

Sealed 5th December 1973

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73.

County - Somerset.
City - Bath.
Charity - Frances Georgina Cooke.

L2.
150,990.

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Scheme including appointment of
Trustees and vesting in Official
Custodian for Charities.

C H A R I T Y C O M M I S S I O N .

In the matter of the Charity of Frances Georgina
Cooke, in the City of Bath; and
In the matter of the Charities Act, 1960.

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. - The above-mentioned
Charity and the property thereof specified in the schedule
hereto and all other the property (if any) of the Charity
shall be administered and managed subject to and in
conformity with the provisions of this Scheme by the body
of Trustees hereinafter constituted.

2. Vesting. - The land specified in the said schedule
is hereby vested in the Official Custodian for Charities
for all the estate and interest therein belonging to or
held in trust for the Charity.

3. Investment of cash. - Sums of cash at any time
belonging to the Charity and not needed for immediate
working purposes shall be invested in the name of the
said Official Custodian unless the Charity Commissioners
otherwise direct.

OBJECT.

4. Object. - The object of the Charity shall be the preservation and exhibition to the public of the building on the said land as a place of architectural and historic interest.

TRUSTEES.

5. Trustees. - The body of Trustees shall consist when complete of four competent persons appointed by the Council of the City of Bath. Except at first as hereinafter provided each appointment shall be made for a term of four years at a meeting convened and held according to the ordinary practice of the council. The chairman of the meeting shall cause the name of each person appointed to be notified forthwith to the Trustees or their clerk. The person appointed may be but need not be a member of the council.

6. First Trustees. - The following persons shall be the first Trustees and subject to the provisions hereinafter contained for determination of trusteeship shall be entitled to hold office as appointees of the council for the following periods respectively:

George Albert Comer, of Thorncroft,
37 Upper Oldfield Park, Company
Director, and
George Durant Kersley, O.B.E., T.D., M.D., M.A.,
M.B., B.Chir., F.R.C.P., M.R.C.S., M.Sc.,
of 6 Circus, Medical Practitioner, both
in the City of Bath,
both for four years from the date of this Scheme;
Mary Elizabeth Rawlings, of 60 Great Pulteney
Street, in the said city, Spinster,
for three years from the said date;
Frederick Ernest Gilbert, of 124 The Oval,
in the said city, ~~Retired Storeman,~~
for two years from the said date.

7. Declaration by Trustees. - No person shall be entitled to act as a Trustee whether on a first or on any subsequent entry into office until after signing in the minute book of the Trustees a declaration of acceptance and of willingness to act in the trusts of this Scheme.

8. Determination of trusteeship. - Any Trustee who is absent from all meetings of the Trustees during a period of one year or who is adjudged bankrupt or makes a composition or arrangement with his or her creditors or who is incapacitated from acting or who communicates in writing to the Trustees a wish to resign shall cease thereupon to be a Trustee.

9. Vacancies. - Upon the occurrence of a vacancy the Trustees shall cause a note thereof to be entered in their minute book at their next meeting and shall cause notice thereof to be given as soon as possible to the council. Any competent Trustee may be re-appointed.

MEETINGS AND PROCEEDINGS OF TRUSTEES.

10. Meetings of Trustees. - The Trustees shall hold at least one ordinary meeting in each year. A special meeting may be summoned at any time by any two Trustees upon four days' notice being given to the other Trustees of the matters to be discussed.

11. Quorum. - There shall be a quorum when three Trustees are present at any meeting.

12. Chairman and voting. - At every meeting the Trustees present shall appoint a chairman. Every matter shall be determined by the majority of votes of the Trustees present and voting on the question. In case of equality of votes the chairman shall have a casting vote whether he or she has or has not voted previously on the same question but no Trustee in any other circumstances shall give more than one vote.

13. Minutes and accounts. - A minute book and books of account shall be provided and kept by the Trustees. Statements of account in relation to the Charity shall be prepared and transmitted to the Commissioners in accordance with the provisions of the Charities Act, 1960, except if and in so far as the Charity is excepted by order or regulations.

14. General power to make regulations. - Within the limits prescribed by this Scheme the Trustees shall have full power from time to time to make regulations for the management of the Charity and for the conduct of their business including the summoning of meetings, the appointment of a clerk, the deposit of money at a proper bank and the custody of documents.

LETTING.

15. Letting. - The Trustees may grant to the Mayor, Aldermen and Citizens of the City of Bath a lease of the said land and building for a term of 21 years at a yearly rent of £1 which shall contain a provision for the preservation, repair and maintenance of such building by the lessees and all usual provisions subject nevertheless to the condition that such land and building shall be appropriated and used by the lessees for purposes not inconsistent with the object of the Charity which purposes may include use as a museum of costume.

APPLICATION OF INCOME.

16. Expenses of management. - The Trustees shall first defray out of the income of the Charity all the proper costs, charges and expenses of and incidental to the administration and management of the Charity.

17. Application of income. - Subject to payment of the expenses aforesaid the Trustees shall apply the income of the Charity in furthering the object of the Charity.

GENERAL PROVISION.

18. 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.

S C H E D U L E.

Land containing 730 square yards or thereabouts situate in the City of Bath with the building thereon known as 4 Circus being the land comprised in a conveyance made the 3rd August 1961 between Frances Georgina Cooke of the one part and The Mayor Aldermen and Citizens of the City of Bath of the other part.

Sealed by Order of the Commissioners this 5th day
of December 1973.

L.S.

