



Accounting Statement & Report (Receipt and Payments Basis)

Financial year 1st April 2021 to 31st March 2022

<u>(A) RECEIPTS</u>	2021/22 year	2020/21 year
<i>Receipts from assets</i>		
Investment dividends (paid gross) – Charles Stanley	9676.39	11,244.22
Investment dividends (paid gross with) – BlackRock	1000.96	1251.19
Rents	20390.00	25983.35
Bank interest (NatWest accounts)	2.51	8.22
Donation – Plymstock U3A – use of Park for ukulele practice	70	0
HMRC tax refund	0	9.60
TOTAL RECEIPTS (A)	31139.86	38,496.58
<u>(B) PAYMENTS</u>		
<i>Grants (part payments to beneficiaries)</i>		
Church (moiety grant from previous year)	12,124.93	14,474.50
Individual Grants (Relief in Need)	3543.04	4924.82
Community Fund	0	
General fund: website, PreSchool (Covid needs), RBL wreath,	1165.45	1650.00
Community Car Travel Scheme		
Payment to drivers – mileage allowances	0	192.75
<u>Property Expenses (6, 7/8 and 9 Old Road and “The Patch”)</u>		
Insurance - Liability and structural (cottages and Park)	1246.01	1382.63
Professional fees and services	179.00	240.00
Maintenance and refurbishment, grass cutting “The Patch”, NO. 11 - change locks, standing charges, Council Tax,	4900.73	3677.00
The Park		
Gardening and general care, trim hedge and shrubs, also weedkiller & other treatments	390.00	630.00
Grass cutting	510.00	300
Professional fees (arborist 2021)	388.00	0
Gift to retiring gardener	28.00	0
<u>Administration</u>		
Clerk’s honorarium	6250.00	6000.00
Scrutineer’s fee	225.00	225.00
Com. Car Scheme Co-ordinator’s honorarium	0	600.00
Printing, stationery, telephones, ink cartridges, postage, shredding, mileage (Trustees & Clerk)	70.00	264.10
New laptop for Clerk to Trustees and return visit to troubleshoot	0	878
DBS checks – Clerk/Trustees	90.00	0
Subscriptions (to South Hams CVS)	160.00	50.00
Room Hire, BCA & Yealmpton CA, Trustee advert		0
Gifts to retiring Trustees (21/22 year only)	93.98	0
TOTAL PAYMENTS (B)	31,364.14	35,488.8
Net of Receipts (Payments)	(224.28)	3,007.78
Cash funds last year-end	28,504.57	25496.79
Cash funds this year-end (equals cash fund balance p.2)	28,280.29	28,504.57

STATEMENT OF ASSETS AND LIABILITIES AT YEAR-END

(A) CASH FUNDS

Cash funds in bank accounts	Year-end 31.3.22	Year-end 31.3.21
NatWest Business Reserve Account One a/c	21135.07	22455.21
NatWest Current Account	7145.22	6049.36
TOTAL (equals "cash funds at year-end" on p.1)	28280.29	28504.57

(B) INVESTMENT ASSETS

Investment – BlackRock Charities UK Bond	Current value (April 2022)	Last year's value (April 2021)
BlackRock Charities UK Bond Fund	£28,582.44	£31,045.91

(C) INVESTMENT PORTFOLIO – CHARLES STANLEY

Investments - portfolio	Current value (April 22)	Last year's value (April 2021)
Balanced portfolio held in Charles Stanley Nominee account	£691,219.21	£662,161.14

(D) FIXED ASSETS

(D) Property	Current value (April 22)	Last year's value (April 2021)
Old Road cottages	720,128	710,000
Area of land behind No. 10 Old Road	10,000	10,000
The Park (nominal estimate) (part previously sold)	25,000	25,000
TOTAL	755,128	745,000

TOTAL ALL ASSETS

Current Value (April 2022)

(A) Cash funds	£28,280.29
(B) Black Rock	28,582.44
(C) Portfolio	£691,219.21
(D) Fixed assets (property)	£755,128.00
<u>TOTAL ASSETS 2022</u>	<u>£1,503,209.94</u>

Value April 2021

(A) Cash funds	£28,504.57
(B) BlackRock	£31,045.91
(C) Portfolio	£662,161.14
(D) Fixed assets (property)	£745,000.00
<u>TOTAL ALL ASSETS 2021</u>	<u>£1,466,711.62</u>

Brixton Feoffee Trust

Year-end Reconciliation – 2021/22 year

The sum available for distribution in the accounting year comprised the following:-

The surplus of receipts over payments as recorded on Sheet (1) is

Deficit of payments over receipts	£-224.28
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The payments recorded on Sheet (1) include grants which are part payments made to the scheme beneficiaries from “income” received in the accounting year and made available for distribution in the same period.

Those part payments must be added to the total net income to establish the total amount available for distribution in the following financial year, and they are as follows:-

Fund (a) - St. Mary's Church (Moiety due from 2020/21) year)	£12,124.93
Fund (b) – Relief in Need (Part of moiety for current year)	£3,543.04
Fund (c) – Community Fund (Part of moiety for current year)	£854.50
TOTAL GRANTS DURING YEAR	£16,522.47

TOTAL AMOUNT FOR DISBURSEMENT DUE FROM THE FINANCIAL YEAR 2020/2021

PART PAYMENTS ALREADY MADE - £16,522.47 (as above)

LESS DEFICIT OF PAYMENTS OVER RECEIPTS (£224.28) = £16,298.19

This sum is available for distribution and is divided equally between:

(a) St. Mary's Church and

(b) Relief in Need;

Two moieties are declared, which are the amount above (£16,298.19) halved between the two recipients. A moiety of £8,149.10 is declared to St. Mary's Church and £8,149.09 is declared to Relief in Need, for the following financial year 2021/22), as stated on the following page (5).

