STATUTORY INSTRUMENTS

1977 No. 223

CHARITIES

The Charities (Hospital and Educational Foundation of Lady Katherine Leveson, Temple Balsall) Order 1977

Laid before Parliament in draft

Made - - - -	11*th February* 1977
Coming into Operation	25*th February* 1977

Whereas the Charity Commissioners for England and Wales have, in pursuance of subsection (1) of section 19 of the Charities Act 1960(a), settled the Scheme set out in the Appendix to this Order with a view to its being given effect under that section:

And Whereas that Scheme alters statutory provisions contained in a public general Act of Parliament, namely, an Act for confirming a Scheme of the Charity Commissioners for the Hospital of Lady *Katherine Leveson* at *Temple Balsall* in the County of *Warwick*(b):

And Whereas a draft of this Order has been approved by resolution of each House of Parliament:

Now, therefore, in pursuance of section 19(2) of the Charities Act 1960, I hereby make the following Order:—

1. This Order may be cited as the Charities (Hospital and Educational Foundation of Lady Katherine Leveson, Temple Balsall) Order 1976 and shall come into operation on the fourteenth day after the day on which it is made.

2. The Scheme set out in the Appendix to this Order shall have effect.

Merlyn Rees,
One of Her Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
11th February 1977.

(a) 1960 c. 58. (b) 1861 c. 24.

APPENDIX

SCHEME FOR THE ADMINISTRATION OF THE HOSPITAL OF THE LADY KATHERINE LEVESON AND THE EDUCATIONAL FOUNDATION OF LADY KATHERINE LEVESON, AT TEMPLE BALSALL, IN THE COUNTY OF WEST MIDLANDS

Whereas the Charity now called The Hospital of the Lady Katherine Leveson, at Temple Balsall, in the County of West Midlands, is regulated by the following instruments:

(1) a codicil dated the 21st February 1670 to the will dated the 27th January 1668 of the said Lady Katherine Leveson;

(2) an Act of Parliament passed on the 6th May 1702 and intituled *An Act for the better Government of the Hospital of* Balsal, *in the County of* Warwick, *founded by the Lady* Katherine Leveson (a);

(3) an Act of Parliament passed on the 28th June 1861 intituled an Act for confirming a Scheme of the Charity Commissioners for the Hospital of Lady *Katherine Leveson* at *Temple Balsall* in the County of *Warwick*(b):

And Whereas the Charity called the Educational Foundation of Lady Katherine Leveson, at Temple Balsall, was originally part of the before-mentioned Hospital, but was constituted a separate Charity by an Order made by the Charity Commissioners on the 27th April 1906 under s. 2(2) of the Board of Education Act 1899(c) and is regulated by the said instruments and Order:

And Whereas the Charities have made application to the Charity Commissioners for a Scheme for the administration thereof:

And Whereas it appears to the Charity Commissioners that a Scheme should be established for the administration of the Charities but that it is necessary for the Scheme to alter the provisions made by the said Acts of Parliament passed on the 6th May 1702 and the 28th June 1861:

And Whereas all the charity trustees were party or privy to the application aforesaid:

And Whereas in pursuance of section 21 of the Charities Act 1960 public notice of the Charity Commissioners' proposals for this Scheme has been given and a draft thereof has been communicated to the parish council of each parish in the area of the Charities and to the chairman of the parish meeting of each parish in the said area not having a parish council and certain representations have been received by the Charity Commissioners in respect of those proposals:

And Whereas the said representations have been taken into consideration by the Charity Commissioners, who have decided to proceed with the said proposals subject to certain modifications which appear to them to be desirable in the light of the said representations:

Now, therefore, the Charity Commissioners for England and Wales, in pursuance of section 19(1) of the Charities Act 1960, hereby settle the following Scheme:—

SCHEME

1. *Administration of Charities.*—The above-mentioned Charities and the property thereof specified in Schedule 1 hereto and all other the property (if any) of the Charities shall be administered and managed subject to and in conformity with the provisions of this Scheme, in lieu of the provisions now regulating the Charities, by the body of Governors hereinafter constituted.

2. *Dissolution of corporation.*—The Corporation of the Governors of the Hospital of the Lady Katherine Leveson in Balsal alias Temple Balsal, and of the Possessions and Revenues thereof constituted by the above-mentioned Act of Parliament passed on the 6th May 1702 is hereby dissolved.

