

THE CHARITY COMMISSION FOR ENGLAND AND WALES

Under the power given in the Charities Act 1993

Orders that from today, the

17 May 2010

this

SCHEME

will govern the charities

previously known as

The Northampton Municipal General Charities:

Sir Thomas White's Loan Charity (201486)

and now to be known as

SIR THOMAS WHITE'S NORTHAMPTON CHARITY (201486)

at

Northampton



Authorised officer

1. Definitions

In this scheme:

“the charities” means the charities identified at the beginning of this scheme.

“the charity” means the charity created by clause 2 of this scheme.

“Council” means the Council for the Borough of Northampton.

“the former trusts” means an Indenture dated 6 July 1552 and Schemes dated 21 May 1901, 30 July 1915 and 16 July 2002.

“the trustees” means the trustees of the charity acting under this scheme and “trustee” means one of the trustees.

ADMINISTRATION

2. Administration

The charities are to be administered as one charity in accordance with this scheme. This scheme replaces the former trusts of the charity.

3. Name of the charity

The name of the charity is Sir Thomas White’s Northampton Charity.

OBJECTS

4. Objects of the charity

- (1) The objects of the charity are to make grants and interest free loans for nine years (or such other terms as the Trustees decide) to or for young people residing in the Borough of Northampton for:
 - a) the relief of need by reason of youth, ill health, disability, financial hardship or other social or economic disadvantage;
 - b) the advancement of education or training; or
 - c) establishing them in work, vocation or otherwise in life.
- (2) In furthering the objects, the loans and grants will be made in the following order priority:
 - a) loans to or for young men;
 - b) loans to or for young women;
 - c) grants to or for young men; and
 - d) grants to or for young women.

POWERS OF THE TRUSTEES

5. Powers of the trustees

In addition to any other powers which they have, the trustees may make rules and regulations consistent with this scheme for the management of the charity.

TRUSTEES

6. Trustees

(1) There should be up to:

10 nominated trustees and
11 co-opted trustees

appointed in accordance with clause 7 and 8. The co-opted trustees should always be in the majority.

(2) The first nominated and co-opted trustees are the persons listed in the schedule to this scheme.

7. Nominated trustees

(1) The nominated trustees must be appointed by the Council.

(2) Any nomination must be made at a meeting held according to the ordinary practice of the Council.

(3) Subject to the provisions of clause 12 (termination of trusteeship) each appointment must be made for:

(a) 5 years; or

(b) if the appointment is being made to fill a casual vacancy, the unexpired term of the appointee's predecessor.

(4) The appointment will be effective from the later of:

(a) the date of the vacancy; and

(b) the date on which the trustees or their secretary or clerk are informed of the appointment.

(5) The person appointed need not be a member of the Council.

(6) A trustee may be re-appointed at the expiry of his term of office.

8. Co-opted trustees

(1) The appointment of a co-opted trustee must be made by the trustees at a special meeting called under clause 16.

- (2) The co-opted trustees shall be persons residing or carrying on business in or near the borough of Northampton.
- (3) An appointment may, but need not, be made before the date on which the term of office of an existing co-opted trustee comes to an end, to take effect on that date. In these circumstances:
 - (a) the appointment may not be made more than 3 months before the date on which the existing co-opted trustee's term of office is due to end; and
 - (b) any co-opted trustee whose term of office is about to come to an end must not vote in favour of their own re-appointment.
- (4) Subject to the provisions of clause 12 (Termination of Trusteeship) each appointment will be for life.

9. New trustees

The trustees must give to each new trustee, on their first appointment:

- (1) a copy of this scheme and any amendments made to it;
- (2) a copy of the charity's latest report and statement of accounts.

10. Register of trustees

- (1) The trustees must keep a register of the name and address of every trustee and the dates on which their terms of office begin and end. Every trustee must sign the register before acting as a trustee, whether on their first appointment or on any later re-appointment.
- (2) The trustees must promptly report any vacancy in the office of nominated trustee to the Council.

11. Payments to charity trustees

- (1) A trustee may receive repayment from the charity of reasonable expenses properly incurred by him or her when acting on behalf of the charity.
- (2) No trustee may:
 - (a) buy goods or services from the charity on terms preferential to those applicable to other members of the public; or
 - (b) receive any payment or other financial benefit from the charity; or
 - (c) acquire or hold any interest in property of the charity (except in order to hold it as a trustee of the charity);

unless the payment or transaction is:

- (i) permitted in accordance with, and subject to the conditions in, section 73A or 73F of the Charities Act 1993; or

(ii) previously and expressly authorised in writing by the Charity Commission.

