

YALDING EDUCATIONAL FOUNDATION

HAMILTON, VICARAGE ROAD, YALDING,
MAIDSTONE, KENT ME18 6DR

TELEPHONE: 01622 817919

30th July 2009

Kent County Council
Sessions House
County Hall
Maidstone
Kent
ME14 1XQ

Dear Sir,

I am the Chairman of the Governors of the Yalding Educational Foundation (the Charity) and I am writing on behalf of the Governing Body.

The Charity's governing document is a Scheme made by the Charity Commissioners on 3 October 1924 (copy enclosed). Under Clause 4 of the Scheme, the Kent County Council currently has the right to appoint two out of a total of nine Governors. The reason for this letter is to enquire whether the Council would agree to this provision being changed.

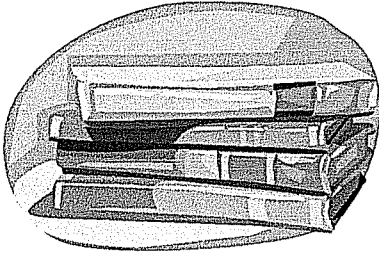
The Charity is quite small. It has an endowment fund of about £180,000, which produces an annual income of about £6,000. Most of the income is spent on making grants to local university students to help with tuition fees and maintenance, with a small amount being spent on prizes for spoken English in the local primary schools.

The Governors are currently in the process of updating the Charity's governing document, to take account of changes in the 85 years since it was made. We have already used our powers under the Charities Act to simplify and update the purposes of the Charity. I enclose a copy of the amended purposes, which have been approved by the Charity Commission.

As regards the future administration of the Charity, we feel that nine Governors are too many for a small local charity, and that appointment by the County Council is unnecessarily elaborate and cumbersome. Indeed this procedure has not been followed consistently in the past. Sometimes there has been only one trustee appointed by the Council, and at other times none.

We would now like to reduce the total number of Governors to seven, of whom

- two would be appointed by the Parish Councils of Yalding and Collier Street (which together cover the same area as did the civil parish of Yalding in 1924)
- one would be appointed by the Vicar of Yalding; and
- the remainder would be appointed by resolution of the Governors.



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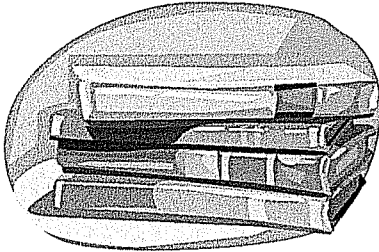
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Under the Charities Act, the Governors would normally have power themselves to change such matters as the number and method of appointment of Governors. However, where an outside party (such as the Council) has a power of appointment, the Charity Commission has confirmed that the consent of this outside party is needed.

I very much hope that the Council will be willing to agree to this change. If you need any further information, please let me know.

Yours faithfully,

Alan Smith
Chairman



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7th January 2009

SECTION 2a

Clauses 18 – 25 of the Scheme dated 3rd October 1924 (which is the governing document of the Charity) shall be deleted and replaced by the following provision:

“The net income of the Foundation, after payment of any expenses and administration, shall be applied for the advancement of education for the public benefit of the parishes of Yalding and Collier Street, in particular by the provision of grants, awards and prizes for young people in schools or further education.”

SECTION 2g

The objects established in 1924 need to be modernised to take account of changes in the provision and funding of education in the area of benefit. In particular:

- Clauses 18, 19, 22 and 25 are effectively obsolete
- Competitive examinations (as envisaged by Clause 21) are not appropriate for the kind of awards made by the Charity
- The civil parish of Yalding (as it existed in 1924) has been divided into two separate parishes of Yalding and Collier Street.