

THE CHARITY COMMISSION FOR ENGLAND AND WALES

Under the power given in the Charities Act 2011

Orders that from today, the

12 March 2021

this

SCHEME

will govern the charity

known as

THE VICTORIA HALL TRUST

at

Ealing, London

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

Alex Young

SCHEME

1. Definitions:

In this scheme:

“the beneficiaries” means the inhabitants of Ealing and the surrounding area.

"the charity" means the charity identified at the beginning of this scheme.

“the Committee” means the advisory committee to be established in accordance with clause 5 of the scheme.

“Ealing Town Hall” means all the land and buildings at Ealing Town Hall New Broadway Ealing London W5 2BY registered at HM Land Registry with title number AGL135666.

“Mastcraft” means Mastcraft Limited (company number 01845796) whose registered address is at 30 Poland Street, London, W1F 8QS.

“premium” means the sum identified in part 2 of the schedule to this scheme, which represents permanent endowment of the charity.

“Surejogi” means Surejogi Ealing Town Hall Limited (company number 10648824) whose registered address is at 30 Poland Street, London, W1F 8QS.

“the former trusts” means the Deed of Trust dated 6th November 1893.

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

ADMINISTRATION

2. Administration

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

OBJECTS OF THE CHARITY

3. Objects of the charity

The objects of the charity are

- (1) To promote the benefit of the beneficiaries by the provision of facilities for recreation or other leisure time occupation of individuals who have need of such facilities by reason of their youth, age, infirmity or disablement, financial hardship or social and economic circumstances or for the public at large in the interests of social welfare and with the object of improving the condition of life of the beneficiaries.

- (2) Subject to clause 4 of this scheme, the property listed in part 1 of the schedule to this scheme must be retained by the charity for use for the object at sub-clause (1).
- (3) If and insofar as the income of the charity cannot be applied towards the object above, it may be applied in furthering general charitable purposes for benefit of the beneficiaries.
- (4) If the property listed in part 4 of the schedule to this scheme is acquired by the charity by exchange as authorised under clause 4(2) of this scheme it must be appropriated for use for the object at sub-clause (1).

POWERS

4. 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 the land identified in Part 1 of the schedule to this scheme to Surejogi (in furtherance of clause 3(1) of this scheme) provided that the lease is on the terms identified in Part 2 of the schedule.
- (2) The trustee may within six months from the date of this scheme enter into an exchange of the land set out in part 3 of the schedule to this scheme with the land set out in part 4 of the schedule to this scheme provided the trustee is satisfied that the terms of the exchange are in the interests of the charity.

TRUSTEE

5. Trustee

- (1) Ealing Borough Council is the trustee of the charity.
- (2) The trustee shall appoint an advisory committee comprising
 - (a) Up to 5 elected Councillors from the Borough of Ealing;
 - (b) 3 independent members appointed through a public open recruitment.
- (3) The Committee shall be known as the "Victoria Hall Trust Committee" or by such other name as the trustee may from time to time resolve.
- (4) The quorum at any meeting of the Committee shall be not less than three members.
- (5) If any decision presented for advice to the Committee by the trustee involves a matter in which there is potential or actual conflict of interest of loyalty as between the interests of the Council (as a statutory authority) and the interests of the charity, that matter shall be considered only by the independent members, and the advice presented to the trustee shall be as determined by a majority vote of those independent members.
- (6) Minutes of the Committee shall be kept in writing and retained with the recorded minutes and decisions of the trustee.

6. Use of income and capital

- (1) The trustees must firstly:
 - (a) apply:
 - (i) the charity's income; and
 - (ii) if the trustees think fit, expendable endowment; and
 - (iii) when the expenditure can properly be charged to it, its permanent endowment (including the premium)

in meeting the proper costs of administering the charity and of managing its assets (including the repair and insurance of its buildings);
- (2) After making these payments, the trustees must apply the remaining income in furthering the objects 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.
- (4) The trustee may apply the premium to acquire replacement freehold property to the land identified in parts 1 and 4 of the schedule, or other facilities to be held on trust for use for the object stated at clause 3(1). Until and unless such an application is made the trustee must invest the premium, and shall apply the return from investment in furthering the object stated a clause 3(1) of this scheme. The trustee may seek consent, in accordance with clause 6(3) to expend some or all of the premium.