(3) In this clause:

(a) "charity" includes any company in which the charity:

(i) holds more than 50% of the shares; or

(ii) controls more than 50% of the voting rights attached to the shares; or

(iii) has the right to appoint one or more directors to the Board of the company;

(b) "trustee" includes any child, parent, grandchild, grandparent, brother, sister, spouse or civil partner of the trustee or any person living with the trustee as his or her partner.

12. Termination of trusteeship

A trustee will cease to be a trustee if he or she:

- (1) is disqualified from acting as a trustee by section 72 of the Charities Act 1993; or
- (2) is absent without the permission of the trustees from all their meetings held within a period of 1 year unless the other trustees resolve that he or she should continue in office; or
- (3) gives not less than one month's notice in writing of his or her intention to resign but only if at least 5 trustees will remain in office when the notice of resignation is to take effect.

13. Chairman

- (1) At their first ordinary meeting in each year the trustees must elect one of their number to be chairman of their meetings and may also select one of their number to be deputy chairman.
- (2) The trustees present at a meeting must elect the deputy chairman (if they have one) or another one of their number to chair the meeting if the chairman is not present or the office of chairman is vacant.

14. Secretary or clerk

The trustees may appoint a secretary or clerk.

MEETINGS OF TRUSTEES

15. Ordinary meetings

- (1) The first meeting after the date of this scheme must be held or called within 3 months from that date and should be called by the chairman.

- (2) The trustees must hold at least 4 ordinary meetings in each 12 month period.
- (3) Ordinary meetings require at least 10 days' notice.
- (4) The chairman, or any 2 trustees, may call an ordinary meeting at any time.

16. Special meetings

- (1) The chairman, or any 2 trustees, may call a special meeting at any time.
- (2) Special meetings require at least 4 days' notice, except that meetings to consider:
 - (a) the appointment of a co-opted trustee, or
 - (b) the amendment of this scheme,require at least 21 days' notice.
- (3) The notice calling a special meeting must include details of:
 - (a) the business to be transacted at the meeting; and
 - (b) any amendment to be made to this scheme.
- (4) A special meeting may, but need not, be held immediately before or after an ordinary meeting.

17. Quorum

No business may be transacted at a meeting unless a minimum of one third of the total number of the trustees are present.

18. Voting

- (1) Every matter must be decided by majority decision of the trustees present and voting at a duly convened meeting of the trustees.
- (2) The chairman of the meeting may cast a second or casting vote only if there is a tied vote.

19. Recording of meetings

The trustees must keep a proper record of their meetings.

20. Trustees to act jointly

- (1) Subject to the exception stated in sub-clause (2) of this clause, the trustees must exercise their powers jointly, at properly convened meetings.
- (2) The trustees may appoint a committee of not less than two of their number to deal with applications for assistance from the charity which cannot await the trustees' next meeting. The decisions of such a committee must be reported to the trustees at their next meeting.

CHARITY PROPERTY

21. Use of income and capital

- (1) The trustees must firstly apply:
 - (a) the charity's income; and
 - (b) if the trustees think fit, expendable endowmentin meeting the proper costs of administering the charity and of managing its assets.
- (2) After payment of these costs, the trustees must apply the remaining income in furthering the objects of the charity.
- (3) The trustees may also apply for the object of the charity its expendable endowment.

GENERAL PROVISION

22. Questions relating to the Scheme

The Commission may decide any question put to it concerning:

- (1) the interpretation of this scheme; or
- (2) the propriety or validity of anything done or intended to be done under it.

SCHEDULE

Nominated Trustees	Co-opted trustees
Jean Bulteel	Timothy John Hadland
Jenny Conroy	Philip Leslie Ager
Hilary Blackman	Ulric Gravesande
Michael O'Leary	Donald Edwards
Matthew Golby	Frances Wire
Mark Clarke	Paul Frederick Morris
Andrew Simpson	Trevor Richard Bailey
Ruth Williams	Francis George Lilley
Reverend David Wiseman	Gary William Simmons

Anthony Woods	Wendy Ann Howes
	John Nightingale