BENEFICIARIES

(a) St. Mary's Church (Fund A) – Moiety due £8,149.10

Half of annual moiety accruing from 2021/22 year - £8,149.10

Total due to St. Mary's Church = £8,149.10

(b) Individual Grants (Fund B) – Moiety due £8,149.09

Part payments from this half (moiety) were distributed during the accounting year (2021/22) and totalled £3,543.04.

It is stated in the Brixton Feoffee Trust Deed that any amount unspent from the Individual Grants Fund (Fund B) at the end of the accounting year must be transferred to the Community Fund (Fund C) to be available for distribution for the general benefit of the inhabitants of the Parish of Brixton during the ensuing year.

Thus, the remaining amount from the moiety of fund (b) for transfer to fund (C) is £8,149.09 less £3,543.04(already distributed) = £4,606.05

(c) Community Fund (Fund C)

Financial Year 2021/22

The value of the Fund at the beginning of the current accounting year (2021/22) resulting from the transfer of unspent part of (b) in 2020/21, including any carry forward from previous years, amounted to the sum of **£16,379.64**. Grants were distributed during the accounting year as follows:

£854.50 (Community Fund/General Benefit)

At the beginning of the financial year 2021/22, the amount in Fund C was £16,379.64. Grants totalling £854.50 were made from this fund, thus 16,379.64 LESS £854.50 = **£15,525.14**.

To this amount (£15,525.14) is added **£4,606.05** (underspend from 2021/22 year). **Therefore, the amount now available for distribution in the financial year 2022/23 for the Community Fund is £15,525.14 + £4,606.05 = £20,131.19**

The Brixton Feoffee Trust declares that £20,131.19 is available for Community projects during the financial year 2022/23.

Administration costs for Brixton Feoffee Trust

The administration costs during the financial year 2021/22, including the Clerk's honorarium, scrutineer's fee, travelling expenses, room hire, DBS checks and printer ink cartridges, amounted to £6,876.98.

(Check for balance, £20,131.19 (Community Fund available for distribution) + church moiety outstanding at year-end (£8,149.10) = £20,280.29 (cash funds as on page 2.)

Statement of accounts prepared by Mrs S Axell, Clerk to the Trustees

Received at Brixton Feoffee Trust meeting on:- 30th August 2022

Signed by two Trustees:- M. Landricombe E. Hitchins

BRIXTON FEOFFEE TRUST

Trustees' Annual Report for Financial year 1st April 2021 to 31st March 2022

Purpose of the Trust

As stated within the Trust's Deed the Trust shall manage its assets in line with the restrictions imposed by the Charities Act 1993 and manage its income in maintaining its property (including the repair and insurance of any buildings thereon) and for all other charges and outgoings payable in the administration and management of the Charity.

Once all expenses incurred regarding property and administration have been met then the remaining income will be applied as follows:

- One half of the said income shall be paid to the Parochial Church Council of St. Mary, Brixton, for the upkeep, repair and insurance against fire of the fabric of the Parish Church of Brixton
- The remaining half of the said income shall be applied in relieving either generally or individually persons resident in the area of benefit* who are in conditions of need, hardship or distress by making grants of money or providing or paying for items, services or facilities calculated to reduce the need, hardship or distress of such persons.
- If and in so far as income in any year is not required for relief the Trustees may apply the same as they think fit for any charitable purpose for the general benefit of the inhabitants of the said area of benefit.

**In exceptional cases the Trustees may grant relief to persons otherwise eligible therefore who are resident immediately outside the said area of benefit but in the opinion of the Trustees ought nevertheless for sufficient reason be treated as if resident therein or who are located for the time being within the area of benefit*

Trustees

Mrs. Jackie Penney-Cousins resigned on 14th September 2021. Mr. Paul Bassett's term of office as Trustee nominated by the St. Mary's Church Parochial Church Council came to its full term after four years in September 2021. The Board of Trustees were very pleased to welcome the Parochial Church Council's Nominee Mrs. Judy Skentelbery in his place. Mrs. Brenda Huxtable resigned as Co-opted Trustee in November 2021.

The Board of Trustees were very pleased to welcome Mr. Adrian Carey as Co-opted Trustee in January 2022. The Board of Trustees is actively seeking to fill the Co-opted Trustee vacancy.

There were no claims by any Trustee during the year under review.

All Trustees continue to ensure that the subject of Confidentiality in their work for the Trust is their highest priority.

Clerk

The Board is very grateful for the continued services of its Clerk and are very aware of the amount of time that this post entails. The Clerk's professional and diligent in work has been recognised by the Trust's Accountant in his review of the accounts each year.

The Board reviewed the Clerk's honoraria again this year, increasing in recognition of the level of responsibility and time needed to complete the requirements of the post throughout the year in behalf of the Trust.

Professional Advisers

Asset Portfolio - The Trust's portfolio is managed by Charles Stanley (recently merged with Raymond James). The first face to face meeting with Mr. Paul Cann, Investment Director at Charles Stanley, was held in March 2022.

Property – The Board of Trustees is grateful to Belvoir who were appointed in February 2020 to act as the Trust's agents in all property matters, including tenancy issues and rents.

Accounts - Amplitude Tax Accountants Ltd. of Lanreath, Cornwall have again scrutinised the Trust's annual accounts for this year. The Board of Trustees is grateful to John Mason of Amplitude who undertakes this task with efficiency.

Governance - The Board has subscribed to South Hams Community Voluntary Services, who have given much valuable advice during the year. The Board is also a member of Devon Voluntary Action.

Legal – The Board of Trustees has not sought legal advice during the year under review.

Governance

Policies and Policy development

The Board continues to introduce and ratify new policies and guidelines which help establish the boundaries and best practices for acceptable behaviour for the Trust, including the Trustees, Clerk and any of its volunteers.

