

THE CHARITY COMMISSION FOR ENGLAND AND WALES

Under the power given in the Charities Act 1993 and the Commons Act 1899

Orders that from today, the

6 January 2009

this

SCHEME

will govern the charities

formerly known as

EXHAUSTED STONE QUARRIES IN HOLMFIRTH

and

CHARITY FOR PUBLIC STONE QUARRIES (700350)

and now to be known as

**HOLME VALLEY PARISH COUNCIL (GRAVESHIP OF HOLME) LAND CHARITY
(700350)**

at

Holmfirth, West Yorkshire

1. Definitions

In this scheme:

“the charity” means the charity created by clause 2 of this scheme.

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

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

“the trusts” means the provisions which at any given time regulate the purposes and administration of the charity.

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

ADMINISTRATION

2. Administration

The charities are to be administered as one charity in accordance with this scheme. This scheme replaces the former trusts of the charities.

3. Name of the charity

The name of the charity is Holme Valley Parish Council (Graveship of Holme) Land Charity.

OBJECT

4. Object of the charity

The object of the charity is to promote such charitable purposes for the general benefit of the inhabitants of the parish of Holme Valley as the trustee thinks fit.

POWERS OF THE TRUSTEE

5. Powers of the trustee

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

Power to make rules and regulations consistent with this scheme for the management of the charity.

TRUSTEE

6. Trustee

Holme Valley Parish Council is the trustee of the charity.

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 endowmentin 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 of the charity.
- (3) The trustee may also apply expendable endowment for the object of the charity.

8. Disposal of land

- (1) The trustee may sell, lease or otherwise dispose of all or any part of the land identified in the schedule to this scheme. (The trustee must comply with the restrictions on disposal imposed by section 36 of the Charities Act 1993, unless the sale, lease or disposal is excepted from these restrictions by section 36(9)(b) or (c) or section 36(10) of that Act.)
- (2) Any land disposed of will be discharged:
 - (a) during the period of any letting; or
 - (b) upon completion of any sale;from any restrictions on use imposed by the Holme Inclosure Act 1828 and any other act relating to inclosure.

POWER OF AMENDMENT

9. Power of amendment

- (1) The trustee (subject to the provisions of this clause) may from time to time amend the trusts if it is satisfied that it is expedient in the interests of the charity to do so.
- (2) The trustee must not make any amendment which would have the effect directly or indirectly of:
 - (a) altering or extending the purposes of the charity;
 - (b) authorising the trustee to do anything which is expressly prohibited by the trusts of the charity;

- (c) causing the charity to cease to be a charity at law;
 - (d) altering or extending the power of amendment that is conferred by this clause.
- (3) The trustee must obtain the prior written approval of the Commission before making any amendment which would have the effect directly or indirectly of:
- (a) enabling it to spend permanent endowment or capitalise income of the charity;
 - (b) conferring a benefit of any kind on the trustee (or on members of its governing body) or on its successors;
 - (c) restricting the existing right of any person (other than the trustee) to appoint or remove the trustee, or to intervene in the administration of the charity, without the consent of that person;
 - (d) varying the name of the charity.
- (4) The trustee must:
- (a) prepare a written memorandum of each amendment that it makes;
 - (b) send to the Commission a certified copy of the memorandum within three months of the date of making the amendment; and
 - (c) retain the memorandum as part of the governing document.

GENERAL PROVISIONS

10. 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

1. Land on the south west side of Chapelgate at the junction of White Wells Road and Dean Bridge Lane, Holmfirth, registered at the Land Registry under title number WYK530809.
2. Scholes Youth Club, White Wells Road, Holmfirth, registered at the Land Registry under title number WYK816254.
3. Land on the south east side of Cliff Road, Holmfirth, registered at the Land Registry under title number WYK816361.

4. Land on the north side of Cowcliff Hill Road, Holmfirth, registered at the Land Registry under title number WYK816579.
5. Land on the south west side of Dick Edge Lane, Holmfirth, registered at the Land Registry under title number WYK570265.
6. Land on the south side of Gate Foot Lane, Gate Foot, Holmfirth, registered at the Land Registry under title number WYK570304.
7. Land on the north west side of the junction of Hirst Lane and Intake Lane, Holme Valley, registered at the Land Registry under title number WYK585381.
8. Land on the south side of Sude Hill, New Mill, Holmfirth, registered at the Land Registry under title number WYK816615.
9. Land on the north east side of Huddersfield Road, New Mill, Holmfirth, registered at the Land Registry under title number WYK816689.
10. Land on the south west side of Sheffield Road and on the east side of Hepworth Road, Jackson Bridge, registered at the Land Registry under title number WYK570306.
11. Land on the east side of White Gate Road and on the north west side of Cartworth Moor Road, Holmfirth, registered at the Land Registry under title number WYK570307.
12. Land on the east side of Wellhouses, Cartworth Bank Road, Holmfirth, registered at the Land Registry under title number WYK825221.
13. Land lying to the north west of Springs Road, Upperthong, Huddersfield, registered at the Land Registry under title number WYK816712.
14. Land on the north west side of Cowcliff Hill Road, Hade Edge, Holmfirth, registered at the Land Registry under title number WYK816723.
15. Land on the south east side of Dean Lane, Holmfirth, registered at the Land Registry under title number WYK570300.
16. Land on the south west side of Sheffield Road and on the east side of Hepworth Road, Jackson Bridge, registered at the Land Registry under title number WYK570306.
17. Land lying to the north west of Green Gate Road, Holmfirth, registered at the Land Registry under title number WYK816748.
18. Land at Dean Head Moss, Holme, Holmfirth, registered at the Land Registry under title number WYK816762.
19. Land adjoining Holme School, Meal Hill Road, Holme, registered at the Land Registry under title number WYK821485.

Commission References:

Sealing: N1414(S)/09

Case No: 634525

20. Land on the south side of Meal Hill Road, Holme, Holmfirth, registered at the Land Registry under title number WYK570302.
21. Land on the south side of Rake Head Road, Holme, registered at the Land Registry under title number WYK821534.
22. Land on the north west side of Woodhead Road, Holme, registered at the Land Registry under title number WYK821560.
23. Land on the west side of Knoll Lane, Honley, Holmfirth, registered at the Land Registry under title number WYK821573.
24. Land on the west side of Wolfstones Road, Holmfirth, registered at the Land Registry under title number WYK821600.
25. Child O' The Edge Quarry, Wolfstones Road, Holmfirth, registered at the Land Registry under title number WYK821609.
26. Land lying to the south west of Top O' Th'bank, Holmfirth, registered at the Land Registry under title number WYK821616.