

THE CHARITY COMMISSIONERS FOR ENGLAND AND WALES

Under the power given in the Charities Act 1993

Order that from today, the

2ND OCTOBER 2001

the following

SCHEME

will govern the charity

called

THE AVENUE HOUSE ESTATE (210345)

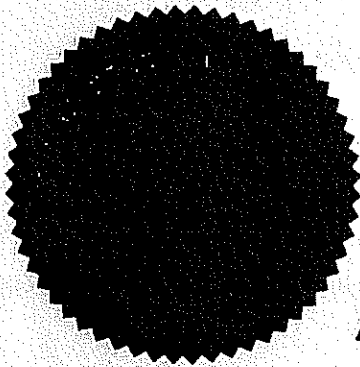
in the

London Borough of Barnet

Commissioners' References:

Sealing: 165(s)01

Case No: 176434



ASSISTANT COMMISSIONER

SCHEME

1. Definitions

In this scheme:

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

the “former trusts” of the charity are those declared in the following documents:

a Scheme of the High Court of Justice (Chancery Division) of 17th October 1930;
Orders of 26th February 1941, 23rd October 1951, 11th May 1960, and
18th November 1968; and

a Scheme of the Charity Commissioners of 26th January 1996.

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

ADMINISTRATION

2. Administration

The charity is to be administered 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 the Avenue House Estate.

4. Object of the charity

The object of the charity is the preservation and maintenance of the Mansion House, buildings and grounds of the Avenue House Estate for use by members of the public, including use for:

- (a) meetings, lectures and classes, and
- (b) other forms of recreation and leisure-time occupation,

with the object of improving the conditions of life for members of the public.

POWERS OF THE TRUSTEE

5. Powers of the trustee

In addition to any other powers which it has, the trustee may exercise the following powers in furtherance of the objects of the charity:

- (1) Power to borrow money and to charge the property of the charity as security for any loan. (The trustee must comply with the restrictions on mortgaging imposed by section 38 of the Charities Act 1993.)
- (2) Power to co-operate with other charities, voluntary bodies and statutory authorities. The trustee may exchange information and advice with them.
- (3) Power to make donations to charities whose objects are similar to those of the charity.
- (4) Power to raise funds. (The trustee must not undertake any permanent trading activity.)
- (5) Power to delegate the performance of any act, including the exercise of any power or discretion, to a committee consisting of any two or more members of the trustee. (The trustee must exercise reasonable supervision over the committee and the committee must promptly report their acts and proceedings to the trustee.)
- (6) Power to insure against public liability and, if appropriate, employers' liability; and to insure the buildings of the charity to their full value against fire and all other usual risks (except to the extent that the buildings are insured against any of these risks by a tenant).
- (7) Power to appoint staff (who must not be members of the trustee) and pay them reasonable remuneration, including pension provision for them and their dependants.
- (8) Power to let any part of the land or buildings belonging to the charity which is not required for use for the object of the charity. (The letting must not interfere with the use of the remaining land or buildings for the object of the charity.) (The trustee must comply with the restrictions on letting imposed by section 36 of the Charities Act 1993, unless the letting is excepted from these restrictions by section 36(9)(b) or (c) or section 36(10) of that Act.)
- (9) Power to acquire or hire property and to maintain and equip it for use. (The property must be needed to further the objects of the charity.)
- (10) Power to grant a lease of the land belonging to the charity and described in the schedule to this scheme to a charity with similar objects for a term of not more than 125 years and otherwise on terms agreed by the Commissioners.
- (11) Power to make rules and regulations consistent with this scheme for the management of the charity.

TRUSTEE

6. Trustee

The Council of the London Borough of Barnet is the trustee of the charity.

7. Trustee not to have a personal interest

Except with the prior written approval of the Commissioners neither the trustee nor any of its members may:

- (1) receive any benefit in money or in kind from the charity; or
- (2) have a financial interest in the supply of goods or services to the charity; or
- (3) acquire or hold any interest in property of the charity (except in order to hold it as a trustee of the charity).

CHARITY PROPERTY

8. Use of Land

Subject to the powers at clauses 5(8) and (10) above, the land identified in the schedule to this scheme must be retained by the trustee for use for the object of the charity.

9. Use of income and capital

- (1) The trustee must firstly apply:
 - (a) the charity's income; and
 - (b) if the trustee thinks fit, expendable endowment; and
 - (c) when the expenditure can properly be charged to it, its permanent endowmentin meeting the proper costs of administering the charity and of managing its assets (including the repair and insurance of its buildings).
- (2) After payment of these costs, the trustee must apply the remaining income in furthering the object of the charity.
- (3) The trustee may also apply for the object of the charity:
 - (a) expendable endowment; and
 - (b) permanent endowment, but only on such terms for the replacement of the amount spent as the Commissioners may approve by order in advance.

GENERAL PROVISION

10. Questions relating to the scheme

The Commissioners may decide any question put to them concerning:

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

SCHEDULE

Land in the London Borough of Barnet containing approximately 4.35 hectares with the building thereon called Avenue House. The land is registered at HM Land Registry under title number 5931.