3. *Vesting.*—The land specified in the said Schedule 1 and belonging to the Charities is hereby vested in the Official Custodian for Charities for all the estate and interest therein belonging to or held in trust for the Charities respectively.

(a) 1 Anne c. xxiv. (b) 1861 c. 24. (c) 1899 c. 33.

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

5. *Definitions.*—In this Scheme the following expressions shall have the following meanings:

(1) The expression "the Hospital Charity" shall mean the said Charity called The Hospital of the Lady Katherine Leveson.

(2) The expression "the Educational Foundation" shall mean the said Charity called the Educational Foundation of Lady Katherine Leveson.

(3) The expression "the area of benefit" shall mean the following parishes and ward:

The following parishes in the County of Warwickshire, namely, the Parishes of Ashow, Baddesley Clinton, Beaudesert, Beausale, Bushwood, Claverdon, Haseley, Hatton, Honiley, Kenilworth, Lapworth, Leek Wootton, Preston Bagot, Rowington, Shrewley, Stoneleigh, Tanworth and Wroxall;

The following parishes in the County of West Midlands, namely, the Parishes of Balsall, Barston, Berkswell, Bickenhill, Castle Bromwich, Chelmsley Wood, Fordbridge, Hampton in Arden, Kingshurst and Meriden.

The Ward No. 2 (formerly Knowle), in the Borough of Solihull, in the County of West Midlands.

GOVERNORS

6. *Governors.*—The body of Governors shall consist when complete of 13 competent persons being—

One Ex-officio Governor,
Two Nominative Governors and
Ten Co-optative Governors.

7. *Ex-officio Governor.*—The Ex-officio Governor shall be the Lord Bishop of Birmingham for the time being.

8. *Nominative Governors.*—The Nominative Governors shall be appointed by the Council of the Borough of Solihull. 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 Governors or their bailiff. The person appointed may be but need not be a member of the council.

9. *First Nominative Governors.*—The first Nominative Governors shall be appointed as soon as possible after the coming into effect of this Scheme and their names shall be notified to Roger Vincent Stone, of 11 Newhall Street, in the City of Birmingham, Chartered Surveyor, on behalf of the Governors. At the end of two years from the date of appointment of the first Nominative Governors if both remain Governors one of them to be determined by lot if necessary shall go out of office but shall be eligible for re-appointment.

10. *Co-optative Governors.*—The Co-optative Governors shall be persons residing or carrying on business in or near the area of benefit.

11. *First Co-optative Governors.*—The following persons (being the Governors at the date hereof appointed pursuant to the above-mentioned Act of Parliament passed on the 6th May 1702) shall be the first Co-optative Governors and subject to the provisions hereinafter contained for determination of governorship shall be entitled to hold office for life:

The Right Honourable Charles Ian Earl of Aylesford,

The Right Honourable Rupert William Dudley Baron Leigh, and

Sir William Stratford Dugdale, M.C., D.L., of Merevale Hall, Atherstone, Baronet,

Sir Charles Gerald Stewkley Shuckburgh, of Shuckburgh, Baronet, and

Percy Frederick Arkwright, of Hatton House, Hatton, Esquire,

all in the County of Warwickshire,

Geoffrey Charles Burman, of Cuttle Pool Farm, Knowle, in the County of West Midlands, Esquire,

Charles Beaumont Fetherston Dilke, of Maxstoke Castle, a Captain in the Royal Navy,

Mary Veronica Goldberg, of Street Ashton House, Stretton-under-Fosse, Married Woman, and

Humphrey Fitzroy Newdegate, of Temple House, Arbury, Nuneaton, Esquire,

all in the County of Warwickshire,

Christobel Maud Wheatley, of Berkswell Hall, Berkswell, in the County of West Midlands, Married Woman.

12. *Future Co-optative Governors.*—Every future Co-optative Governor shall be appointed for a term of five years by a resolution of the Governors passed at a special meeting of which not less than 21 days' notice has been given and may be so appointed not more than one month before the term of an existing Co-optative Governor expires with effect from the date of expiry but so that the latter shall not vote on the matter.

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

14. *Determination of governorship.*—Any Co-optative Governor who ceases to be qualified as aforesaid, any Nominative or Co-optative Governor who is absent from all meetings of the Governors during a period of one year and any Governor 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 Governors a wish to resign shall cease thereupon to be a Governor.

