

Sealed 15th May 1986

N113(S)  
86

County - Derbyshire  
Place - Belper  
Charities - 1. For the Benefit  
of the Inhabitants  
of Belper  
2. The Herbert Strutt  
Baths

L4(E)  
603,115

Scheme

CHARITY COMMISSION

In the matter of the following Charities, at Belper, in the County of Derbyshire:-

1. The Charity for the Benefit of the Inhabitants of Belper, comprised in a conveyance dated the 8th December 1908;
2. The Charity called the Herbert Strutt Baths, comprised in a conveyance dated the 27th April 1910; 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 Charities:-

S C H E M E

1. Administration of Charities. The above-mentioned Charities and the property thereof specified in the schedule hereto and all other the property (if any) of the Charities shall be administered and managed together as one Charity under the title of the Herbert Strutt Charity (hereinafter referred to as the Charity) subject to and in conformity with the provisions of this Scheme by the Amber Valley District Council, the Trustee thereof.

MANAGEMENT OF LAND

2. Management and letting of land. The Trustee shall let and otherwise manage the land belonging to the Charity not required to be retained or occupied for the purposes thereof. The Trustee shall not without the sanction of the Commissioners or a competent court create any tenancy wholly or partly in consideration of a fine or for a term ending more than 22 years after it is granted or for less than the best rent obtainable.

3. Leases. The Trustee shall provide that on the grant by the Trustee 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 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.

4. Repair and insurance. The Trustee shall keep in repair and insure to the full value thereof against fire and other usual risks all the buildings of the Charity not required to be kept in repair and insured by the lessees or tenants thereof and shall suitably insure in respect of public liability.

5. Sale. Subject to the authority of a further Order or Orders of the Commissioners the Trustee may sell the whole or any part of the said land and may do and execute all proper acts and assurances for carrying any such sale into effect.

6. Proceeds of sale. Unless the Commissioners otherwise direct the clear proceeds of any such sale as aforesaid shall be invested in trust for the Charity.

#### APPLICATION OF INCOME

7. Expenses of management. The Trustee shall first defray out of the income of the Charity the cost of maintaining the property of the Charity (including the repair and insurance of any buildings thereon) and all other charges and outgoings payable in respect thereof and all the proper costs, charges and expenses of and incidental to the administration and management of the Charity.

8. Application of income. (1) Subject to payment of the expenses aforesaid the Trustee shall apply the clear income of the Charity for charitable purposes for the general benefit of the inhabitants of Belper in one or more of the following ways, or in such other ways as the Trustee thinks fit:-

- (a) The relief of the aged, impotent and poor;
- (b) The relief of distress and sickness;
- (c) The provision and support with the object of improving the conditions of life for the said inhabitants in the interests of social welfare of facilities for recreation and other leisure time occupation;
- (d) The provision and support of educational facilities.

(2) The Trustee may apply income for charitable purposes as aforesaid either directly or by way of donations or subscriptions to institutions or organisations which apply or which undertake in return to apply the whole or part of their income for such charitable purposes.

#### GENERAL PROVISIONS

9. Accounts. 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.

10. Charity not to relieve public funds. The Trustee shall not apply income of the Charity directly in relief of rates, taxes or other public funds but may apply income in supplementing relief or assistance provided out of public funds.

11. 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

Charity numbered 1 above

£63,889.33 cash on deposit with Amber Valley District Council being the clear proceeds of sale of property in New Road, Belper, sold under the authority of an Order of the Charity Commissioners of the 6th September 1982 being permanent endowment.

£14,332.98 on deposit with Amber Valley District Council representing accumulations of income.

Charity numbered 2 above

Land containing 1,660 square yards or thereabouts being part of the land known as "The Turnip Pringle and Plantation" situate at Belper and having a frontage to Gibfield Lane of 114 feet or thereabouts being the land numbered SK 3446 on the Ordnance Survey map (1967 edition) with the buildings thereon known as the Herbert Strutt Baths being the land comprised in the above-mentioned conveyance dated the 27th April 1910 and made between George Herbert Strutt of the one part and The Urban District Council of Belper of the second part.

Sealed by Order of the Commissioners this 15th day

of May 1986.

L.S.

Sealed 5th October 1988

N933  
88

County - Derbyshire  
Place - Belper  
Charity - Herbert Strutt

C  
517,860 A/1

Order under Charities Act 1960  
section 29(4)

CHARITY COMMISSION

In the matter of the Herbert Strutt Charity, at Belper, in the County of Derbyshire, regulated by a Scheme of the Charity Commissioners of the 15th May 1986; and  
In the matter of the Charities Act 1960.

WHEREAS

1. The Trustees of the above-mentioned Charity propose to sell (hereinafter called the transaction) the land specified in the schedule hereto and belonging to the Charity:

2. It has been certified to THE CHARITY COMMISSIONERS FOR ENGLAND AND WALES, by or on behalf of the Trustees, as follows:

- (1) the Trustees are proceeding on the advice of a qualified surveyor acting exclusively in the interests of the Charity;
- (2) the transaction has been advertised on the open market;
- (3) the Trustees are satisfied that the terms of the transaction are the best that can reasonably be obtained in the interests of the Charity and have been advised to that effect by their surveyor;
- (4) the purchaser is not a Trustee of the Charity and there is no business association or family relationship between the purchaser and the Trustees or their employees or their professional advisers:

NOW THE COMMISSIONERS HEREBY ORDER that the Charity be excepted from the provisions of section 29 of the Charities Act 1960 in respect of all acts and assurances for carrying the transaction into effect.

SCHEDULE

Land containing 1,660 square yards or thereabouts at Belper in the County of Derbyshire having a frontage to Gibfield Lane with the buildings thereon known as the Herbert Strutt Baths.

Sealed by Order of the Commissioners this 5th day  
of October 1988.



*R. Davis*

ASSISTANT COMMISSIONER