



Melton Mowbray Town Estate

2 Park Lane, Melton Mowbray, Leicestershire, LE13 0PT



SCHEME OF ARRANGEMENT AS OF 1 DECEMBER 1989 AS AMENDED ON 23 JUNE 2020 AND 02 SEPTEMBER 2024

[This "working document" incorporates the approved amendments and the original SoA of 1989. The definitive documents remain the SoA of 1989 and the amendments lodged with the Charity Commission.]

1. **Administration of Charity.** The above-mentioned Charity and the property thereof shall be administered and managed under the title of the Melton Mowbray Town Estate (hereinafter referred to as the Charity) subject to and in conformity with the provisions of this Scheme by the body of Feoffees hereinafter constituted as the charity trustees thereof.
2. **Vesting.** The land with the buildings thereon belonging to the Charity is hereby vested in the Official Custodian for Charities for all the estate and interest therein belonging to or held in trust for those Charities in so far as the said land has not already been so vested.
3. **Area of Benefit.** In this Scheme the expression "area of benefit" shall mean the area of the former Urban District of Melton Mowbray as constituted on the 31st March 1974.

FEOFFEES

4. Feoffees

- 4.1. Subject to the provisions of Clause 5 as amended, the body of Feoffees shall consist when complete of 8 competent persons.
 - 4.2. Two Feoffees shall be elected each year at the Annual Town Meeting, to serve until the end of the fourth Annual Town Meeting following that at which these Feoffees were elected.
 - 4.3. At the first meeting of the Board of Feoffees after the Annual Town Meeting, the Board shall appoint one of its number to act as Townwarden until the first meeting of the Board following the next Annual Town Meeting. No Feoffee shall hold the title of Townwarden for more than three consecutive years
 - 4.4. No person shall be eligible for appointment as a Feoffee unless he or she is resident in the area of benefit at the time of such appointment.
 - 4.5. Further Feoffees shall be elected to fill any vacancy that may have occurred during the year.
5. The following Feoffees will serve, subject to the requirement and rules set out in this Scheme of Arrangement, until the end of the Annual Town Meeting in the years shown below.

Feoffee	Expiry of Term
Richard Sage	2024
Peter Roffey	2024
Chris Gray	2024
Eric Tindall	2024
Adrienne Holland	2025
Graham Bett	2025
Hilary Misuida	2026
Alison D'Angelo	2026
Derek Whitehouse	2026
Ian Neale	2027
David Stevens	2027
Tim Webster	2027

6. **Declaration by Feoffees.** No person shall be entitled to act as a Feoffee whether on a first or on any subsequent entry into office until after signing in the minute book of the Board of Feoffees a declaration of acceptance and of willingness to act in the trusts of this Scheme.
7. **Determination of trusteeship.** Any Feoffee who ceases to reside in the area of benefit or who is absent from all meetings of the Board of Feoffees during a period of 6 months for other than medical reasons, or 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 Chair of the Board of Feoffees a wish to resign, shall cease thereupon to be a Feoffee.
8. **Vacancies.** Upon the occurrence of a vacancy the Feoffees shall cause a note thereof to be entered in their minute book at their next meeting. At its discretion, the Board of Feoffees may co-opt a competent person to fill the vacancy to serve until the next Annual Town Meeting.

MEETINGS AND PROCEEDINGS OF FEOFFEES

9. Meetings of the Board of Feoffees. The Board of Feoffees shall hold at least four meetings in each year
10. The Board of Feoffees shall meet within two weeks of the Annual Town Meeting
11. **Chair.** The Board of Feoffees at their first ordinary meeting in each year shall elect one of their number to be Chair of the Board and another Feoffee to be Vice-Chair until the commencement of the first meeting of the Board in the following year. The Chair and Vice-Chair shall always be eligible for re-election. If at any meeting the Chair or Vice-Chair is not present within ten minutes after the time appointed for holding the same, or there is no Chair, or Vice-Chair, Feoffees present shall choose one of their number to chair the meeting.
12. **Special meeting of the Board.** A special meeting may be summoned at any time by the Chair or any two Feoffees upon not less than four days' notice being given to the other Feoffees of the matters to be discussed. A special meeting may be summoned to take place immediately after an ordinary meeting.
13. **Quorum.** There shall be a quorum when three Feoffees are present at a meeting.
14. **Voting.** Every matter shall be determined by the majority of votes of the Feoffees 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 Feoffee in any other circumstances shall give more than one vote.