15. *Vacancies.*—Upon the occurrence of a vacancy the Governors shall cause a note thereof to be entered in their minute book at their next meeting and in the case of a vacancy in the office of Nominative Governor shall cause notice thereof to be given as soon as possible to the appointing council. Any competent Governor may be re-appointed.

Meetings and Proceedings of Governors

16. *Ordinary meetings.*—The Governors shall hold at least two ordinary meetings in each year.

17. *First meeting.*—The first meeting of the Governors shall be summoned by the said Roger Vincent Stone, or if he fails for three calendar months after the coming into effect of this Scheme to summon a meeting by any two of the Governors.

18. *Chairman and vice-chairman.*—The Governors at their first ordinary meeting in each year shall elect one of their number to be chairman of their meetings until the commencement of the first ordinary meeting in the following year. The Governors if they think fit may also elect one of their number to be vice-chairman of their meetings. The chairman and vice-chairman shall always be eligible for re-election. If at any meeting neither the chairman nor the vice-chairman is present within ten minutes after the time appointed for holding the same or there is no chairman or vice-chairman the Governors present shall choose one of their number to be chairman of the meeting.

19. *Special meetings.*—A special meeting may be summoned at any time by the chairman or any two Governors upon four days' notice being given to the other Governors of the matters to be discussed, but if the matters include an appointment of a Co-optative Governor then upon not less than 21 days' notice being so given. A special meeting may be summoned to take place immediately after an ordinary meeting.

20. *Quorum.*—There shall be a quorum when five Governors are present at a meeting.

21. *Voting.*—Every matter shall be determined by the majority of votes of the Governors present and voting on the question. In case of equality of votes the chairman of the meeting shall have a casting vote whether he or she has or has not voted previously on the same question but no Governor in any other circumstances shall give more than one vote.

22. *Minutes and accounts.*—A minute book and books of account shall be provided and kept by the Governors. Statements of account in relation to the Charities shall be prepared and transmitted to the Charity Commissioners in accordance with the legal provisions relating thereto, except if and in so far as the Charities are excepted by order or regulations.

23. *General power to make regulations.*—Within the limits prescribed by this Scheme the Governors shall have full power from time to time to make regulations for the management of the Charities and for the conduct of their business including the summoning of meetings, the deposit of money at a proper bank and the custody of documents.

24. *Bailiff.*—The Governors may appoint as bailiff one of their number without remuneration who shall be dismissible at their pleasure or some other fit person at such reasonable salary and upon such reasonable terms as to notice within the limits permitted by law and otherwise as they think fit.

25. *Officers and servants.*—The Governors may from time to time employ such persons to fill such offices and perform such duties as they consider necessary for the proper administration and management of the Charities and the property thereof at such reasonable salaries and upon such reasonable terms as to notice within the limits permitted by law and otherwise as they think fit.

Management of Property

26. *Management and letting of lands.*—(1) The Governors shall let at the best rent obtainable and otherwise manage all the lands belonging to the Charities not required to be retained or occupied for the purposes thereof. Unless the Charity Commissioners dispense therewith, the Governors shall give public notice of the intention to let any land in such manner as they consider most effectual.

(2) The Governors shall not without the sanction of such an Order as is referred to in section 29 of the Charities Act 1960 grant any lease other than a lease of a kind expressly excluded by that section from the requirement of such sanction.

27. *Leases.*—The Governors shall provide that on the grant by them of any lease the lessee shall execute a counterpart thereof. Every lease shall contain covenants on the part of the lessee for the payment of rent, the proper cultivation of the land and all other usual and proper covenants applicable to the property comprised therein and a proviso for re-entry on non-payment of the rent or non-performance of the covenants.

28. *Repair and insurance.*—The Governors shall keep in repair and insure to the full value thereof against fire and other usual risks all the buildings of the Charities not required to be kept in repair and insured by the lessees or tenants thereof and shall suitably insure in respect of public liability and employer's liability.

29. *Old Hall.*—The building known as the Old Hall belonging to the Hospital Charity may be used for meetings of the Governors and subject thereto the Governors may allow it to be used upon such terms as they think fit by the Vicar and the Parochial Church Council for the time being of the Ecclesiastical Parish of St. Mary, Temple Balsall, for the religious and other charitable work of the Church of England in that ecclesiastical parish and upon such terms as they think fit to cover at least the cost of lighting and heating the same by other persons and organisations.

