenue	Mrs Florence Withers and Jennie Pinnock	164
3. 55 Brickstead Avenue	Mrs Mary Doris Hall	130
4. 23 Sedgefield Gardens	Mr Charles Hale and Mrs Winifred Patience Hale	130
5. 24 Sedgefield Gardens	Mrs Alice Leggatt	164
6. 25 Sedgefield Gardens	Mrs Emily Giles	130

£35 cash on deposit account at the Devizes branch of Lloyds Bank Plc.

£1,384.54 cash on current account at the said branch of the said bank.

This schedule is made up to the 1st February 1988.

Notes. (1) The land numbered 1, 9, 10, 11, 12, 13, 15 and 16 and belonging to the Charity numbered 1 above is vested in the said Official Custodian by virtue of a Scheme of the Charity Commissioners of the 29th July 1904 as affected by the provisions of the Charities Act 1960.

(2) The land numbered 2 and 3 above and belonging to the said Charity numbered 1 is vested in the said Official Custodian by virtue of an Order of the Commissioners of the 4th September 1931 as affected by the provisions of the said Act.

(3) The land numbered 4 above and belonging to the said Charity numbered 1 was vested in the said Official Custodian by an Order of the Commissioners of the 25th May 1966.

(4) The land numbered 6 above and belonging to the said Charity numbered 1 above is vested in the said Official Custodian by virtue of an Order of the Commissioners of the 2nd April 1909 as affected by the provisions of the said Act.

(5) The land numbered 7 above and belonging to the said Charity numbered 1 above is vested in the said Official Custodian by virtue of an Order of the Commissioners of the 12th September 1930 as affected by the provisions of the said Act.

(6) The land numbered 8 above and belonging to the said Charity numbered 1 was vested in the said Official Custodian by an Order of the Commissioners of the 20th March 1987.

Sealed by Order of the Commissioners this 21st day of June 1988.

