

**THE CHARITY COMMISSION FOR ENGLAND AND WALES**

Under the power given in the Charities Act 2011

Orders that from today, the

**3 June 2015**

this

**SCHEME**

will govern the charity

known as

**STEWART PARK (507075)**

at

Middlesbrough

**A member of staff of the Charity Commission authorised to act on behalf of the  
Charity Commission**

Alex Young

## **Definitions**

In this scheme:

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

“the Commission” means the Charity Commission for England and Wales.

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

“the former trusts” means the indenture dated 11 June 1924.

## **ADMINISTRATION**

### **1. Administration**

The charity is to be administered in accordance with this scheme. This scheme replaces the former trusts of the charity.

### **2. Name of the charity**

The name of the charity is Stewart Park.

## **OBJECT**

### **3. Object of the charity**

The objects of the charity are to:

- (1) promote the benefit of the public in Middlesbrough, without distinction of sex or sexual orientation or race or of political or religious or other opinions, by associating together the said inhabitants, the local authorities, and voluntary and other organisations in a common effort to:
  - (a) advance the education of the said inhabitants; and
  - (b) provide facilities for recreation or other leisure-time occupation for the said inhabitants in the interests of social welfare with the object of improving their conditions of life.
- (2) Subject to the provisions of clause 5 (Power to dispose of and replace purpose property) and clause 6, the land identified at 1 in the schedule to this scheme must be retained by the trustees for use for the object of the charity.
- (3) The land identified at 2 in the schedule must be retained by the trustee for use for the object identified at clause 1(b) and in particular as a Millennium Green.

### **4. Power to dispose of and replace purpose property**

- (1) This clause is subject to the requirements of part 7 of the Charities Act 2011.
- (2) The trustee may dispose of all or any part of the land identified at 1 in the schedule to this scheme.

- (3) The trustee must replace the land disposed of with equivalent land to be used for the objects of the charity.

## **POWERS OF THE TRUSTEES**

### **5. Powers of the trustee**

In addition to any other powers which it has, the trustee may exercise the following powers in furtherance of the objects of the charity:

- (1) Subject to the requirements of part 7 of the Charities Act 2011, the trustee may lease all or any part of the land identified at 1 in the schedule.
- (2) The trustee may lease all or any part of the land identified in the schedule to this scheme to another charitable organisation, provided that the objects of that charitable organisation are within the scope of the objects of the charity, and provided that the trustee is satisfied that such a lease will be a suitable and effective means to further the objects of the charity.

## **TRUSTEE**

### **6. Trustee**

Middlesbrough Council, is the trustee of the charity, and shall administer the charity in accordance with the Council's normal procedures, so far as is compatible with the duties of a charity trustee.

## **CHARITY PROPERTY**

### **7. Use of income and capital**

- (1) The trustee must firstly apply:
  - (a) the charity's income; and
  - (b) if the trustee thinks fit, expendable endowment; and
  - (c) when the expenditure can properly be charged to it, its permanent endowment

in 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 trustee must apply the remaining income in furthering the object(s) of the charity.
- (3) The trustee may also apply for the objects of the charity:
  - (a) expendable endowment; and

- (b) permanent endowment, but only:
  - (i) where it is permitted in accordance with (and subject to the conditions in) the Charities Act 2011; or
  - (ii) on such terms (including for the replacement of the amount spent) as the Commission may approve in advance.

### **GENERAL PROVISIONS**

#### **8. Questions relating to the Scheme**

The Commission may decide any question put to it concerning:

- (1) the interpretation of this scheme; or
- (2) the propriety or validity of anything done or intended to be done under it.

### **SCHEDULE**

<b>Land</b>		<b>Land Registry title number</b>
1.	Land known as Stewart Park, the Grove, Marton in Cleveland, Middlesbrough	CE201500
2.	Land known as the Millennium Green, being land on the west side of Cargo Fleet Lane, Middlesbrough	CE216671