

**THE CHARITY COMMISSIONERS FOR ENGLAND AND WALES**

Under the power given in the Charities Act 1993

Order that from today, the

**4TH MAY 2000**

the following

**SCHEME**

will govern the charity previously known as

**EATON TOWN LANDS**

and now to be known as

**EATON LANDS (1074528)**

in

**Hythe, Kent**

Commissioners' References:

Sealing: 88(s)00

Case No: 139159



**ASSISTANT COMMISSIONER**

## SCHEME

### 1. Definitions

In this scheme:

"the area of benefit" means the Town of Hythe, in the County of Kent, and the surrounding neighbourhood.

"the charity" means the charity identified at the beginning of this scheme.

"the governing document" means a conveyance made 28th November 1939.

"the trustee" means the trustee of the charity.

## ADMINISTRATION

### 2. Administration

The charity is to be administered by the trustee in accordance with this scheme. This scheme replaces the governing document of the charity.

### 3. Name of the charity

The name of the charity is Eaton Lands.

## OBJECT

### 4. Object of the charity

- (1) The object of the charity is, in the interests of social welfare, to improve the conditions of life for the inhabitants of the area of benefit without distinction of political, religious or other opinions by the provision and maintenance of a recreation ground.
- (2) The land belonging to the charity must be retained by the trustee for use for the object of the charity.

## 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 object of the charity:

- (1) Power to acquire or hire property and to maintain and equip it for use. (The property must be needed to further the object of the charity.)

- (2) Power to appoint staff (who must not be members or officers of the Town Council and Cinque Port of Hythe) and pay them reasonable remuneration, including pension provision for them and their dependants.
- (3) Power to co-operate with other charities, voluntary bodies and statutory authorities. The trustee may exchange information and advice with them.
- (4) Power to make rules and regulations consistent with this scheme for the management of the charity. The rules may include the terms and conditions upon which the recreation ground may be used by persons or bodies other than the trustee and the sum (if any) to be paid for such use.

## TRUSTEE

### 6. Trustee

The Town Council of Hythe is the trustee of the charity.

## CHARITY PROPERTY

### 7. Lease of land

Subject to the provisions of this clause and to the prior written approval of the Commissioners, the trustee may lease any part of the charity's land which is not required for use as a recreation ground. (The trustee must comply with the restrictions on disposal imposed by section 36 of the Charities Act 1993, unless the disposal is excepted from these restrictions by section 36(9)(b) or (c) or section 36(10) of that Act.)

### 8. 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 property.
- (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

### 9. 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.

## CHARITY PROPERTY