Due to the constraints imposed by Covid-19 and various property matters, the planned review of all policies did not take place during the year. However, a rolling review commenced in March and it is anticipated that all policies will be reviewed during the forthcoming 22/23 year. Any new policies will be considered by the Board. The Board of Trustees is grateful to Trustee Liz Hitchins for undertaking this duty, in collaboration with the Clerk. All Trustees will be circulated with the policies reviewed in draft format, then circulated with the final version for retention. In accordance with the Trust's Environment Policy, paperwork will in future be kept to a minimum and policies are circulated in digital format. The purpose of the policies is to influence and determine all major decisions and actions, and all activities take place within the boundaries set by them.

Meetings have been held face-to-face as well as by Zoom during the year. Premises used for meetings have been Risk Assessed to ensure that they are Covid-safe and have included the Yealmpton Community Centre and Brixton Community Centre.

The Chair of Trustees and Clerk worked closely from April to September using the technology available (WhatsApp, Zoom and telephone). The Clerk provided Updates by email to all Trustees at approximately fortnightly intervals concerning the Trust 's financial situation, payments required, applications for grants, forthcoming digital meetings, Governance issues, property matters, publicity necessary, and any other current items of concern or about which the Board of Trustees should be informed. These updates were always checked by the Chair of Trustees before being circulated to the Board of Trustees for action and information.

The Board of Trustees continues to be mindful of the Charity Commission's "15 Useful Questions" at all times

The current list of the Trust's policies (including risk assessments) is appended to this report (Appendix 2)

Finances and Financial Monitoring

Due to Covid-19 restraints, no face to face meetings had been held between the Board of Trustees and Charles Stanley since 24th February 2020. However, the Board of Trustees received regular updates and newsletters from Charles Stanley on the market situation, and Paul Cann, Investment Director directing supervising the Trust's portfolio, was always freely available for consultation on any matter.

The Board of Trustees is mindful of the need to keep charges as low as possible and continues to consider the possibility of asking Charles Stanley to deal direct with the Trust's UK holdings in stock rather than using Fund Managers. The Trustees have noted a fall in return from the investment portfolio during the current year and are working towards developing a Strategic Financial Plan which will include a decision regarding direct dealing to avoid Fund Managers' charges. It was agreed again this year to keep the portfolio risk as 'Medium Low' to safeguard investments and generate greater income in compliance with the Trust's financial policy (BFT04).

During the year the Board continued to improve its reporting procedures on budget planning and monitoring, again to comply with the Trust's financial policy (BFT04).

The Trustees were glad to note that the value of the Trust portfolio held at Charles Stanley has been maintained and slightly improved during the year (see Trust portfolio valuation on page 3).

The Trustees noted that BlackRock's income has remained the same during the year under review.

The system of payments by BACS, direct to the person or contractor involved has worked well. The Clerk worked with the Chair of Trustees to monitor the checking and recording system to ensure that all dealings were accurate with full details and documentation in each case. Two Trustees meet with the Clerk at regular intervals to verify payments against ledger entry and bank statement. The bank used by the Trust provides a checking service when recipient bank details are put in which is a valuable reassurance.

General Data Protection Regulations (GDPR)

The Board is aware of these new regulations that were introduced in 2018 and continues to be vigilant in abiding by these regulations.

Trust Deed

As stated in the Trustees' Annual Report for the year 2019/20, the Brixton Feoffee Trust Deed was submitted to the Charity Commission in July 2019 and was accepted. This document is attached as Appendix 3.

Charitable Incorporated Organisation

The Board of Trustees resolved in April 2020 to move forward to Charitable Incorporated Organisation (CIO) status. This will entail a significant amount of work by all Trustees but they have been advised by South Hams CVS that the preference is that all Trusts operate as a CIO. This transition did not take place during the year under review. It is hoped to progress this matter soon.

Strategic Financial/ Business Plan

The Chair of Trustees worked closely with another Trustee (Mrs. E. Hitchins) and the Clerk in formulating a strategic Business/Financial Plan for the Trust, looking forward to the forthcoming five year period. The work on this Plan was suspended when the Chair of Trustees resigned in September 2021, but it is hoped to recommence soon.

The Board in making decisions has had due regard to the commission's public benefit guidance when exercising any powers or duties to which the guidance is relevant.

Property

The Park

This area of land owned by the Trust in the centre of Brixton is of most attractive appearance and is enjoyed and appreciated by all who pass. Within this area there are four Horse Chestnut trees which each have a Tree Preservation Order upon them.

The trees are subject to periodic checks over the year, especially after storms by all Trustees and the Clerk. An annual rolling programme of visits (every eighteen months) by an arborist was organised, commencing in June 2018. The arborist inspected the trees in January 2020; the trees appear healthy and strong. Minor works such as ivy removal and clearance around a small sapling were recommended and have been implemented.

A continuing problem that is experienced in this area is the fouling of the area and footpaths by dogs that are walked by their owners through the Park. Signs are in place to remind dog owners of their responsibilities.

Permission was given last year to a local resident to use his metal detector; some small no value items have been found. Permission was also given to a local ukulele group to use this area to practice when weather permits during COVID-19 restrictions. The Trust is happy to allow similar use of the Park by local residents and appreciates the donation of £70 by the ukulele group.

Following the retirement of the resident who used to look after the Park, the Trust has implemented a Maintenance Plan for this area and is employing Cutting Crew to undertake routine tasks. This is working well.