30. *Residence for verger.*—The Governors may permit one of the cottages belonging to the Hospital Charity to be used as a residence for the verger of the parish church of the said ecclesiastical parish of St. Mary, Temple Balsall, upon such terms as they think fit.

EXPENSES OF MANAGEMENT

31. *Expenses of management.*—The Governors shall first defray the cost of repairs and insurance and all other charges and outgoings payable in respect of the property of each Charity out of the yearly income of the Charity concerned and all the proper costs, charges and expenses of and incidental to the administration and management of the Charities out of the yearly income thereof and so far as may be rateably.

HOSPITAL CHARITY

32. *Application of income.*—Subject to the payments aforesaid the Governors shall apply the yearly income of the Hospital Charity in the following ways and in the following order of priority:

First in paying the salaries and wages of the bailiff, the master, the matron, the under-matron and any other officers and servants appointed in accordance with the provisions of this Scheme;

Secondly in maintaining an Extraordinary Repair Fund in accordance with the provisions of this Scheme;

Thirdly in applying a yearly sum of £240 or such larger sum as the Charity Commissioners may, upon the proposal of the Governors, approve for relief in need in accordance with the provisions of this Scheme;

Fourthly in applying such sums as the Governors think fit in or towards defraying the cost of the repair and upkeep of the parish church of the said ecclesiastical parish of St. Mary, Temple Balsall, and the maintenance of the services therein;

Fifthly for the benefit of almspeople of the Hospital Charity or any of them in such manner as the Governors think fit from time to time.

33. *Extraordinary Repair Fund.*—If the Charity Commissioners by Order so provide a fund for the extraordinary repair, improvement or rebuilding of the hospital and other property belonging to the Hospital Charity shall be established and maintained out of the income of the Hospital Charity pursuant to and in conformity with the provisions of the said Order and of any further Order or Orders of the Charity Commissioners.

34. *Relief in need.*—(1) The Governors shall apply the above-mentioned yearly sum for relief in need as to one third thereof, in paying the same to the Trustees for the time being of the Charity called the Long Itchington Welfare Trust, in the Parish of Long Itchington, in the County of Warwickshire, as to one third thereof, in paying the same to the body of parochial or local trustees as from time to time constituted of the Charity known as Lady Katherine Leveson's or the Foxley Charity, in the Ancient Parish of Lilleshall, in the County of Salop, and as to one third thereof, in paying the same to the body of parochial or local trustees as from time to time constituted of the Charity known as Lady Katherine Leveson's or the Foxley Charity, in the Ancient Parish of Trentham, in the County of Staffordshire, subject to the following conditions.

(2) The respective bodies of Trustees shall apply the said yearly sums in manner following:

(i) In continuing the payment of out-pensions to the persons who at the coming into effect of this Scheme are out-pensioners of the Hospital Charity in the areas of the Ancient Parish of Long Itchington, the Ancient Parish of Lilleshall and the Ancient Parish of Trentham respectively, and subject thereto,

(ii) In relieving either generally or individually persons resident in the Parish of Long Itchington, the Parish of Lilleshall and the area of the Ancient Parish of Trentham respectively by making grants of money or by providing or paying for items, services or facilities calculated to reduce the

need, hardship or distress of such persons either directly or by way of donations or subscriptions to institutions or organisations which provide or which undertake in return to provide such items services or facilities:

Provided that in applying income under this sub-paragraph the respective bodies of Trustees shall not apply any part of the income in relief of rates, taxes or other public funds, and shall not commit themselves to repeat or renew the relief granted on any occasion in any case.

(3) The respective bodies of Trustees shall transmit yearly to the Governors accounts showing how their respective shares of income have been applied.

(4) In the event of almshouses being provided (whether by the Governors or otherwise) for the benefit of poor persons resident in the Parish of Long Itchington, the Parish of Lilleshall, or any part of the area of the Ancient Parish of Trentham the Governors may direct that the yearly sums applicable in the parish or area concerned or such part of that yearly sum as the Governors decide shall be applied either by the Governors or by the body of Trustees concerned in or towards defraying the cost of maintaining and repairing the almshouses so provided in the parish or area concerned.

