

Governing Document updated following a resolution passed at a special meeting on Monday 5th August 2024 at 7.30 held at Royal, Pudsey

In the matter of the Robert Salter Charity, in the former Township of Pudsey, in the County of West Yorkshire, founded by will of Joseph Salter proved at Wakefield on the 15th April 1897 and comprised in a trust deed dated the 28th February 1898; and

In the matter of the Charities Act 1960.

Updated 5th August 2024

SCHEME

1. **Administration of Charity.** The above-mentioned Charity and the property thereof specified in the schedule hereto and all other 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. **Investments and cash.** Subject as otherwise provided in this Scheme and to any further direction of the Charity Commissioners -

(1) All investments now or at any time belonging to the Charity, not already standing in the name of the Official Custodian for Charities shall be transferred to the said Official Custodian;

(2) All sums of cash now or at any time belonging to the Charity, other than sums of cash needed for immediate working purposes, shall be invested in the name of the said Official Custodian.

3. **Area of benefit.** In this Scheme the expression "area of benefit" shall mean the area of the former Township of Pudsey.

TRUSTEES

4. **Trustees.** The body of Trustees shall consist when complete of ten competent persons being made up of
 - o One Nominative Trustee and
 - o Nine Co-optative Trustees.
5. **Nominative Trustees.** The Nominative Trustee shall be a person who through residence, occupation or employment, or otherwise have special knowledge of the area of benefit and except at first as hereinafter provided shall be appointed by Leeds City Council for a term of four years. Each appointment shall be made 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. **Co-optative Trustees.** The Co-optative Trustees shall be persons who through residence, occupation or employment, or otherwise have special knowledge of the area of benefit.

7. **Future Co-optative Trustees.** Every future Co-optative Trustee shall be appointed for a term of five years by a resolution of the Trustees 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 Trustee expires with effect from the date of expiry but so that the latter shall not vote on the matter.
 8. **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.
 9. **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.
 10. **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 in the case of a vacancy in the office of Nominative Trustee shall cause notice thereof to be given as soon as possible to the council. Any competent Trustee may be re-appointed.
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MEETINGS AND PROCEEDINGS OF TRUSTEES

13. **Ordinary meetings.** The Trustees shall hold at least two ordinary meetings in each year.
14. **First meeting.** The first meeting of the Trustees shall be summoned by the said Phyllis Throp or if she fails for three calendar months after the date of this Scheme to summon a meeting by any two of the Trustees.
15. **Chairman.** The Trustees 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 chairman shall always be eligible for re-election. If at any meeting the chairman is not present within ten minutes after the time appointed for holding the same or there is no chairman the Trustees present shall choose one of their number to be chairman of the meeting.
16. **Special meetings.** A special meeting may be summoned at any time by the chairman or any two Trustees upon not less than four days' notice being given to the other Trustees of the matters to be discussed, but if the matters include an appointment of a Co-optative Trustee 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.
17. **Quorum.** There shall be a quorum when four Trustees are present at a meeting.
18. **Voting.** 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 of the meeting 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.

19. **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.
20. **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.
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INSURANCE

21. **Insurance.** The Trustees shall insure the almshouses of the Charity to the full value thereof against fire and other usual risks and shall suitably insure in respect of public liability and employer's liability.
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APPLICATION OF INCOME

22. **Expenses of management.** The Trustees 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.
23. **Cyclical Maintenance Fund.** (1) The Trustees may establish and maintain a reserve fund, to be entitled Cyclical Maintenance Fund, for the purpose of providing for those items of ordinary maintenance and repair of the almshouses belonging to the Charity which recur at infrequent intervals.
- (2) The fund may be maintained out of the income of the Charity by setting aside a yearly sum of £700 or such other sum as the Commissioners from time to time approve and the fund may be invested by the Trustees in their own names in trust for the Charity.
24. **Extraordinary Repair Fund.** Subject to any further Order or direction of the Commissioners -
- (1) The Trustees shall establish and maintain a reserve fund, to be entitled Extraordinary Repair Fund, for the purpose of providing for the extraordinary repair, improvement or rebuilding of the almshouses belonging to the Charity.
- (2) The fund shall be established and maintained out of the income of the Charity either by transfer to the fund of a yearly sum of not less than £525 or in such other manner as the Commissioners from time to time approve or direct.

(3) The fund and the income therefrom shall be invested in the name of the said Official Custodian.

25. **Benefit of Residents.** Subject to the payments aforesaid the Trustees shall apply the income of the Charity for the benefit of the residents in the almshouses of the Charity or any of them in such manner as the trustees think fit, from time to time.