Old Road Properties

One of the Trust's long-term tenancies in Old Road ended in March 2021. The Board of Trustees consulted with advisers on the way forward. This included obtaining estimates for repairs, damp rectification, improvements, installation of central heating, etc. Board meetings were held to discuss the various options over the ensuing months. In August 2021 the Board decided to sell the property, and chose Fulfords Estate Agents (after getting quotes from three local Estate Agents) to manage the sale. It was placed on the market with an asking price of £230,000 in October 2021. Following an offer in October 2021 which was later withdrawn, the property was put back on the market and currently the sale is proceeding. The Board of Trustees has agreed to purchase of another property in the locality.

Necessary repairs to the properties were carried out during the year. The new electrical distribution boards were checked during the annual electrical check in August 2021. Carbon monoxide detectors have been checked in all properties and new ones fitted where necessary.

As part of the Trust's Property Policy (BFT05) routine gas and electricity checks on the Trust's properties are undertaken along with property inspections by the Trustees. Following recommendation from the plumber/gas engineer used by the Trust for many years, the Trust has appointed a new contractor who is proving efficient.

The parking area is a benefit to the tenants and the surface appears to be wearing well. The Trustees are happy to allow the Parish Council to keep a temporary shed beside the parking area, to store equipment used by volunteers to clean the streets in the village.

The Board of Trustees is currently considering the future of this area of land in consultation with Brixton Parish Council who are reviewing the need within the village for more parking spaces.

The Board of Trustees has continued to work on the appearance of the bank to the rear of the properties, adjacent to the A379 main road during the year. The planting previously undertaken is now mature and looks attractive. The Board of Trustees continues to monitor this area and to undertake necessary maintenance and improvement work.

Grants

Church

As in previous years, St. Mary's Church PCC received a grant of one-half of the Trust's net income towards the maintenance of Brixton Church

Individuals

The remaining half share of the Trust's net income was made to individuals (Relief in Need). This included:

- Awards to school leavers at Brixton Primary School to enable them to acquire essential items when starting secondary school
- Call24Hour alarms for Brixton residents as needed
- Assistance to Brixton residents for general beneficial reasons, which include education, home and mobility improvements, and help towards other financial requirements

The emergency fund for immediate help to Brixton residents adversely affected by Covid has remained available during the year under review.

Community Fund

Grants this year included:

- A third share of the Brixton Village website costs
- Poppy Day wreath on Remembrance Day
- Assistance to enable a community facility to operate during the pandemic.

Brixton Feoffee Trust Community Car Scheme

The Trust Community Car Scheme was suspended at the start of the Covid-19 pandemic in March 2020. The Board of Trustees continues to keep this under review.

Promotion of the Trust

The Board is mindful of the need to inform local residents and all care and support services of the availability of funds to assist those in need within the parish and regularly advertises in the village magazine. Proceedings are ongoing to publicise the Trust throughout the village.

The new design of the Brixton village website operates well and gives a professional and efficient view of the village and its activities. The website is jointly funded by the Brixton Feoffee Trust, Brixton Parish Council and the Brixton Community Association.

Coronavirus/Covid-19

The Board of Trustees is pleased to observe the easing of restrictions from January 2022. However, the measures taken following the start of the pandemic in March 2020 to ensure the safety of the Trustees, Clerk and volunteers proved successful. These included:

- The suspension of the Community Car Scheme
- Postponement of all face to face meetings for the time being until the situation is clearer.
- All payments to be made by direct bank transfer, following due diligence check by email contact between the Clerk and Trustees.
- (As mentioned above), implementation of an emergency grant fund of £3000 for those residents of Brixton who find themselves in dire need during this difficult time – a grant of £100 can be awarded to a household upon application. This has been publicised in the weekly village newsletter.

Complaints

No complaints were received during the period under review.

Summary

Despite the impact of the pandemic, the Board has endeavoured to further the Trust's purposes by administering its property and portfolio as efficiently as possible in order to maximise income for beneficiaries

The Board is pleased that during the year substantial grants have been made to individuals within the parish of Brixton.

The Board will continue in their efforts to maintain, and, if possible, increase, the grants made to all beneficiaries.

The Board will endeavour to ensure that the governance of the Trust will continue to meet the Charity Commission's requirements.

This annual report was approved by the Trustees at their meeting on

Signature:- *M. Landricombe*

Full Name:- *Melissa Landricombe*

Position (Chair of Trustees or Trustees):- *Chair of Trustees*

Summary of Reference and Administration Details

Charity Name: Brixton Feoffee Trust

Registered Charity No. 203604

Charity's Principal Address: c/o Clerk to the Trustees
15 Cherry Tree Drive, Brixton, Plymouth. PL8 2DD

Names of the Charity Trustees who manage the Charity:

Trustee Name	Office	Dates acted if not for whole year	Name of person (or body) entitled to appoint Trustee (if any)
Mrs. M. Landricombe	Chair of Trustees	Whole Year	Co-opted
Mr. A. Carey	Trustee	Since January 2022	Co-opted
Mrs. E. Hitchins	Trustee	Whole Year	Parish Council Nominee
Mrs. J. Skentelbery	Trustee	Since September 2021	Parochial Church Council Nominee

Names and addresses of advisers

Type of Adviser	Name	Address
Estate Agent/Property Advice	Belvoir (property advice) Fulfords (selling agent)	136C Fore St, Saltash PL12 6JR Plymstock, Plymouth. PL9 7AA
Financial Advice	Charles Stanley	Broadwalk House, Exeter. EX1 1TS
Accountant	Amplitude Tax Accountants Ltd.	Brazemoor, Lanreath, Cornwall. PL13 2PG
Bank	NatWest	14 Old Town Street, Plymouth, PL1 1DG
Solicitor	Nash & Co	Beaumont House, Beaumont Place, Plymouth. PL4 9BD

Structure, governance and management

Type of Governing document: Trust Deed dated 7.2.1996. Amended July 2019 (see Appendix 3)

Trustee selection methods: Two Trustees nominated:-
One by Parochial Church Council and one by Parish Council.
Three Trustees co-opted.

