

Item 7

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POLICY & FINANCE SUB-COMMITTEE

7th May 1974

Audlem Educational Foundation.

Introduction

Audlem Grammar School was closed as a school in 1965. The site and buildings, part of which date back to 1655, formed part of the trust property belonging to the Audlem Educational Foundation. The County Council have been the Trustees of this charitable foundation since 1910.

When no alternative use for the property could be found the old County Council (Finance and General Purposes Committee - 13.3.72) decided, with the consent of the Department of Education and Science, to transfer the building from themselves in their role as Trustees to themselves in their role of Local Planning Authority. This took place at the District Valuer's valuation of £8,500 which was paid into the Foundation's account. This cleared off the educational trust making it easier for the County Council to sell the property on the open market and the property was eventually auctioned in October 1972.

The £8,500 paid into the Foundation's account was added to the assets of the Foundation in place of the property sold and invested in appropriate trustee securities. At the present time, there is £11,350 in the Foundation fund producing an annual income of £1,158.

The Present Position.

The sale of the school and changes in social conditions meant that some of the objects of the 1910 Scheme were defunct and on 18.6.73 the Finance and General Purposes Committee of the Old County Council resolved that this scheme be revoked and a new scheme with a new list of benefits be made within the spirit of the 1910 Scheme. This was drawn up in consultation with the Department of Education and Science and was established by the Secretary of State on 7 December 1973.

The new benefits are as follows :-

A. Special benefits for Maintained Schools.

A sum of not more than one third of the net income in each year may be applied by the Council in the provision of such special benefits of any kind not normally provided by the Local Authority for any maintained voluntary or county school in the area of benefit of the Foundation as may from time to time be agreed between the Council and the managers or governors of the school.

INTERNAL MEMORANDUM

From:
To

H H Davidson

REF 5 HD

EDUCATION POLICY AND FINANCE SUB COMMITTEE - 7.5.74

As a record for the file and to enable the necessary further action to be taken the following is an extract from the minutes of this meeting:

26. AUDLEM EDUCATIONAL FOUNDATION

The Sub-Committee received a report on the revised scheme for the administration of this charitable foundation.


RESOLVED - (i) That the proposed arrangements be approved and that an Audlem Awards Committee with the following constitution be established:-

- 3 persons appointed by the Education Committee
(including the local member)
- 1 person appointed by the Crewe and Nantwich District Council,
being the local member
- 1 person appointed by the Audlem Parish Council

(ii) That the Awards Committee submit an annual report to this Sub Committee.

(iii) That the Selection Committee be recommended to appoint the following members to represent the County Council

Councillor B L Mulliner (local member)
Councillor R Hinks
Councillor T G Holman.

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- RECOMMENDED - (1) That the above arrangements be approved and an
Audlem Awards Committee be established.
(2) That three representatives be recommended
including the local member.

J T Kelle tt
County Secretary

J R G Tomlinson
Director of Education

dated 7th December 1973.

No. 7089 P.

County - CHESTER

Ancient Parish - AUDLEM

Foundation - THE AUDLEM EDUCATIONAL
FOUNDATION

Scheme

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

The Foundation

1. In this Scheme the expression "the Foundation" means the Audlem Educational Foundation, in the Ancient Parish of Audlem, in the County of Chester, now regulated by a Scheme made by the Board of Education under the Charitable Trusts Acts, 1853 to 1894, on 23rd September 1910, and whereof the Cheshire County Council (hereafter called "the Council") is the Trustee.

Revocation and Substitution

2. The provisions of the said Scheme of 23rd September 1910 are hereby revoked and the provisions of this Scheme are substituted therefor.

Administration and Title

3. The Foundation and its endowment (including the particulars specified in the Schedule to this Scheme) shall be administered by the Council as the present Trustee thereof in conformity with the provisions of this Scheme under the name of THE AUDLEM EDUCATIONAL FOUNDATION.

Delegation

4. The Council may, with or without any restrictions or conditions as the Council shall think fit, delegate all or any of their powers under this Scheme to its Education Committee or to an Awards sub-Committee, the latter to be constituted in such manner as the Council may think fit.

Councillors, etc. not to be financially interested in the Foundation

5. Except in special circumstances with the approval in writing of the competent Central Authority for the time being exercising jurisdiction in respect of the Foundation under the Charities Act 1960 (hereinafter in this Scheme referred to as "the Central Authority"), no member of the Council or of their Education Committee or other committee or body to whom the exercise of powers under this

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.