GENERAL PROVISIONS

7. 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

PART 1

Land	Land Registry title number
Part of Ealing Town Hall known as the Victoria Hall, shown edged and hatched red on the plan at Annex 1 to this scheme.	Part of title number AGL135666

PART 2

Required provisions for lease to Surejogi in respect of Ealing Town Hall (under which the Victoria Hall and Queen’s Hall will be demised, together with the rest of the building)

Length of lease for Victoria Hall	250 years
Premium for Victoria Hall and Prince’s Hall	<p>A share of the total premium payable by the leaseholder to Ealing Borough Council in relation to Ealing Town Hall, being a share calculated on the basis of a pro-rata floor area calculation of the charity’s land identified in parts 1 and 3 of the schedule to this scheme.</p> <p>The Council shall be entitled to recover from the charity’s share of premium a reasonable share of project transaction costs (so far as the Council has actually incurred those costs) that can be evidenced as relating to, and being for the benefit of the charity only. The Committee’s independent members will advise the trustee concerning the sum that represents an evidenced and reasonable share of costs to pay to the Council.</p>
Community use requirement for Victoria Hall	<p>The lease will place a user covenant on Surejogi which will prohibit it from using the Victoria Hall other than in accordance with the objects set out in clause 3 of this scheme.</p> <p>This use of the Victoria Hall (as well as the Queen’s Hall and other areas within Ealing Town Hall designated for community use) will be governed by the terms of a ‘Community Use Protocol’ contained in the lease.</p> <p>The charity, Surejogi and Ealing Borough Council will be party to the Community Use Protocol, under which:</p> <ul style="list-style-type: none"> • they will establish a working group (which may co-opt members from the community) to monitor and review the use of the Victoria Hall in accordance with this scheme; and

	<ul style="list-style-type: none"> • there will be an independent dispute resolution mechanism to consider any dispute between the parties on the operation of the protocol; and • the Victoria Hall will be available for community use bookings for up to 355 days in each year of the lease term (with guaranteed reserved hours for such bookings per day); • qualifying community groups will be able to book the Victoria Hall for community uses at reasonable and affordable rates (with provision for multiple booking discounts). These rates will be reviewed by the parties after an initial 10 year period, to ensure that they are still affordable for community groups.
Reserved use for Council's statutory purposes of Victoria Hall	<p>There will be 10 days reserved in each year of the lease term during which Ealing Borough Council (in its capacity as landlord) will have the right to use the Victoria Hall free of charge to carry out its statutory functions (e.g. for election purposes).</p> <p>Ealing Borough Council will notify the charity in advance of the dates on which it intends to use the Victoria Hall for such purposes. The parties will be required to keep each other informed in relation to proposed bookings of the Victoria Hall on the Council's nominated days and will work co-operatively to resolve any conflicting bookings of the Victoria Hall.</p> <p>Apart from during the 10 reserved days referred to above, the use of the Victoria Hall will be governed by the Community Use Protocol.</p>
Repair and maintenance obligations for Victoria Hall	<p>Surejogi will be required to:</p> <ul style="list-style-type: none"> • keep the Victoria Hall in good and substantial repair and condition; • renew and replace from time to time all landlord's fixtures and fittings at the Victoria Hall which may become beyond repair at any time during the lease term.
Parties to the lease	<ul style="list-style-type: none"> • Ealing Borough Council (Landlord) of the first part; • The Victoria Hall Trust (Trust) of the second part; • Surejogi Ealing Town Hall Limited (Tenant) of the third part; and • Mastcraft Limited (Guarantor) of the fourth part. <p>Note: the Commission authorises Ealing Borough Council in its capacity as the registered proprietor of the freehold to Ealing Town Hall, as one party (separate from, and in parallel to its capacity as trustee of the charity) to enter a single lease of</p>