35. *Master.*—(1) The Governors at a special meeting from time to time convened for the purpose may appoint as master of the hospital belonging to the Hospital Charity a clergyman in Holy Orders of the Church of England to perform such duties as may be necessary for the general superintendence of the almspeople of that Charity at such salary as is hereinafter mentioned and upon such reasonable terms as to notice within the limits permitted by law and otherwise as the Governors think fit and they may allot to the master accommodation in the hospital as a residence for him while he holds office as master.

(2) The Governors may pay to the master out of the income of the Hospital Charity a salary at the rate of £500 a year or such other sum as the Charity Commissioners approve from time to time.

Hospital and Almspeople

36. *Hospital.*—The hospital buildings (hereinafter referred to as the hospital) belonging to the Hospital Charity and the property heretofore occupied therewith shall be appropriated and used for the residence of almspeople in conformity with the provisions of this Scheme.

37. *Saving for existing almspeople.*—Appointments of almspeople under this Scheme shall be made without prejudice to the interests of the existing almspeople.

38. *Qualifications of almspeople.*—The almspeople shall be needy persons of good character who (except in special cases to be approved by the Charity Commissioners) are resident in the area of benefit at the time of appointment. Preference shall be given to widows and spinsters over 60 years of age who are resident in the said Parish of Balsall.

39. *Contributions.*—With the approval of the Charity Commissioners, the Governors may make it a condition of appointing or permitting any person to be or remain an almsperson that he or she shall contribute from resources available to him or her a weekly sum towards the cost of maintaining the hospital and essential services therein but so that the amount of the weekly sum shall not—

(1) be such as to cause hardship to him or her;

(2) be more than the amount approved from time to time by the Charity Commissioners.

40. *Notice of vacancy.*—No appointment of an almsperson shall be made by the Governors until a sufficient notice of an existing vacancy specifying the qualifications required from candidates has been published in the area of benefit by advertisement or otherwise so as to give due publicity to the intended appointment but it shall not be necessary to publish a notice if a vacancy occurs within twelve calendar months after the last notice of a vacancy has been published. Notices may be according to the form set out in Schedule 2 hereto.

41. *Applications for appointment.*—All applications for appointment shall be made in writing to the Governors or the master or baliff in such manner as the Governors direct. Before appointing any applicant to be an almsperson the Governors shall require him or her to attend in person unless he or she is physically disabled or the Governors are of opinion that special circumstances render this unnecessary. Every applicant must be prepared with sufficient testimonials and other evidence of his or her qualification for appointment.

42. *Selection of almspeople.*—Almspeople shall be selected only after full investigation of the character and circumstances of the applicants.

43. *Appointments of almspeople.*—Every appointment of an almsperson shall be made by the Governors at a special meeting.

44. *Records.*—The Governors shall provide and keep a book in which shall be entered the name, age and description of every person appointed to be an almsperson, the date of every appointment and the date and occasion of every vacancy. They shall also keep a register of all applications for appointment.

45. *Absence from hospital.*—The Governors shall require that any almsperson who desires to be absent from the hospital for a period of more than 24 hours shall notify the master, the matron or the under-matron and that any almsperson who desires to be absent for more than 16 days at any one time or for more than 28 days in any one year shall obtain the prior consent of the master.

46. *Rooms not to be let.*—No almsperson shall be permitted to let or part with the possession of the room or rooms allotted to him or her or, except with the special permission of the Governors, to suffer any person to share the occupation of the same or of any part thereof.

47. *Matron and under-matron.*—The Governors may appoint a matron and an under-matron to perform such duties as may be necessary for the superintendence and care of the almspeople at such reasonable salaries and upon such reasonable terms as to notice within the limits permitted by law and otherwise as they think fit and may allot to the matron and under-matron a room or rooms in the hospital as a residence for each of them while they respectively hold office.

48. *Setting aside appointments.*—(1) The Governors may set aside the appointment as an almsperson of any almsperson who in their opinion—

(*a*) persistently or without reasonable excuse either disregards the regulations for the almspeople or disturbs the quiet occupation of the hospital or otherwise behaves vexatiously or offensively; or

(*b*) no longer has the required qualifications; or

(*c*) has been appointed without having the required qualifications; or

(*d*) is suffering from mental or other disease or infirmity rendering him or her unsuited to remain an almsperson.

