

**THE CHARITY COMMISSION FOR ENGLAND AND WALES**

Under the power given in the Charities Act 2011

Orders that from today, the

this

**SCHEME**

will govern the charity

known as

**THE VICTORIA HALL TRUST**

at

Ealing, London

DRAFT

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

## **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.

“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.

“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 6<sup>th</sup> 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.

## **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**

Ealing Borough Council is the trustee of the charity.

## **GENERAL PROVISIONS**

### **6. 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)**

<b>Length of lease for Victoria Hall</b>	250 years
<b>Premium for Victoria Hall</b>	<p>£2,500,551.00 (two million five hundred thousand five hundred and fifty one pounds) (exclusive of VAT) in respect of the whole Ealing Town Hall building.</p> <p>The charity will obtain a receipt by way of a proportion of the Premium and rent payments consistent with the valuation obtained by the trustee in accordance with s119 of the Charities Act 2011 in respect of the Victoria Hall (and Queen’s Hall).</p>
<b>Community use requirement for Victoria Hall</b>	<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"> <li>• 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;</li> <li>• 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);</li> </ul>

	<ul style="list-style-type: none"> <li>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.</li> </ul>
<b>Reserved use for Council's statutory purposes of Victoria Hall</b>	<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 Surejogi 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>
<b>Repair and maintenance obligations for Victoria Hall</b>	<p>Surejogi will be required to:</p> <ul style="list-style-type: none"> <li>keep the Victoria Hall in good and substantial repair and condition;</li> <li>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.</li> </ul>
<b>Parties to the lease</b>	<ul style="list-style-type: none"> <li>Ealing Borough Council (Landlord) of the first part;</li> <li>The Victoria Hall Trust (Trust) of the second part;</li> <li>Surejogi Ealing Town Hall Limited (Tenant) of the third part; and</li> <li>Mastcraft Limited (Guarantor) of the fourth part.</li> </ul> <p><b>Note:</b> 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 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.</p>

**PART 3**

<b>Land</b>	<b>Land Registry title number</b>
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**

<b>Land</b>	<b>Land Registry title number</b>
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

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**Annex 1: Victoria Hall Plan**

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

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