15. **Minutes and accounts.** A minute book and books of account shall be provided and kept by the Feoffees. 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.
16. **General power to make regulations.** Within the limits prescribed by this Scheme the Feoffees may from time to time make and alter regulations for the management of the Charity and for the conduct of their business and in particular with reference to –
 - 16.1. The summoning of meetings, the deposit of money at a proper bank and the custody of documents
 - 16.2. The appointment of a treasurer and such other unpaid officers as the Feoffees may consider necessary and the fixing of their respective terms of office and duties
 - 16.3. The engagement and dismissal of a secretary and such other paid officers and servants as the Feoffees may consider necessary and the fixing of their respective terms of employment and duties; and
 - 16.4. The terms and conditions upon which the land and buildings belonging to the Charity may be used by inhabitants of the area of benefit and others.
17. **Committees.** The Feoffees may from time to time appoint any two or more of their number to be a committee for the purpose of discharging any function or performing any duty which in their opinion would be more efficiently undertaken by a committee: Provided that all acts and proceedings of committees shall be reported fully and promptly to the Feoffees.

USE OF PROPERTY

18. **Use of property.** The Feoffees may appropriate any of the land or buildings belonging to the Charity for charitable purposes for the general benefit of the inhabitants of the area of benefit.

MANAGEMENT OF LANDS

19. **Management and letting of land.** The Feoffees shall let and otherwise manage all the land belonging to the Charity not required to be retained or occupied for the purposes specified in clause 18 hereof subject to such consents as are required by law.

Feoffees may secure such lending facility against the lands and / buildings owned by the Charity.
20. **Leases.** The Feoffees shall provide that on the grant by them of any lease the lessee shall execute a counterpart thereof. Every lease shall contain covenants on the part of the lessee for the payment of rent, the proper cultivation of the land and all other usual and proper covenants applicable to the property comprised therein and a proviso for re-entry on non-payment of the rent or non-performance of the covenants.
21. **Repair and insurance.** The Feoffees shall keep in repair and insure to the full value thereof against fire and other usual risks all the buildings of the Charity not required to

be kept in repair and insured by the lessees or tenants thereof and shall suitably insure in respect of public liability and employer's liability.

APPLICATION OF INCOME

22. Expenses of management. The Feoffees shall first defray out of the income of the Charity the cost of maintaining the property of the Charity (including the repair and insurance of any buildings thereon) and all other charges and outgoings payable in respect thereof and all the proper costs, charges and expenses of and incidental to the administration and management of the Charity.

23. Application of income.

23.1. Subject to payment of the expenses aforesaid the Feoffees shall apply the income of the Charity for charitable purposes for the benefit of the inhabitants of the area of benefit, in such ways as the Feoffees think fit.

23.2. The Feoffees may apply income for charitable purposes as aforesaid either directly or by way of donations or subscriptions to institutions or organisations which apply or which undertake to apply the whole or part of their income for such charitable purposes.

TOWN MEETINGS

24. Town meetings.

24.1. There shall be an annual town meeting in connection with the Charity which shall be held in the month of October in each year or as soon as practicable thereafter.

24.2. The Feoffees shall present to each annual town meeting the report and accounts of the Charity for the preceding year, and the business of the meeting shall include the appointment and remuneration of an auditor for the ensuing year.

24.3. The Feoffees may at any time, and shall if so requested in writing by at least forty inhabitants of the area of benefit, call a special town meeting to discuss any question relating to the Charity: Provided that the Feoffees shall not be bound by any views expressed whether by resolution or otherwise, by those attending any such special town meeting, or any annual town meeting.

24.4. Those entitled to attend and vote at a Town Meeting are all inhabitants of the area of benefit of 18 years of age and upward.

24.5. Public notice of every town meeting shall be given in the area of benefit at least 14 days before the date thereof, specifying in the case of a special town meeting the matter or matters to be discussed thereat.

24.6. The chair of every town meeting shall be the Chair of the Board of Feoffees or Vice-Chair if the Chair is not present, but if neither is present or willing to act as chair of the town meeting, before any other business is transacted, the persons present shall appoint a chair of the meeting.

GENERAL PROVISIONS

25. **Appropriation of benefits.** Subject to the provisions of clause 17 hereof the appropriation of the benefits of the Charity shall be made by the Feoffees at meetings of their body and not separately by any individual Feoffee or Feoffees.
26. **Feoffees not to be personally interested.** No Feoffee shall take or hold any interest in property belonging to the Charity otherwise than as a trustee for the purposes thereof and no Feoffee shall receive remuneration, or be interested in the supply of work or goods, at the cost of the Charity.
27. **Charity not to relieve public funds.** The Feoffees shall not apply income of the Charity directly in relief of rates, taxes or other public funds but may apply income in supplementing relief or assistance provided out of public funds.
28. **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.