Objectives and activities:

Summary of the objects of the charity set out in its governing document:

To maintain asset value. Assets to be invested to provide a secure and rising income for the Trust's beneficiaries.

Summary of the main activities undertaken for the public benefit in relation to these objects:

Regular review of investments.

Regular review and care of properties owned by the Trust and rented at market value.

Summary of the main achievements of the charity during the year and declaration

Please see enclosed Trustees' Report (pages 6 to 11)



Brixton Feoffee Trust Policy Documents

Policy Reference	Policy Title	Review frequency
1	Recruitment	Annual
2	Applications for Assistance	Annual
3	Trustee Appointment dates	Annual
4	Financial	Annual
5	Property	Annual
6	Complaints	Annual
7	Conflict of Interests	Annual
8	Risk Management	Annual
9	Data Protection	Annual
10	Children's Safeguarding	Annual
11	Adults at Risk	Annual
12	Minor Repairs	Annual
13	Equipment	Annual
14	Community Car Scheme	Annual
15	Disciplinary	Annual
16	Code of Conduct	Annual
17	Confidentiality	Annual
18	Environmental	Annual
19	Equality and Diversity	Annual
20	Volunteering	Annual
21	Grievance	Annual
22	Health and Safety	Annual
23	Serious Incident	Annual

Brixton Feoffee Trust

Trust Deed 2019

County: **Devon**
Place: **Brixton**
Charity: **Brixton Feoffee Trust**
CD: **(T1) 203604 a/6**

Varied from the Order of the Commissioners dated 7th February 1996, by a resolution of the Brixton Feoffee Trustees at their meeting on 1st July 2019.

County	Devon
Place	Brixton
Charity	Brixton Feoffee Trust
CD	203604

Scheme including appointment of Trustees

CHARITY COMMISSION

In the matter of the Brixton Feoffee Trust, in the Parish of Brixton, in the County of Devon, regulated by a Scheme of the Charity Commissioners of the 22nd December 1874, as varied by Schemes of the Commissioners of: -

- 18th February 1930
- 27th November 1962
- 7th February 1996
- 1st July 2019

In the matter of the Charities Act 1993 and updated according to the Charities Act 2011 and the new Charities Act 2016.

THE CHARITY COMMISSIONERS FOR ENGLAND AND WALES HEREBY ORDER that the following Scheme be approved and established as the Scheme for the regulation of the above-mentioned Charity:-

SCHEME

1. Objects of the Charity

Income shall be applied as follows:

- a) One half for the upkeep, repair and insurance against fire of the fabric of the parish church of Brixton;
- b) The remaining half of the said income shall be applied in relieving either generally or individually persons resident in the area of benefit who are in conditions of need, hardship or distress by making grants of money or providing or paying for items, services or facilities calculated to reduce the need, hardship or distress of such persons. In exceptional cases the Trustees may grant relief to persons otherwise eligible therefore who are resident immediately outside the said area of benefit but in the opinion of the Trustees ought nevertheless for sufficient reason be treated as if resident therein or who are located for the time being within the area of benefit;
- c) For any charitable purpose for the general benefit of the inhabitants of the said area of benefit.

2. Administration of Charity

- a) The above-mentioned Charity and the property thereof shall be administered and managed subject to and in accordance with the provisions of this Scheme by the body of Trustees hereinafter constituted.
- b) The name of the Charity shall be Brixton Feoffee Trust or such other name as the Trustees from time to time by resolution may decide with the prior approval of the Charity Commissioners.

3. Area of Benefit

In this Scheme the expression "area of benefit" shall be the Parish of Brixton.

Refer to Clause 29 (b) if considering applications from immediately outside the said area of benefit.

TRUSTEES

4. Trustees

The body of Trustees shall consist when complete of five competent persons being –

- Two Nominated Trustees
- Three Co-opted Trustees

5. Eligibility for Trusteeship

No one shall be appointed as a Trustee:

- a) If he or she is under the age of 18 years; or
- b) If he or she would at once be disqualified from office under the provisions of clause 9 of this deed.

No one shall be entitled to act as a trustee whether on appointment or on any re-appointment as trustee until he or she has expressly acknowledged, in whatever way the Trustees decide, his or her acceptance of the office of trustee of the charity.

6. Appointment of Nominated Trustees

Nominated Trustees will be appointed as follows:-

- One by Brixton Parish Council
- One by the Parochial Church Council of the Ecclesiastical Parish of St. Mary's, Brixton

Each appointment shall be made for a term of four years at a meeting of the appointing body. The person appointed may be but need not be a member of the appointing body.

7. Appointment of Co-opted Trustees

Co-opted Trustees 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 to the Board.

In selecting individuals for appointment as Co-opted Trustees, the Trustees must have regard to the skills, knowledge and experience needed for the effective administration of the charity.

The Trustees must keep a record of the name and address and the dates of appointment, re-appointment and retirement of each Trustee.

8. Declaration by Trustees

No person shall be entitled to act as a Trustee until after signing in the minute book of the Trustees a declaration of acceptance and of willingness to act in the interests of this Scheme.

9. Termination of Trusteeship

A Trustee shall cease to be a Trustee if he or she:

- a) Is disqualified from acting as a Trustee by virtue of the appropriate section of the Charities Act 2016; or any statutory re-enactment of that provision
- b) In the written opinion, given to the charity, of a registered medical practitioner treating that person has become physically or mentally incapable of acting as a Trustee and may remain so for more than three months
- c) Is absent without the permission of the Trustees from all their meetings held within a period of six months and the Trustees resolve that his or her office be vacated
- d) Notifies to the Trustees a wish to resign (but only if enough trustees will remain in office when the notice of resignation takes effect to form a quorum for meetings)

10. Duty of care and extent of liability

When exercising any power (whether given to them by this deed, or by statute, or by any rule of law) in administering or managing the charity, each of the Trustees must use the level of care and skill that is reasonable in the circumstances, taking into account any special knowledge or experience that he or she has or claims to have ("the duty of care").

