

P34472/12

APPENDIX 1

Sealed 23rd October 1968.

No. 6374 P.

Stamp 10s.

London Boroughs - BARKING.
 REDBRIDGE.
 Foundations - (1) The Richard Uphill Educational.
 (2) The Richard Uphill Apprenticing.
 (3) Thomas Waters.

Scheme.

SCHEME MADE BY THE SECRETARY OF STATE FOR EDUCATION AND SCIENCE UNDER SECTION 18 OF THE CHARITIES ACT 1960.

Foundations

1. This Scheme relates to the following Foundations, in the London Boroughs of Barking and Redbridge:-

- (1) The Richard Uphill Educational Foundation, regulated by a Scheme made by the Charity Commissioners on 2nd May 1911:
- (2) The Richard Uphill Apprenticing Foundation, regulated by the said Scheme of 2nd May 1911; and
- (3) The Foundation of Thomas Waters, regulated by a Scheme made by the Board of Education on 25th May 1909.

Administration and Title

2. The Foundations to which this Scheme relates and their endowments (including the particulars specified in the Schedule to this Scheme) shall be amalgamated to form one Foundation which shall be administered in conformity with the provisions of this Scheme under the name of THE UPHILL AND WATERS EDUCATIONAL FOUNDATION (hereinafter called "the Foundation").

Trustees

3. (1) The body of trustees of the Foundation shall, when complete, and except as in this clause provided, consist of eight persons, as follows:-

ONE Ex Officio Trustee, being the Vicar for the time being of Dagenham;
 FOUR Representative Trustees, to be appointed: Three by the Council of the London Borough of Barking; One by the Council of the London Borough of Redbridge; and
 THREE Co-optative Trustees, to be appointed by resolution of the other Trustees.

(2) A Representative Trustee need not be a member of the appointing body.

(3) Every Representative Trustee shall be appointed for a term of office ending on the date of the appointment of his successor which may be made at any time after the ordinary day of retirement of London Borough councillors next after his appointment. The Co-optative Trustees shall be appointed each for a term of three years.

(4) The constitution of the body of trustees, as specified in this clause, may on the application of the Trustees be altered from time to time by Order of the Secretary of State for Education and Science (hereinafter called "the Secretary of State").

First Trustees and Meeting

4. (1) The first Representative Trustees shall be appointed as soon as possible after the date of this Scheme and their names shall be notified to Mr. A.F. Brown, Education Offices, Town Hall, Barking, on behalf of the Trustees.

(2) The first meeting of the Trustees under this Scheme shall be summoned by Mr. Brown as soon as conveniently may be after the date of this Scheme or, if he fails to summon a meeting for two months after that date, by any two Trustees.

Declaration by Trustees

5. No person shall be entitled to act as a trustee whether on a first or subsequent entry into office until he has signed a declaration of acceptance and of willingness to act in the trusts of this Scheme.

Trustees not to be personally interested in the Foundation

6. Except in special circumstances, with the approval in writing of the Secretary of State, no Trustee shall take or hold any interest in any property belonging to the Foundation, otherwise than as a trustee for the purposes thereof, or receive any remuneration, or be interested in the supply of work or goods at the cost of the Foundation.

Determination of Trusteeship

7. Any Representative or Co-optative Trustee who is absent from all meetings of the Trustees during a period of one year (except for a reason approved by the Trustees), and any Trustee who is adjudicated a bankrupt, or who is in the opinion of the remaining Trustees incapacitated from acting, or who communicates in writing to the Trustees a wish to resign, shall thereupon cease to be a trustee.

Vacancies

8. (1) Every vacancy in the office of Representative or Co-optative Trustee shall, as soon as possible, be notified to the proper appointing body or filled by the Trustees as the case requires, and any competent Trustee may be reappointed.

(2) A Representative Trustee appointed to fill a casual vacancy shall hold office only for the unexpired term of office of the trustee in whose place he is appointed.

Meetings of Trustees

9. The Trustees shall hold ordinary meetings at least twice in each year. A special meeting may at any time be summoned by any two Trustees upon four clear days' notice (excluding Sundays and Bank Holidays) being given to the other Trustees of the matters to be discussed.

