

THE CHARITY COMMISSIONERS FOR ENGLAND AND WALES

Under the power given in the Charities Act 1993

Order that from today, the

20TH MAY 2002

the following

SCHEME

will govern the charities

previously known as

1. THE NORFOLK YOUTH PROJECTS (282634)

2. THE RED HOUSE SCHOOL CHARITABLE TRUST (1023378)

and now to be known as

RED HOUSE YOUTH PROJECTS TRUST

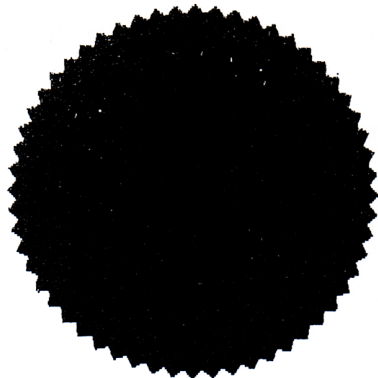
in

the County of Norfolk

Commissioners' References:

Sealing: 67(s)02

Case No: 156515



ASSISTANT COMMISSIONER

SCHEME

1. Definitions

In this scheme:

“the charity” means the charity created by clause 2 of this scheme.

“the charities” means the charities identified at the beginning of this scheme.

the “former trusts” of the charities are declared in a trust deed dated 7th April 1981 (charity numbered 1 above) and in a trust deed dated 31st March 1992 (charity numbered 2 above).

“the beneficiaries” means children and young persons under the age of 21 resident in the County of Norfolk.

“the trustees” means the trustees of the charity acting under this scheme and “trustee” means one of the trustees.

ADMINISTRATION

2. Administration

The charities are to be administered as one charity in accordance with this scheme. This scheme replaces the former trusts of the charities.

NAME

3. Name of the charity

The name of the charity is Red House Youth Projects Trust.

OBJECT

4. Object of the charity

(1) The object of the charity is the advancement of education and training in the following order of priority:

- (a) beneficiaries in need of care and protection;
- (b) providers of care and protection for beneficiaries; and
- (c) beneficiaries.

(2) The trustees may assist beneficiaries by:

- (a) providing or paying for goods, services or facilities for them; or

- (b) making grants of money to other persons or bodies which provide goods, services or facilities to beneficiaries.

POWERS OF THE TRUSTEES

5. Powers of the trustees

In addition to any other powers which they have, the trustees may exercise the following powers in furtherance of the objects of the charity:

- (1) Power to raise funds. (The trustees must not undertake any permanent trading activity.)
- (2) Power to make donations to charities whose objects are similar to those of the charity.
- (3) Power to acquire or hire property and to maintain and equip it for use. (The property must be needed to further the objects of the charity.)
- (4) Power to sell, lease or otherwise dispose of all or any part of the charity's property. (The trustees must comply with the restrictions on disposal imposed by section 36 of the Charities Act 1993, unless the sale, lease or disposal is excepted from these restrictions by section 36(9)(b) or (c) or section 36(10) of that Act.)
- (5) Power to borrow money and to charge the property of the charity as security for any loan. (The trustees must comply with the restrictions on mortgaging imposed by section 38 of the Charities Act 1993.)
- (6) Power to delegate the performance of any act, including the exercise of any power or discretion, to a committee consisting of any two or more of the trustees. (The trustees must exercise reasonable supervision over the committee and the committee must promptly report their acts and proceedings to the trustees.)
- (7) Power to appoint staff (who must not be trustees) and pay them reasonable remuneration, including pension provision for them and their dependants.
- (8) Power to insure against public liability and, if appropriate, employers' liability; and to insure the buildings of the charity to their full value against fire and all other usual risks (except to the extent that the buildings are insured against any of these risks by a tenant).
- (9) Power to co-operate with other charities, voluntary bodies and statutory authorities. The trustees may exchange information and advice with them.
- (10) Power to make rules and regulations consistent with this scheme for the management of the charity.

TRUSTEES

6. Trustees

- (1) There should be not less than 7 and not more than 10 trustees appointed in accordance with this clause.
- (2) The appointment of a trustee must be made by the trustees at a special meeting called under clause 14.
- (3) An appointment may, but need not, be made before the date on which the term of office of an existing trustee comes to an end, to take effect on that date. In these circumstances:
 - (a) the appointment may not be made more than three months before the date on which the existing trustee's terms of office is due to end; and
 - (b) any trustee whose term of office is about to come to an end must not vote in favour of their own re-appointment.
- (4) Each appointment must be for a term of 4 years.
- (5) The first trustees are the persons listed in the schedule to this scheme. Subject to clause 11 (Termination of trusteeship) they will hold office for the periods shown in the schedule.

7. New trustees

The trustees must give each new trustee, on their first appointment:

- (1) a copy of this scheme and any amendments made to it;
- (2) a copy of the charity's latest report and statement of accounts.

8. Register of trustees

The trustees must keep a register of the name and address of every trustee and the dates on which their terms of office begin and end. Every trustee must sign the register before acting as a trustee, whether on their first appointment or on any later re-appointment.