Application of Income

6. After payment of any expenses of administration, the net yearly income of the Foundation shall be applied by the Council in the manner and to the objects hereinafter prescribed.

Special Benefits for Maintained Schools

7. The Council may apply such yearly sum as they think fit, being not more than one-third of the said net income, in providing for any maintained voluntary or county school in the area of benefit of the Foundation such special benefits, of any kind not normally provided by the Council as Local Education Authority, as may from time to time be agreed upon between the Council and the managers or governors of the said school:

Provided that the Central Authority may, on the application of the Council, approve in writing the application in any year of a sum in excess of the said one-third.

Other Educational Benefits

8. (1) The residue of the net yearly income of the Foundation shall be applied by the Council in any one or more of the following ways for the benefit of beneficiaries as hereinafter defined:-

(a) In awarding to beneficiaries Exhibitions, Grants or Maintenance Allowances tenable at any secondary school, university or other place of learning approved by the Council;

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

(c) In awarding Bursaries or Maintenance Allowances to enable beneficiaries to travel, whether in this country or abroad, to pursue their education;

(d) In providing financial assistance to enable beneficiaries to study music or other arts; or

(e) In otherwise promoting the education, including social and physical training, of beneficiaries.

(2) Within the limits prescribed by this Scheme, the Council shall have full power to make and alter rules for the award of Exhibitions, Grants,

aries, Maintenance Allowances or other benefits, including rules as to the value and period of tenure of the awards, and the qualifications and method of ascertainment and selection, of beneficiaries.

(3) In this clause the expression "beneficiaries" means young persons of either sex who have not attained the age of 25 years, who are resident in the Ancient Parish of Audlem and who are, in the opinion of the Council, in need of financial assistance, with a preference for such young persons qualified as aforesaid who are attending, or have for not less than two years at any time attended, as registered pupils at a maintained school.

Surplus Income

9. (1) Any income of the Foundation remaining unapplied in any year may be retained by the Council for application in the following year in the manner and to the objects above prescribed.

(2) Subject thereto, 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 Central Authority, be invested in trust for the Foundation.

Savings of Interests

10. Any Exhibition or other like emolument awarded on or before the date of this Scheme shall be maintained and held, as nearly as may be, as if this Scheme had not been made.

General Power to make Rules

11. Within the limits prescribed by this Scheme, the Council shall have full power to make and alter rules for the management of the Foundation.

Accounts

12. The Council shall provide and keep books of account referable to the income and expenditure of the Foundation, and proper accounts in relation thereto shall in each year be made out and certified in such form as the Central Authority may require.

Further Endowments

13. The Council may accept any additional donations or endowments for the general purposes of the Foundation or for any special objects connected with the Foundation which shall not be inconsistent with, or calculated to impede the due working of, the provisions of this Scheme.

Questions under Scheme

14. 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 thereunder, it shall be determined by the Central Authority, upon such application made for the purpose as the Central Authority thinks sufficient, and such determination shall be binding on the Council and all persons claiming under the trusts of the Foundation.

Interpretation

15. 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

16. The date of this Scheme shall be the day on which it is established by an Order of the Secretary of State for Education and Science.

AUDLEM EDUCATIONAL FOUNDATION
BENEFITS

A Special benefits for Maintained Schools.

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B Other Educational Benefits

The residue of the net yearly income shall be applied by the Council in one or more of the following ways:

- (a) In awarding to beneficiaries Exhibitions, Grants or maintenance allowances tenable at any secondary school, University or other place of learning approved by the Council.
- (b) In providing financial assistance, outfits, clothing, tools, instruments or books, to enable beneficiaries on leaving school, a University or other educational establishment, to prepare for, or to assist their entry into, a profession, trade or calling
- (c) In awarding Bursaries or Maintenance Allowances to enable Beneficiaries to travel, whether in this country or abroad, to pursue their education
- (d) In providing financial assistance to enable Beneficiaries to study music or other arts; or
- (e) In otherwise promoting the education, including social and physical training, of Beneficiaries.

"Beneficiaries" means young persons of either sex who have not attained the age of 25 years, who are resident in the Ancient Parish of Audlem and who are, in the opinion of the Council, in need of financial assistance, with a preference for young persons attending or have attended for not less than two years as registered pupils at a maintained school.

I have established that the Ancient Parish of Audlem comprised the civil parishes of Audlem, Buerton and Hankelow, and part of Dodcott-cum-Wilkesley and Newhall.