Quorum and Voting

10. (1) There shall be a quorum when three Trustees are present at a meeting. Every matter shall be determined by a majority of Trustees present and voting on the question.

(2) In case of equality of votes, the chairman of the meeting shall have a second or casting vote.

General Power to make Rules

11. Within the limits prescribed by this Scheme, the Trustees shall have full power to make rules for the management of the Foundation and for the conduct of their business, including the summoning and chairmanship of meetings, the deposit of money at a bank, the custody of documents, and the appointment as Clerk or Secretary (holding office at their pleasure) of one of themselves without salary, or of some other fit person at such salary, if any, as may be approved by the Secretary of State.

Minutes and Accounts

12. The Trustees shall provide and keep a Minute book and books of account, and proper accounts in relation to the Foundation shall in each year be made out and certified in such form as the Secretary of State may require and copy sent to the Department of Education and Science.

Application of Income

13. (1) After payment of any expenses of administration, the net yearly income of the Foundation shall be applied by the Trustees in one or more of the following ways for the benefit of young persons who have not attained the age of 25 years and who or whose parents or guardians are resident in the former Borough of Dagenham, and who, in the opinion of the Trustees, are in need of financial assistance (such persons being hereinafter referred to as "beneficiaries"):-

(a) exhibitions tenable at any secondary school, college of education, university, or other institution of further (including professional and technical) education approved by the Trustees, to be awarded under any rules to be made by the Trustees, including rules as to the value and period of tenure of the exhibitions, and the qualifications and method of ascertainment and selection of beneficiaries;

(b) financial assistance, outfits, clothing, tools, instruments or books to enable beneficiaries on leaving school, university or other educational establishment, to prepare for, or to assist their entry into, a profession, trade or calling;

(c) otherwise promoting the education (including social and physical training) of beneficiaries;

(d) assisting beneficiaries to become apprenticed to some useful trade or occupation.

(2) The Trustees shall consult the appropriate Local Education Authority as to their general action under this clause and, if occasion requires, as to the educational qualifications of candidates for benefit.

Surplus Cash

14. Any sum of cash at any time belonging to the Foundation and not needed as a balance for working purposes shall (unless otherwise directed by the Secretary of State) be invested.

Investments

15. The Trustees and all other persons capable of being bound by this Scheme shall, unless the Secretary of State otherwise in writing directs, do all such acts as may be necessary to transfer to the Official Custodian for Charities all stocks, shares, funds and securities at any time belonging to the Foundation.

Questions under Scheme

16. If any question arises 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, it shall be determined by the Secretary of State on such application made to him for the purpose as he thinks sufficient, and such determination shall be binding on the Trustees and all persons claiming under the trusts of this Scheme.

Interpretation

17. The Interpretation Act 1889 shall apply for the interpretation of this Scheme as it applies for the interpretation of an Act of Parliament.

Date of Scheme

18. The date of this Scheme shall be the day on which it is established by an Order of the Secretary of State.

SCHEDULE

Richard Uphill Educational Foundation

<u>Description</u>	<u>Persons in whose name invested</u>	<u>Gross yearly income</u>		
		£	s.	d.
521 Shares vested in Charities Official Investment fund.	Official Custodian for Charities.		-	
£50 6½ per cent. London Borough of Barking Mortgage	do.		-	

Richard Uphill Apprenticing Foundation

3,366 Shares vested in Charities Official Investment Fund.	Official Custodian for Charities.		-	
--	-----------------------------------	--	---	--

Foundation of Thomas Waters

£150 2½ per cent. Consolidated Stock.	Official Custodian for Charities.		-	
£75 5 per cent. National Development Bond.	do.		-	
£57 10s 1d. Balance in Post Office Savings Bank.	do.		-	

This Schedule is made up to 23rd September 1968.

The Secretary of State for Education and Science orders that the foregoing Scheme be established.

Given under the Official Seal of the Secretary of State for Education and Science on 23rd October 1968.

(L.S.)

RECEIVED

17 MAR 69

FAMILY

MISSION