ALMSHOUSES AND RESIDENTS

26. **Almshouses.** The almshouses belonging to the Charity and the property occupied therewith shall be appropriated and used for the accommodation of residents in conformity with the provisions of this Scheme.

27. **Saving for existing residents.** Appointments of residents under this Scheme shall be made without prejudice to the interests of the existing residents.

28. **Qualifications of residents.** The residents shall be poor persons aged 65 years or over who (except in special cases to be approved by the Commissioners) are inhabitants of the area of benefit at the time of appointment.

29. **Contributions.** The Trustees may make it a condition of appointing or permitting a person to be or remain a resident that he or she shall from resources available to him or her -

(1) contribute a weekly sum towards the cost of maintaining the almshouses and essential services therein but so that the amount of the weekly sum shall not -

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

(b) be more than the amount approved from time to time by the Commissioners;

(2) contribute towards the cost of lighting and heating the almshouses and providing hot water therein.

30. **Notice of a vacancy.** No appointment of a resident shall be made by the Trustees until a sufficient notice of an existing vacancy specifying the qualifications required from applicants 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 among the same class of residents has been published. Notices may be according to the form annexed hereto.

31. **Applications for appointment.** All applications for appointment shall be made to the Trustees or their clerk in such manner as the Trustees direct. Before appointing any applicant to be a resident the Trustees shall require him or her to attend in person unless he or she is physically disabled or the Trustees are of the opinion that special circumstances render this unnecessary. An applicant may be required to supply evidence of his or her qualification for appointment.

32. **Selection of residents.** Residents shall be selected only after full investigation of the suitability and circumstances of the applicants.
33. **Appointments of residents.** Every appointment of a resident shall be made by the Trustees at a special meeting.
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34. **Records.** The Trustees shall provide and keep a book in which shall be entered the name, age, and description of every person appointed to be a resident, the date of every appointment and the date and occasion of every vacancy. They shall also keep a register of all applications for appointment.

35. **Absence from almshouses.** The Trustees shall require that any resident who desires to be absent from the almshouses for more than 28 days in any one year shall obtain the prior consent of the Trustees or of some officer of the Charity to be nominated by them.

36. **Rooms not to be let.** No resident shall be permitted to let or part with the possession of the room or rooms allotted to him or her except with the special permission of the Trustees to allow any person to share the occupation of the same or any part thereof.

37. **Setting aside appointments.** (1) The Trustees may set aside the appointment of any resident who in their opinion -

(a) persistently or without reasonable excuse either disregards the regulations for the residents or disturbs the quiet occupation of the almshouses 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 a resident.

(2) Upon setting aside the appointment of a resident the Trustees shall require and take possession of the room or rooms occupied by him or her.

(3) The Trustees upon recovery of a resident 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.

38. **Regulations.** The Trustees may prescribe from time to time such reasonable regulations as they consider expedient for the management of the almshouses and the welfare of the residents but so that the same shall not be at variance or inconsistent with any of the provisions of this Scheme.

GENERAL PROVISIONS

39. **Appropriation of benefits.** The appropriation of the benefits of the Charity shall be made by the Trustees at meetings of their body and not separately by any individual Trustee or Trustees: Provided that the Trustees from time to time may appoint two or more members of their body to be a committee for dealing with any cases of emergency but all acts and proceedings of committees shall be reported in due course to the Trustees.

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

41. **Charity not to relieve public funds.** The Trustees shall not apply income of the Charity directly in relief of rates, taxes or other public funds.

42. **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.

FORM OF NOTICE

The Charity of Robert Salter.

A residence is available for a poor person aged 65 years or over resident in the area of the former Township of Pudsey.

Apply for details to

SCHEDULE

Land containing 2,073 square yards or thereabouts situate at Pudsey in the County of West Yorkshire having a frontage of 162 feet on the south to Crawshaw Avenue with the buildings since erected thereon known as Salter's Almshouses being part of the land comprised in a conveyance made the 28th February 1898 between Joseph Wheatley and two others of the first part Charles Wheatley of the second part and Simeon Myers and twenty others of the third part and enrolled in the Central Office of the Supreme Court of Judicature on the 8th March 1898.

2,407 Income Shares in the National Association of Almshouses Common Investment Fund standing in the books of the Official Custodian for Charities and representing permanent endowment.

The following sums of cash at the Church Lane, Pudsey, branch of Midland Bank plc:-

- £2,414.88 on deposit account.
- £766.43 on current accounts.

Note: The above-mentioned land is vested in the Official Custodian for Charities by virtue of an Order of the Commissioners of the 17th January 1947 as affected by the provisions of the Charities Act 1960.

Sealed by Order of the Commissioners this 24th day of August 1988.