No Trustee, and no one exercising powers or responsibilities that have been delegated by the Trustees, shall be liable for any act or failure to act unless, in acting or in failing to act, he or she has failed to discharge the duty of care.

11. Vacancies

If a vacancy occurs, the Trustees must note the fact in the minutes of their next meeting. In the case of a vacancy for a Nominated Trustee, notice should be given as soon as possible to the Nominating Body. Any eligible Trustee may be re-appointed.

If the number of Trustees falls below the quorum stated in Clause 17 none of the powers or discretions conferred by this deed or by law on the trustees shall be exercisable by the remaining trustees except the power to appoint new Trustees.

12. Delegation

In addition to their statutory powers, the Trustees may delegate any of their powers or functions to a committee of two or more Trustees. A committee must act in accordance with any directions given by the Trustees. It must report its decisions and activities fully and promptly to the Board of Trustees. It must not incur expenditure on behalf of the charity except in accordance with a budget previously agreed by the Trustees.

The Trustees must exercise their powers jointly at properly convened meetings except where they have:

- a) Delegated the exercise of the powers (either under this provision or under any statutory provision), or
- b) Made some other arrangements, by regulations under clause 22.

The Trustees must consider from time to time whether the powers or functions which they have delegated should continue to be delegated.

MEETINGS AND PROCEEDINGS OF TRUSTEES

13. Expenses

The Trustees may use the charity's funds to meet any necessary and reasonable expenses which they incur in the course of carrying out their responsibilities as Trustees of the charity.

14. Ordinary Meetings

The Board of Trustees shall hold at least four ordinary meetings in each year. All Trustees should attend at least three of the four above-mentioned meetings each year.

The Trustees must arrange at each of their meetings the date, time and place of their next meeting, unless such arrangements have already been made. Ordinary meetings may also be called at any time by the person elected to chair meetings of the Trustees or by any two Trustees. In that case not less than ten days' clear notice must be given to the other Trustees.

15. Special meetings

A special meeting may be summoned at any time by the chair or any two Trustees upon not less than seven days' notice being given to the other Trustees of the matters to be discussed. If matters include the appointment of a Co-opted Trustee or a proposal to amend any of the trusts of this Deed, then not less than 21 days' notice must be given. A special meeting may be called to take place immediately after or before an ordinary meeting.

16. Chair

The Trustees at their first ordinary meeting in each alternate year shall elect one of their number to be chair of their meetings until the commencement of the first ordinary meeting two years later. The Chair shall always be eligible for re-election.

The Chair shall remain elected until the two-year period has expired unless he/she wishes to relinquish the post.

If at any meeting the chair is not present within ten minutes after the time appointed for the meeting or there is no chair the Trustees present shall choose one of their number to be chair of the meeting.

The person elected to chair meetings of the Trustees shall have no other additional functions or powers except those conferred by this Deed or delegated to him or her by the Trustees.

17. Quorum

There shall be a quorum when three 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 chair of the meeting shall have a casting vote whether or not he or she has voted previously on the same question. No Trustee in any other circumstances shall have more than one vote.

19. Minutes

The Trustees shall keep, in files, minutes of the proceedings of their meetings.

20. Conflicts of interests

A charity Trustee must:

- a) Declare the nature and extent of any interest, direct or indirect, which he or she has in a proposed transaction or arrangement with the charity or in any transaction or arrangement entered into by the charity which has not been previously declared; and
- b) Absent himself or herself from any discussions of the charity Trustees in which it is possible that a conflict will arise between his or her duty to act solely in the interests of the charity and any personal interest (including but not limited to any personal financial interest).

Any charity Trustee absenting himself or herself from any discussions in accordance with this clause must not vote or be counted as part of the quorum in any decision of the charity Trustees on the matter.

21. Accounts and annual report

The Trustees must comply with their obligations under the Charities Act 2016 with regard to:

- a) The keeping of accounting records for the charity;
- b) The preparation of annual accounts for the charity;
- c) The auditing or independent examination of the statements of account of the charity;
- d) The transmission of the statements of account of the charity to the Commissioners; and
- e) The preparation of an Annual Report and its submission to the Commissioners.
- f) The preparation of an Annual Return with Statement of Accounts and its submission to the Commissioners.
- g)

22. General power to make regulations

The Trustees may from time to time make regulations for the management of the charity and for the conduct of their business and governance, including

- a) The calling of meetings;
- b) Methods of making decisions in order to deal with cases or urgency when a meeting is impractical;
- c) The deposit of money at a bank;
- d) The custody of documents; and
- e) The keeping and authenticating of records. (If regulations made under this clause permit records of the charity to be kept in electronic form and require a trustee to sign the record, the regulations must specify a method of recording the signature that enables it to be properly authenticated).
- f) The appointment of a Clerk.

The Trustees must not make regulations or policies which are inconsistent with anything in this deed.

23. Disputes

If a dispute arises between the Trustees about the validity or propriety of anything done by the charity Trustees under this deed, and the dispute cannot be resolved by agreement, the Trustees party to the dispute must first try in good faith to settle the dispute by mediation before resorting to litigation.

24. Registered particulars

The Trustees must notify the Commission promptly of any changes to the charity's entry on the Central Register of Charities.

25. Bank account

Any bank or building society account in which any of the funds of the charity are deposited must be operated by the Trustees and held in the name of the charity. Unless the regulations of the Trustees make other provision, all cheques and orders for the payment of money from such an account shall be signed by at least two Trustees.