(2) Upon setting aside the appointment of an almsperson the Governors shall require and take possession of the room or rooms occupied by him or her.

(3) The Governors upon recovery of an almsperson whose appointment has been set aside on account of mental or other disease or infirmity may re-appoint him or her without giving previous notice of the vacancy and without regard to the qualification as to residence.

49. *Regulations.*—The Governors may prescribe from time to time such reasonable regulations as they consider expedient for the government of the hospital and the almspeople but so that the same shall not be at variance or inconsistent with any of the provisions of this Scheme and by such regulations may provide that the almspeople shall render such assistance to each other and to the master, matron and under-matron as is within their power.

EDUCATIONAL FOUNDATION

50. *School.*—(1) The school of the Educational Foundation shall continue to be the Temple Balsall, Lady K. Leveson's Church of England Junior and Infants School and shall be conducted as a voluntary school in accordance with the provisions of the Education Acts 1944 to 1973 or any substituted provisions.

(2) Religious instruction in accordance with the doctrines of the Church of England shall be given in the said school.

51. *Application of income.*—(1) Subject to the payments aforesaid the Governors shall pay to the Managers for the time being of the said school to be accounted for by the Managers to the Governors such part of the yearly income of the Educational Foundation as the Managers require for application towards the cost of altering or repairing the school to enable it to conform to the requirements of the Education Acts 1944 to 1973 and the Regulations made thereunder.

(2) Subject as aforesaid the Governors shall apply income of the Educational Foundation in providing such special benefits not normally provided by the local education authority for the school as may be agreed between the Governors and the local education authority.

GENERAL PROVISIONS

52. *Appropriation of benefits.*—The appropriation of the benefits of the Charities shall be made by the Governors at meetings of their body and not separately by any individual Governor or Governors.

53. *Governors not to be personally interested.*—No Governor shall take or hold any interest in property belonging to the Charities otherwise than as a Governor for the purposes thereof and no Governor shall receive remuneration, or be interested in the supply of work or goods, at the cost of the Charities.

54. *Charities not to relieve public funds.*—The Governors shall not apply income of the Charities directly in relief of rates, taxes or other public funds, but may apply income in supplementing relief or assistance provided out of public funds.

55. *Questions of construction.*—Any question as to the construction of this Scheme may be referred to the Charity Commissioners for their opinion or advice in accordance with the provisions of section 24 of the Charities Act 1960 and other legal provisions relating thereto.

SCHEDULE 1 Clause 1

THE HOSPITAL OF THE LADY KATHERINE LEVESON

Description	Extent or amount	Tenant, person liable or persons in whose name invested	Gross yearly income
	Acres		£
The following property situate at Balsall in the County of West Midlands and charged under the will of Lady Anne Holborne with the annual payment of £50 each to the vicars or ministers of St. Mary, Temple Balsall and Holy Trinity, Long Itchington:			
Hospital	3·11	In hand	—
Master's House		do.	—
Matron's House		do.	—
School House		D. Furlong	400
School House Garage ...		D. Furlong	26
Hornsby House		R. R. Bourne	450

Description	Extent or amount	Tenant, person liable or persons in whose name invested	Gross yearly income
	Acres		£
Waste land, roads, etc. ...	5·89	In hand	—
Woodlands	77·54	do.	—
River Blythe	3·00	do.	—
Temple House Farm, including Barston Park Farm (part) and Balsall Lodge Farm	658·77	R. Fletcher	7,193
Temple Farm, including Brockhill Farm and building in Frogmore Wood	232·37	J. R. Truelove	2,778
Priests Park Farm	61·04	C. Cummins	889
Land at Table Oak Lane ...	5·85	H. R. Skinner	70
Chestnut Cottage	3·36	M. Hopkins	104
Allotments, Fen End ...	2·24	do.	6
Fen End Road	1·24	E. Williams (Grazing licence)	15
Fen End	0·87	J. J. Conneally (Grazing licence)	15
Frogmore Lane Farmhouse	1·56	D. W. Gibson	600
Pasture at Frogmore Wood	2·98	L. Darby	54
Old Hall (Templars Hall) ...	Not ascertained	In hand	—
1 Old Hall Cottage ...	0·25	Parochial Church Council of St. Mary, Temple Balsall	41
2 Old Hall Cottage ...		L. Mistear	91
Cottage and Land, Needlers End	0·17	E. A. Townsend	104
Do.	9·55	In hand	—
Tip and site	0·95	G. W. Deeley	5
Culnafay Cottage	0·24	J. Duffin	104
Garden at Barracks Cottages	0·83	E. G. Southgate	50
Shooting and Fishing rights:			
Lot 1	—	A. Thompson	25
Lot 2	—	C. Brown	300
Lot 3	—	D. Wareing	90
Lot 4	—	59 Fly Fishers Club	300
Wayleaves	—	Midland Electricity Board	8
Wayleaves	—	Central Electricity Generating Board	4
Land fronting Kenilworth Road at Berkswell in the said county	8·19	T. E. Barnacle	28
The following land situate at Balsall in the said county with the building thereon as follows:			
119 Kenilworth Road ...	Not ascertained	Mr. and Mrs. N. S. Moseley	2
The following land situate in the City of Birmingham with buildings thereon as follows:			
32 to 40 Naden Road ...	do.	F. M. Jennings	16
51 to 59 Naden Road ...	do.	N. G. Wynde	29
1 to 5 Grafton Grove ...			

