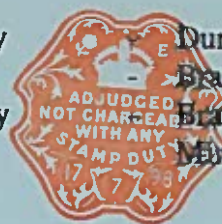


Sealed 7th July 1998

N 233(S)  
98

County Durham  
Place Brandon  
Charity Brandon Colliery  
Miners' Welfare Hall



CS(Liv)  
520,743

Adjudged not chargeable  
with stamp duty

Scheme including appointment of  
Trustees and vesting.

### CHARITY COMMISSION

In the matter of the Charity known as Brandon Colliery Miners' Welfare Hall, at Brandon, in the County of Durham, comprised in conveyances dated the 3rd January 1959; and  
In the matter of the Charities Act 1993.

THE CHARITY COMMISSIONERS FOR ENGLAND AND WALES HEREBY ORDER that the following Scheme be approved and established as the Scheme for the regulation of the above-mentioned Charity:-

### S C H E M E

1. Administration of Charity. (1) The above-mentioned Charity and the property thereof shall be administered and managed in conformity with the provisions of this Scheme by the Trustee hereinafter appointed.

(2) The name of the Charity shall be the Brandon Community Centre or such other name as the Trustee from time to time by resolution may decide with the prior approval of the Charity Commissioners.

2. Discharge of Official Custodian. The Official Custodian for Charities is whom the land specified in the schedule hereto and belonging to the Charity is vested is hereby discharged from his trusteeship as respects the said land.

3. Trustees and vesting. (1) Durham City Council shall be the Trustee of the Charity.

(2) The land with the building thereon specified in the said schedule is hereby vested in the said council for all the estate and interest therein belonging to or held in trust for the Charity.

4. Object of Charity. (1) the object of the Charity shall be the provision and maintenance of a community centre for the use of the inhabitants of Brandon and the neighbourhood thereof (hereinafter called "the area of benefit") without distinction of political, religious or other opinions, including use for meetings, lectures and classes, and for other forms of recreation and leisure-time occupation, with the object of improving the conditions of life for the said inhabitants.

(2) The said land and building shall be held upon trust for the purposes of a community centre as aforesaid.

5. Rules. Within the limits prescribed by this Scheme the Trustee may from time to time make and alter rules for the conduct of their business and for the summoning and conduct of their business and for the summoning and conduct of their meetings and in particular with reference to -

- (1) the terms and conditions upon which the said building may be used for the purposes specified in this Scheme by persons or bodies other than the Trustee and the sum (if any) to be paid for such use;
- (2) the appointment of an auditor, treasurer and such other unpaid officers as the Trustee may consider necessary and the fixing of their respective terms of office;
- (3) the engagement and dismissal of such paid officers and servants as the Trustee may consider necessary.

#### SALE

6. Sale. If the said land and buildings is no longer required for use for the object of the Charity then the Trustee may sell the same or any part thereof and may do and execute all acts and assurances for carrying any such sale into effect subject nevertheless to complying with the restrictions on disposition imposed by Section 36 of the Charities Act 1993, unless the sale is excepted from such restrictions under Section 36(9)(b) or (c) or Section 36(10) of that Act.

7. Proceeds of sale. The Trustee shall pay over the clear proceeds of any such sale to the Coal Industry Social Welfare Organisation or its nominees for application for charitable purposes within the objects of the said organisation.

8. Letting. (1) Subject to the provisions of this clause, the Trustee may let any part of the land belonging to the Charity which is not required for use for the object of the Charity.

(2) The letting must not unduly interfere with the use of the remaining land for the object of the Charity.

(3) 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.

9. Insurance. The Trustee shall insure the said building and the furniture and effects therein to the full value thereof against fire and other usual risks and shall suitably insure against risks arising out of the ownership of property and the employment of persons.

#### APPLICATION OF INCOME

10. Receipts and expenditure. (1) The income of the Charity including all payments for the use of the said building and all donations for the benefit thereof shall be paid into a trust account at such bank as the Trustee shall from time to time prescribe.

(2) The moneys standing to the credit of the said account shall be applied as the Trustee shall decide in insuring as aforesaid, in maintaining and repairing the said building and the furniture and effects therein and in paying all rent (if any), rates, taxes, salaries of paid officers and servants and other outgoings and in otherwise furthering the object of the Charity.

11. Surplus cash. Sums of cash at any time belonging to the Charity and not needed for immediate working purposes shall be invested in trust for the Charity.

12. Donations. The Trustee may accept any donations or property for the general purposes of the Charity and they may also accept donations or property for any special objects connected with the Charity not inconsistent with the provisions of this Scheme.

13. Power of Amendment. (1) Subject to the provisions of this clause, the Trustee may amend the provisions of this Scheme.

(2) Any amendment must be made under the authority of a resolution passed at a special meeting of the Trustee.

(3) The Trustee must not make any amendment which would:

- (a) vary this clause;
- (b) vary clauses 4, 6, 7 and 8 of this Scheme (objects clause and clauses conferring powers of letting and sale);
- (c) confer a power to dissolve the Charity.

(4) The Trustee must obtain the prior written approval of the Commissioners to any amendment which would vary the Trustees' power of investment.

(5) The Trustee must:

- (i) promptly send to the Commissioners a copy of any amendment made under this clause; and
- (ii) keep a copy of any such amendment with this Scheme.

14. 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.

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SCHEDULE

The following adjoining land in the County of Durham:-

1. Land containing 940 square yards or thereabouts situate at Brandon Colliery subject to certain exceptions and reservations being the land comprised in a conveyance made the 3rd January 1959 between John Dowdle and three others of the one part and David Hopkins and three others of the other part and recorded in the books of the Charity Commissioners on the 27th February 1959 pursuant to Section 29(4) of the Settled Land Act 1925.
2. Land containing 0.684 acres or thereabouts having a frontage to Brandon Lane being part of the land numbered 739 on the Ordnance Survey map (1939 edition) subject to certain exceptions and reservations being the land comprised in a conveyance made the 3rd January 1959 between George Kershaw Ridley and another of the one part and David Hopkins and three others of the other part and recorded as aforesaid on the 27th February 1959 and a deed of surrender made the 3rd January 1959 between The National Coal Board of the one part and the said David Hopkins and three others of the other part and recorded as aforesaid on the 27th February 1959.

Sealed by Order of the Commissioners this 7th day of June 1998.



*R. Daves*

ASSISTANT COMMISSIONER