	Ealing Town Hall, including both those parts of the premises that are not held on charitable trust, and the Victoria Hall and Queen's Hall, provided that the terms stated above must be included in the lease in respect of the charity's property.
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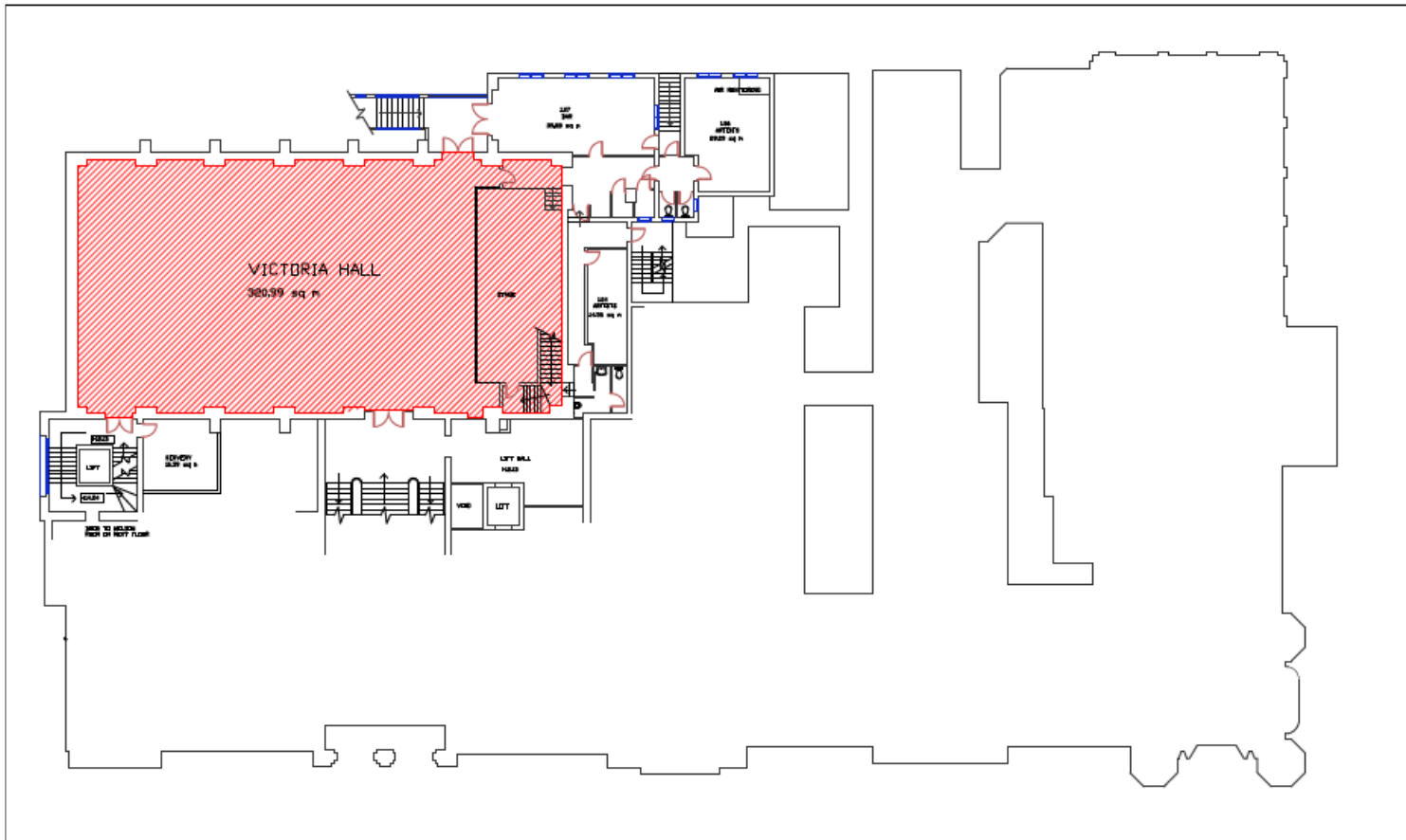
PART 3

Land	Land Registry title number
Part of Ealing Town Hall known as the Prince's Hall, shown edged black on the plan at Annex 2 to this scheme.	Part of title number AGL135666

PART 4

Land	Land Registry title number
Part of Ealing Town Hall known as the Queen's Hall, shown cross-hatched black on the plan at Annex 2 to this scheme.	Part of title number AGL135666

Annex 1: Victoria Hall Plan



Annex 2: Prince's Hall and Queen's Hall Plan