Description	Extent or amount	Tenant, person liable or persons in whose name invested	Gross yearly income
	Acres		£
65 Grafton Grove	Not ascertained	Miss A. E. Davies	5
67 Grafton Grove	do.	Bashir Armed	5
69 Grafton Grove	do.	C. E. Battersby	5
71 Grafton Grove	do.	Miss E. Blakeman	5
73 Grafton Grove	do.	Mr. and Mrs. R. A. Greenwood	5
77 Grafton Grove	do.	R. Parry	5
79 Grafton Grove	do.	Mr. and Mrs. C. W. Inston	5
83 Grafton Grove	do.	Miss S. E. Caldicott	5
85 Grafton Grove	do.	Mrs. M. Buckingham	5
89 Grafton Grove	do.	H. Holt	5
91 Grafton Grove	do.	M. Usman	5
93 to 109 Carpenters Road and two houses at rear thereof	do.	Birmingham Corporation	35
111 to 121 Carpenters Road 125 Carpenters Road ...	do.	do.	23
3 Stretton Grove	do.	Misses Bird and Megiff	5
5 Stretton Grove	do.	K. S. Joiner	5
6 Stretton Grove	do.	A. J. Booker	5
7 Stretton Grove	do.	H. T. Blundell	5
7 Grafton Grove	do.	Mrs. H. A. Cadman and S. E. Holt	6
8 Grafton Grove	do.	Mr. and Mrs. J. A. Roulston	5
9 Grafton Grove	do.	Mr. and Mrs. Broughton	5
10 Grafton Grove	do.	G. Fielding	5
93 to 99 Hunters Road (odd numbers only) ... ... 42 Naden Road	do.	T. and J. Tomlinson	18
83 to 91 Hunters Road (odd numbers only) ... ... 1 to 10 Fairview at rear ...	do.	do.	45
18 Naden Road	do.	Birmingham Corporation	5
20 Naden Road	do.	do.	5
30 Naden Road	do.	W. Mountford	5
	Shares		
Accumulation Shares in the National Association of Almshouses Common Investment Fund (Order of the Charity Commissioners of the 13th January 1956 as varied by Order of the Commissioners of the 17th November 1965)	2,720	Official Custodian for Charities	Accumulating
Accumulation Shares in the said Fund (Order of the Charity Commissioners of the 13th May 1960 as varied by an Order of the Commissioners of the 17th November 1965)	1,040	do.	do.

Description	Extent or amount	Tenant, person liable or persons in whose name invested	Gross yearly income
	£		£
Narrower-range			
8¾% Treasury Stock, 1997 ...	846·20	Official Custodian for Charities	74
5½% Treasury Stock, 2008–12	6,663·25	do.	336·48
Wider-range	Shares		
Tate & Lyle Limited Ordinary Shares	470	do.	Variable
Shell Transport and Trading Company Limited Ordinary Shares	180	do.	do.
Special-range			
Income Shares in the said Fund	42,149	do.	do.

£4,996 cash on temporary loan to Clwyd County Council at interest.
£100 cash on current account with C. Hoare & Co., Bankers, at 37 Fleet Street, in the City of London.