MANAGEMENT OF PROPERTY

26. Statutory Powers

Nothing in this Deed restricts or excludes the exercise by the Trustees of the powers given by the Trustee Act 2000 as regards investment, the acquisition or disposal of land, and the employment of agents, nominees and custodians.

27. Powers

- a) The Trustees may exercise the power to sell, lease, or otherwise dispose of all or any part of the property belonging to the charity in order to further the objects of the charity. In exercising this power, the Trustees must comply with the appropriate sections of the Charities Act 2016.
- b) The Trustees shall ensure that any lease or letting of property meets the legal requirements of the Rent Act (including covenants).
- c) The Trustees shall keep in repair and insure to the full value thereof against fire and other usual risks all the buildings, property and land of the Charity not

required to be kept in repair and insured by the lessees or tenants thereof and shall suitably insure in respect of public liability.

- d) Unless the Commissioners otherwise direct the clear proceeds of any such sale as aforesaid shall be invested in trust for the Charity.
- e) The Trustees shall first pay 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.

APPLICATION OF INCOME

28. Application of income

Subject to payment of the expenses the Trustees shall apply the income of the Charity as follows:-

- a) One half of the said income shall be paid to the Parochial Church Council of St. Mary's, Brixton, for the upkeep, repair and insurance against fire of the fabric of the Parish Church of Brixton
- b) The remaining half of the said income shall be applied in relieving either generally or individually persons resident in the area of benefit who are in conditions of need, hardship or distress by making grants of money or providing or paying for items, services or facilities calculated to reduce the need, hardship or distress of such persons. In exceptional cases the Trustees may grant relief to persons otherwise eligible therefore who are resident immediately outside the said area of benefit but in the opinion of the Trustees ought nevertheless for sufficient reason be treated as if resident therein or who are located for the time being within the area of benefit;
- c) If and in so far as income in any year is not required for relief in need in accordance with clause 28 (b) the Trustees may apply the same as they think fit for any charitable purpose for the general benefit of the inhabitants of the said area of benefit.

In applying income for relief in need the Trustees may pay for such items, services or facilities by way of donations or subscriptions to institutions, charities or organisations which provide or undertake in return to provide such items, services or facilities for such persons.

GENERAL PROVISIONS

29. Application of income from financial investments and property

The income from financial investments and property of the charity must be applied solely towards the promotion of the objects.

- a) A charity Trustee is entitled to be reimbursed out of the property of the charity or may pay out of such property reasonable expenses properly incurred by him or her when acting on behalf of the charity.
- b) A charity Trustee may benefit from Trustee Indemnity insurance cover purchased at the charity's expense in accordance with, and subject to the conditions in the appropriate section of the Charities Act 2016.

None of the income or property of the charity may be paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit to any charity Trustee.

30. 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 such committees shall be reported in due course to the Trustees.

31. 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 also to include any charges and costs incurred in the management of the Charity's investment portfolio and all the proper costs, charges and expenses of an incidental to the administration and management of the Charity.

32. Benefits and payments to charity Trustees and connected persons

32.1. General Provisions

No charity trustee or connected person may:

- a) Buy or receive any goods or services from the charity on terms preferential to those applicable to members of the public;
- b) Sell goods, services or any interest in land to the charity;
- c) Be employed by, or receive any remuneration from, the charity;
- d) Receive any other financial benefit from the charity;

Unless the payment or benefit is permitted by clause 32.2 or authorised by the court or the Charity Commission ("the Commission"). In this clause a "financial benefit" means a benefit, direct or indirect, which is either money or has a monetary value.

32.2. Scope and powers permitting trustees' or connected persons' benefits

- a) A charity Trustee or connected person may receive a benefit from the charity in the capacity of a beneficiary of the charity provided that a majority of the Trustees do not benefit in this way.
- b) A charity Trustee or connected person may enter into a contract for the supply of services, or of goods that are supplied in connection with the provision of services, to the charity where that is permitted in accordance with, and subject to, the conditions in the appropriate section of the Charities Act 2016.
- c) Subject to clause 32.3 a charity Trustee or connected person may provide the charity with goods that are not supplied in connection with services provided to the charity by a charity Trustee or connected person.
- d) A charity Trustee or connected person may receive interest on money lent to the charity at a reasonable and proper rate which must not be more than the Bank of England bank rate (also known as the base rate).
- e) A charity Trustee or connected person may receive rent for premises let by the Trustee or connected person to the charity. The amount of the rent and the other terms of the lease must be reasonable and proper. The charity Trustee concerned must withdraw from any meeting at which such a proposal or the rent or other terms of the lease are under discussion.

- f) A charity Trustee or connected person may take part in the normal trading and fundraising activities of the charity on the same terms as members of the public.

32.3. Payment for the supply of goods only – controls

The charity and its charity Trustees may only rely upon the authority provided by clause 32.2(c) if each of the following conditions is satisfied:

- a) The amount or maximum amount of the payment for the goods is set out in an agreement in writing between the charity and the charity Trustee or connected person supplying the goods (“the supplier”) under which the supplier is to supply the goods in question to or on behalf of the charity.
- b) The amount or maximum of the payment for the goods in question does not exceed what is reasonable in the circumstances for the supply of the goods in question.
- c) The other charity Trustees are satisfied that it is in the best interests of the charity to contract with the supplier rather than someone who is not a charity Trustee or connected person. In reaching that decision the charity Trustees must balance the advantage of contracting with a charity Trustee or connected person against the disadvantages of doing so.
- d) The supplier is absent from the part of the meeting at which there is discussion of the proposal to enter into a contract or arrangement with him or her or it with regard to the supply of goods to the charity.
- e) The supplier does not vote on any such matter and is not to be counted when calculating whether a quorum of Trustees is present at the meeting.
- f) The reason for their decision is recorded by the charity Trustees in the minutes.
- g) A majority of the charity trustees then in office are not in receipt of remuneration or payments authorised by clause 32.

