

Sealed 19 December 1956.

No. 3948 P.

Counties—LEICESTER.
WARWICK.

Parishes—APPLEBY MAGNA;
CHILCOTE;
TWYXCROSS;
STRETTON-EN-LE-FIELD;
MEASHAM;
SWEPSTONE;
SNARESTON;
AUSTREY; and
NEWTON REGIS.

Foundation—Sir John Moore's School and
Exhibition Foundation.

Scheme altering Scheme.

SCHEME MADE BY THE MINISTER OF EDUCATION UNDER THE CHARITABLE TRUSTS ACTS, 1853 TO 1925.

The Foundation.

1. In this Scheme the expression "the Foundation" means Sir John Moore's School and Exhibition Foundation, in the Parishes of Appleby Magna, Chilcote, Twycross, Stretton-en-le-Field, Measham, Swebstone and Snareston, in the County of Leicester, and the Parishes of Austrey and Newton Regis, in the County of Warwick, now regulated by a Scheme made by the Charity Commissioners under the Endowed Schools Acts, on 26 October 1896, as altered by a Scheme made by the Board of Education on 27 September 1907 (hereinafter referred to as "the Principal Scheme").

Alteration of Scheme.

2. The provisions of the said Scheme of 26 October 1896, as altered as aforesaid, are hereby further altered so as to give effect to the provisions of this Scheme.

New School of the Foundation.

3. (1) Whereas the former Elementary School of the Foundation was discontinued in the year 1933:

The Governors may allow such part of the buildings of the former School of the Foundation, as they may think fit, to be used for the purposes of a new school to be called the Appleby Magna Church of England Primary School.

(2) The Appleby Magna Church of England Primary School shall be the School of the Foundation and shall be conducted as a voluntary school in accordance with the provisions of the Education Acts, 1944 to 1953, and religious instruction in accordance with the doctrines of the Church of England shall be given therein.

Application of Capital.

4. The Governors may apply such a sum out of the capital endowment of the Foundation as may be approved by a further Order of the Minister of Education, and subject to such conditions as may be specified in the said Order, in altering and adapting the buildings of the former School of the Foundation so as to make them suitable for the new School of the Foundation.

Occasional Use and Lettings.

5.—(1) The Governors may from time to time let or lend such part of the buildings of the Foundation not required for the purposes of the Appleby Magna Church of England Primary School, as they may think fit, for evening classes, lectures, and other purposes not interfering with the educational character of the Foundation.

(2) The Governors shall be entitled to control the occupation and use of the premises of the Appleby Magna Church of England Primary School, when they are not required for the purposes of the School.

(3) The Governors may let the West School House (formerly known as the Head Master's House) and the East School House at the best rent obtainable.

Repeal.

6. Clauses 17 to 23 inclusive of the Principal Scheme are hereby repealed.

Alteration of Principal Scheme.

7. The following clauses are hereby substituted for clauses 24 to 27 inclusive of the Principal Scheme:—

“ Application of Income.

“ 24. After payment of any expenses of administration, the net yearly income of the Foundation shall be applied by the Governors in the manner and to the objects hereinafter prescribed.

Maintenance of Buildings of Foundation.

“ 25. The Governors may apply so much as they think fit of the said net income in defraying—

- (a) those expenses of maintaining the School of the Foundation which are required to be met by the Managers thereof under the provisions of the Education Acts, 1944 to 1953, and the Regulations thereunder; and
- (b) the cost of the maintenance, including insurance, of that part of the buildings of the Foundation not used for the purposes of the School of the Foundation.

Other Educational Benefits.

“ 26.—(1) The residue of the net yearly income of the Foundation, if any, shall be applied by the Governors in any one or more of the following ways:—

- (a) Exhibitions tenable at any secondary school, training college for teachers, university, or other institution of further (including professional and technical) education, approved by the Governors, to be awarded under rules to be made by the Governors, including rules as to the value and period of tenure of the exhibitions, and the qualifications, and method of ascertainment and selection, of candidates;
- (b) Financial assistance, outfits, clothing, tools, instruments or books to enable beneficiaries on leaving school, university or any other educational establishment, to prepare for, or assist their entry into, a profession, trade or calling;
- (c) Otherwise promoting the education (including social and physical training) of beneficiaries.

(2) The Governors shall consult the Local Education Authority as to their general action under this clause and, if occasion requires, as to the educational qualifications of candidates for benefit.

(3) For the purposes of this clause the expression “ beneficiaries ” means boys and girls who, in the opinion of the Governors, are in need of financial assistance and who, or whose parents, are resident in one or other of the Parishes of Appleby Magna, Chilcote, Stretton-en-le-Field, Measham, Swebstone, and Snareston, and the former Parish of Norton-juxta Twycross, in the County of Leicester, and the Parishes of Austrey and Newton Regis, in the County of Warwick, but in default of fit candidates from such Parishes the expression shall include boys and girls as aforesaid who, or whose parents, are resident elsewhere in the County of Leicester.”

Alteration of Scheme.

8. The Minister of Education may in the exercise of his ordinary jurisdiction under the Charitable Trusts Acts, 1853 to 1925, frame Schemes for the alteration of any portion of this Scheme, provided that such alterations shall not be contrary to anything contained in the Endowed Schools Acts, 1869 to 1948.

Questions under Scheme.

9. Any question as to the construction of this Scheme, or as to the regularity or validity of any acts done or about to be done under this Scheme, shall be determined conclusively by the Minister of Education upon such application made to him for the purpose as he thinks sufficient.

Interpretation.

10. The Interpretation Act, 1889, applies to the interpretation of this Scheme as it applies to an Act of Parliament.

Date of Scheme.

11. The date of this Scheme shall be the day on which it is established by an Order of the Minister of Education.

The Minister of Education orders that the foregoing Scheme be established.

Given under the Official Seal of the Minister of Education this 19th day of December, 1956.



Mervyn Longhurst.

Authorised under Section 3 of the Education Act, 1944.