9. Trustees not to have a personal interest

Except with the prior written approval of the Commissioners or subject to clause 10 below, no trustee may:

- (1) receive any benefit in money or in kind from the charity;
- (2) have a financial interest in the supply of goods or services to the charity; or
- (3) acquire or hold any interest in property of the charity (except in order to hold it as a trustee of the charity).

10. Payment of trustees

- (1) Any trustee who possesses professional skills and knowledge required by the charity for its proper administration may make and be paid all reasonable charges for work of that nature done by him or her or his or her firm when instructed by the trustees to act on behalf of the charity.
- (2) A trustee must withdraw from any meeting of the trustees whilst his or her own instruction or remuneration or that of his or her firm is being discussed.
- (3) At no time may a majority of the trustees benefit under this provision.

11. Termination of trusteeship

A trustee will cease to be a trustee if he or she:

- (1) is disqualified from acting as a trustee by section 72 of the Charities Act 1993; or
- (2) is absent without the permission of the trustees from all their meetings held within a period of 12 months and the trustees resolve that his or her office be vacated; or
- (3) gives not less than one month's notice in writing of his or her intention to resign (but only if at least 3 trustees will remain in office when the notice of resignation is to take effect).

OFFICERS

12. Chairman

- (1) At their first ordinary meeting in each year the trustees must elect one of their number to be chairman of their meetings.
- (2) The trustees present at a meeting must elect one of their number to chair the meeting if the chairman is not present or the office of chairman is vacant.

MEETINGS OF TRUSTEES

13. Ordinary meetings

- (1) The first meeting after the date of this scheme must be called by Mr R. M. Butler and Mr R. N. Marsh-Allen or, if they do not do so within 3 months from that date, by any 2 trustees.
- (2) The trustees must hold at least 2 ordinary meetings in each 12 month period.
- (3) Ordinary meetings require at least 10 days' notice.
- (4) The chairman, or any 2 trustees, may call an ordinary meeting at any time.

14. Special meetings

- (1) The chairman, or any 2 trustees, may call a special meeting at any time.
- (2) Special meetings require at least 4 days' notice, except that meetings to consider:
 - (a) the appointment of a co-opted trustee;
 - (b) the amendment of this scheme under clause 20 or
 - (c) the dissolution of the charity under clause 21,require at least 21 days' notice.
- (3) The notice calling a special meeting must include details of:
 - (a) the business to be transacted at the meeting; and
 - (b) any amendment to be made to this scheme (under clause 20).
- (4) A special meeting may, but need not, be held immediately before or after an ordinary meeting.

15. Quorum

No business may be transacted at a meeting unless at least 3 trustees are present.

16. Voting

- (1) Every matter must be decided by majority decision of the trustees present and voting at a duly convened meeting of the trustees.
- (2) The chairman of the meeting may cast a second or casting vote only if there is a tied vote.

17. Recording of meetings

The trustees must keep a proper record of their meetings.

18. Trustees to act jointly

- (1) Subject to the exception stated in sub-clause (2) of this clause, the trustees must exercise their powers jointly, at properly convened meetings.
- (2) The trustees may appoint a committee of not less than two of their number to deal with applications for assistance from the charity which cannot await the trustees' next meeting. The decisions of such a committee must be reported to the trustees at their next meeting.

CHARITY PROPERTY

19. Use of income and capital

- (1) The trustees must firstly apply:
 - (a) the charity's income; and
 - (b) if the trustees think fit, expendable endowmentin meeting the proper costs of administering the charity and of managing its assets (including the repair and insurance of its buildings).
- (2) After payment of these costs, the trustees must apply the remaining income in furthering the object of the charity.
- (3) The trustees may also apply expendable endowment for the object of the charity.

AMENDMENT OF SCHEME

20. Amendment of scheme

- (1) Subject to the provisions of this clause, the trustees may amend the provisions of this scheme.
- (2) Any amendment must be made by a resolution passed at a special meeting of the trustees. The notice of the special meeting must include notice of the resolution, setting out the terms of the amendment proposed.
- (3) The trustees must not make any amendment which would:
 - (a) vary this clause;
 - (b) vary clause 1 (Definitions); or
 - (c) vary clause 4 (Object).
- (4) The trustees must obtain the prior written approval of the Commissioners before making any amendment which would:
 - (a) affect the composition of the trustees or the terms on which they hold office;
 - (b) vary clause 9 (Trustees not to have a personal interest);
 - (c) vary clause 10 (Payment of trustees);
 - (d) vary the name of the charity; or
 - (e) vary clause 21 (Dissolution).

- (5) The trustees must:
- (a) promptly send to the Commissioners a copy of any amendment made under this clause; and
 - (b) keep a copy of any such amendment with this scheme.

DISSOLUTION

21. Dissolution

If at any time the trustees shall decide that the object of the charity cannot in the circumstances continue to be carried out, then they may by resolution at a special meeting determine that the cash investments and other property held on account of the fund shall be applied for any other similar charitable purpose as the trustees may with the consent of the Commissioners or other authority having charitable jurisdiction determine.

GENERAL PROVISIONS

22. 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.