In clauses 32.2 and 32.3

- a) “charity” shall include any company in which the charity:
 - i. Holds more than 50% of the shares; or
 - ii. Controls more than 50% of the voting rights attached to the shares; or
 - iii. Has the right to appoint one or more Trustees to the Board of the company.
- b) In clauses 32.2 and 32.3, “connected person” includes any person within the definition set out in clause 33 (Interpretation).

33. Interpretation

33.1. In this deed:

All references to particular legislation are to be understood as references to legislation in force at the date of this deed and also to any subsequent legislation that adds to, modifies or replaces that legislation.

33.2. “Connected person” means:

- a) a child, parent, grandchild, grandparent, brother or sister of the Trustee;
- b) the spouse or civil partner of the Trustee or of any person falling within clause 33.2(a)

- c) a person carrying on business in partnership with the Trustee or with any person falling within clauses 33.2(a) or 33.2(b)
- d) an institution which is controlled –
 - i. by the Trustee or any connected person falling within clauses 33.2(a), 33.2(b) and 33.2(c); or
 - ii. by two or more persons falling within clause 33.2(d)(i), when taken together.
- e) A body corporate in which –
 - i. The charity Trustee or any connected person falling within clauses 33.2(a), 33.2(b) and 33.2(c) has a substantial interest; or
 - ii. Two or more persons falling within clause 33.2(e)(i) who, when taken together, have a substantial interest.

The appropriate sections of the Charities Act 2016 apply for the purposes of interpreting the terms used in clause 32.2.

34. Questions under Scheme

Any question as 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.

35. Amendment of trust deed

The Trustees may amend the provisions of this deed, provided that:

- a) No amendment may be made to clause 1 (Objects), clause 10 (Duty of care and extent of liability), clause 28 (Application of income), clause 29 (Application of income from financial investments and property) and clause 32 (benefits and payments to charity trustees and connected persons), clause 36 (Dissolution) or this clause without the prior consent in writing of the Commission; and
- b) No amendment may be made that would have the effect of making the charity cease to be a charity at law.
- c) No amendment may be made to alter the objects if the change would undermine or work against the previous objects of the charity.

Any amendment of this deed must be made by deed following a decision of the Trustees made at a special meeting.

The Trustees must send to the Commission a copy of the deed effecting any amendment made under this clause within three months of it being made.

Varied from the Order of the Commissioners dated 7th February 1996, by a resolution of the Brixton Feoffee Trustees at their meeting on 1st July 2019.

IN WITNESS of this deed the parties to it have signed below:

1. Signed as a deed by:

1(a) *M. Landricombe*

On this 1st (day) of July (month) 2019 (year)

1(b) Witness's name:

R.S. Axell

Witness's address:

15 Cherry Tree Drive, Brixton, Plymouth. PL8 2DD

2. Signed as a deed by:

2(a) *J. Penney-Cousins*

On this 1st (day) of July (month) 2019 (year)

2(b) Witness's name:

R. Axell

Witness's address:

15 Cherry Tree Drive, Brixton, Plymouth. PL8 2DD

3. Signed as a deed by:

3(a) *E. Hitchins*

On this 1st (day) of July (month) 2019 (year)

3(b) Witness's name:

R. Axell

Witness's address:

15 Cherry Tree Drive, Brixton, Plymouth. PL8 2DD

4. Signed as a deed by:

4(a) *B. Huxtable*

On this 1st (day) of July (month) 2019 (year)

4(b) Witness's name:

R. Axell

Witness's address:

15 Cherry Tree Drive, Brixton, Plymouth. PL8 2DD

INDEPENDENT EXAMINER'S REPORT ON THE ACCOUNTS

Report to the Trustees of Brixton Feoffee Trust on accounts for the year ended 31.03.22. Charity No. 203604

Respective responsibilities of trustees and examiner

The Charity's Trustees are responsible for the preparation of the accounts. The Charity's Trustees consider that an audit is not required for this year under section 43(2) of the Charities Act 1993 (The 1993 Act) and that an independent examination is needed.

It is my responsibility to:

- Examine the accounts under section 43 of the 1993 Act,
- To follow the procedures laid down in the general Directions given by the Charity Commission (under section 43(7)(b) of the 1993 Act, and
- To state whether particular matters have come to my attention.

Basis of independent examiner's statement

My examination was carried out in accordance with general Directions given by the Charity Commission. An examination includes a review of the accounting records kept by the charity and a comparison of the accounts presented with those records. It also includes consideration of any unusual items or disclosures in the accounts, and seeking explanations from the trustees concerning any such matters. The procedures undertaken do not provide all the evidence that would be required in an audit, and consequently no opinion is given as to whether the accounts present a "true and fair" view and the report is limited to those matters set out in the statement below.

Independent examiner's statement

In connection with my examination, no matter has come to my attention (other than that disclosed below*):

1. Which gives me reasonable cause to believe that, in any material respect, the requirements:
 - To keep accounting records in accordance with section 41 of the 1993 Act; and
 - To prepare accounts which accord with the accounting records and comply with the accounting requirements of the 1993 Act have not been met; or
2. To which, in my opinion, attention should be drawn in order to enable a proper understanding of the accounts to be reached.

(*Please delete the words in the brackets if they do not apply)

Signed	<i>J. Mason</i>	Date	<i>20?7/2022</i>

Name	John Mason
Relevant Professional Qualification(s) or body (if any)	Ex HM Inspector of Taxes
Address	Brazemoor Lanreath, Looe Cornwall PL13 2PG

DISCLOSURE

Only complete if the examiner needs to highlight material problems

Give here brief details of any items that the examiner wishes to disclose