THE EDUCATIONAL FOUNDATION OF LADY KATHERINE LEVESON

Description	Extent or amount	Tenant, person liable or persons in whose name invested	Gross yearly income
	Acres		
Land situate at Balsall in the County of West Midlands with the school thereon	0·62	In hand	—
	Shares		
Accumulation Shares in the Charities Official Investment Fund (Order made by the Secretary of State for Education and Science on the 22nd June 1967)	428	Official Custodian for Charities	Accumulating
Special-range			
Income Shares in the Charities Official Investment Fund	1,281	do.	Variable
Income Shares in the Charities Official Investment Fund (Bequest of R. Lant)	106	do.	do.
Wider-range			
Guest Keen and Nettlefolds Limited Ordinary Shares	497	do.	do.

£47·68 cash on current account at the branch of the Midland Bank Limited at Knowle in the County of West Midlands.

This schedule is made up to the 31st July 1975.

Notes.—(1) The above-mentioned properties known as the Hospital, Master's House, Hornsby House, Matron's House and School House, Temple House Farm and Balsall Lodge Farm belonging to the Hospital of the Lady Katherine Leveson are subject to a mortgage or charge to secure repayment of a sum of £76,600 borrowed under the authority of an Order of the Charity Commissioners of the 6th June 1966.

(2) The same properties are subject to a further mortgage or charge to secure repayment of a further sum of £2,130 borrowed under the authority of an Order of the Charity Commissioners of the 8th April 1968.

SCHEDULE 2

Clause 40

Form of Notice

The Charity called The Hospital of Lady Katherine Leveson, at Temple Balsall, in the County of West Midlands.

Notice is given that a vacancy exists for an almsperson of this Charity.

Needy persons of good character residing in the area of the Parishes of Ashow, Baddesley Clinton, Beaudesert, Beausale, Bushwood, Claverdon, Haseley, Hatton, Honiley, Kenilworth, Lapworth, Leek Wootton, Preston Bagot, Rowington, Shrewley, Stoneleigh, Tanworth and Wroxall, all in the County of Warwickshire, the Parishes of Balsall, Barston, Berkswell, Bickenhill, Castle Bromwich, Chelmsley Wood, Fordbridge, Hampton in Arden, Kingshurst and Meriden, and the Ward No. 2 (formerly Knowle), in the Borough of Solihull, all in the County of West Midlands, are eligible for appointment. Preference will be given to widows and spinsters over 60 years of age residing in the said Parish of Balsall.

Application for appointment must be made in writing to

at

on or before the 19 . Every applicant must state his or her name, address, age and occupation and must be prepared to produce sufficient testimonials and other evidence of his or her qualification for appointment and unless physically disabled to attend in person.

Notes.—(1) In special cases to be approved by the Charity Commissioners persons who do not possess the prescribed qualification as to residence may be appointed if otherwise qualified.

(2) Almspeople may be required to contribute a weekly sum towards the cost of maintaining the hospital of the Charity.

Signed

Clerk to the Governors.

Sealed by Order of the Commissioners this 22nd day of October 1976.

(L.S.)

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order gives effect to a Scheme of the Charity Commissioners for the regulation of the Hospital and the Educational Foundation of Lady Katherine Leveson, at Temple Balsall, in West Midlands, being almshouse and school charities respectively.

The Educational Foundation was constituted by an Order of the Charity Commissioners of the 27th April 1906 by which it was determined that the part of the endowment of the Hospital held for educational purposes consisted of the school and a yearly sum of £235 out of the net yearly income of the Hospital.

The lands belonging to the charities have in the past been vested in a corporation created by an Act of Parliament of 1702. That corporation is dissolved by the Scheme, which transfers these lands to the Official Custodian for Charities and sets up a body of governors for the charities.

The Scheme redefines the purposes of the Hospital Charity and, in particular, extends the area from which almspeople may be drawn and empowers the governors, with the approval of the Charity Commissioners, to charge the almspeople sums by way of contribution to the cost of maintaining the hospital.

The income of the Educational Foundation is made applicable for the repair and alteration of the school belonging to that charity and in providing special benefits for the school.

Printedi n England by McCorquodale Printers Ltd., and published by Her Majesty's Stationery Office
17/P19559/6 B86 K9 2/77
35p net
ISBN 0 11 070223 9