

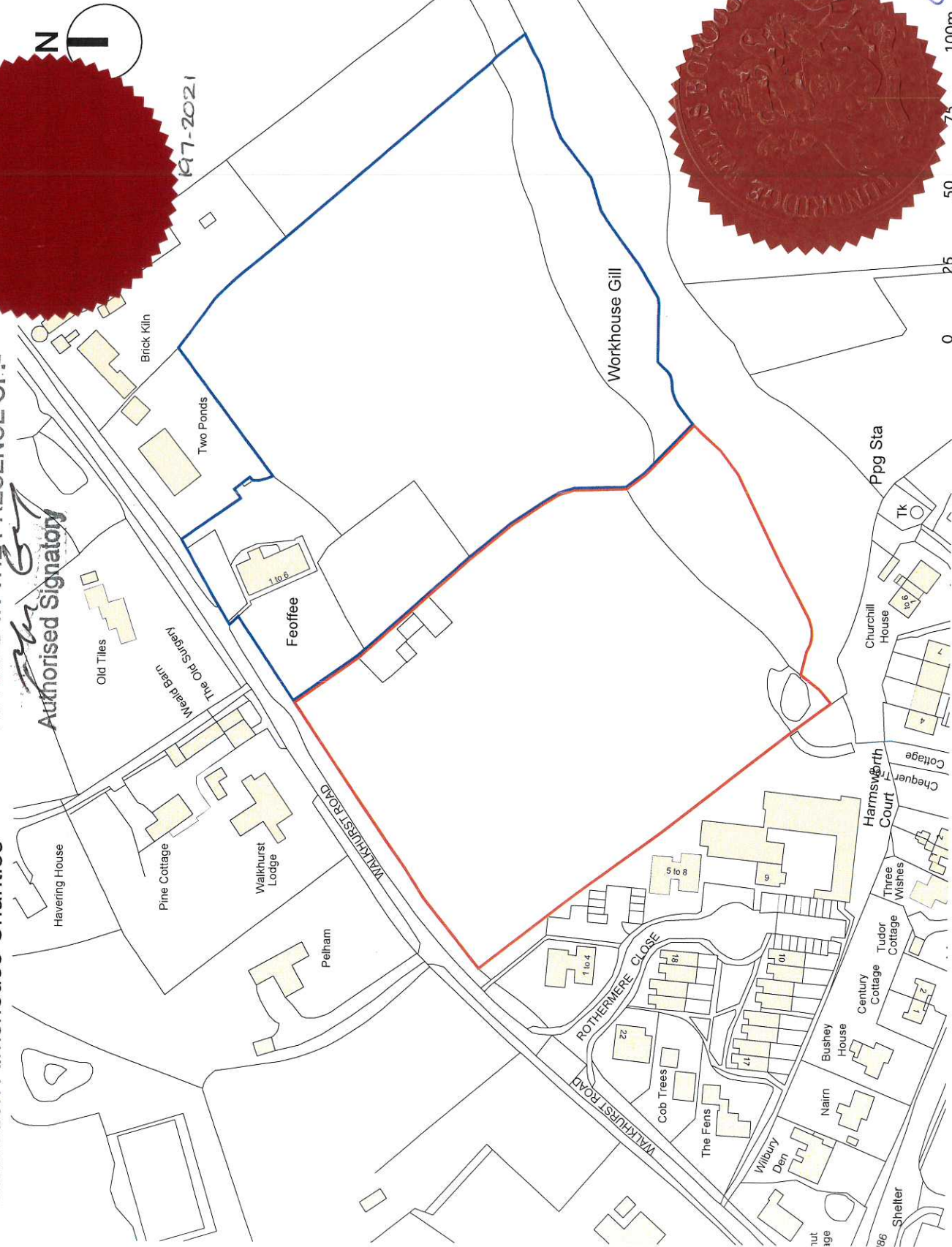
## Appendix 1 Plan

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THE COMMON SEAL OF THE KENT COUNTY COUNCIL WAS HEREUNTO AFFIXED IN THE PRESENCE OF:-

Benenden Almshouse Charities



Proposed Residential Development, Land Adjacent to Feoffee Cottages

NOTES:

- Report all discrepancies, errors and omissions.
- Verify all dimensions on site before commencing any work on site or preparing shop drawings.
- All materials, components and workmanship are to comply with the relevant British Standards, Codes of Practice, and appropriate manufacturers' recommendations that from time to time shall apply.
- For all specialist work, see relevant drawings.
- This drawing and design are copyright of Clague LLP. Registration number OC335948.

Rev	Date	Description

Project Title  
**Proposed Residential Development**  
 Land Adjacent to  
 Feoffee Cottages  
 Walkhurst Road  
 Benenden  
 for Benenden Almshouse Charities

Drawing Description  
**Site Location Plan**

Scale	1:1250@A3	Drawn by	SB
Date	February 2019	Checked by	ACC

**CLAGUE ARCHITECTS**

52 Beagrove, Canterbury  
 Kent CT1 2BH  
 01227 702880  
 4 Kingsdown Court, London Road,  
 The Priory, Canterbury, Kent, CT1 2BB  
 01582 756122  
 8, Esney Street  
 London SE1 1JF  
 0203 957 9112

CANTERBURY LONDON HARPENDEN

*Charlotte Valmancy*  
 Drawing Number  
**23240A / 01**  
 Revision  
**A**



*Benenden*



## APPENDIX 2: ALMSHOUSE SCHEME

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- Appendix 2.1- The model licence entitled “Letter of Appointment” to be completed with the persons who are to occupy the Affordable Dwellings together with the associated example model tenant handbook





**BENENDEN ALMSHOUSE CHARITIES**

Registered Charity No: 232743

**4 Beach Court  
Goddards Green Road  
Benenden  
Cranbrook  
Kent  
TN17 4AY  
Tel: 01580 240454**

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## **Letter of Appointment**

Dear

**I am pleased to advise you that the trustees of the Benenden Almshouse Charities have considered your application for accommodation and have decided to appoint you as a beneficiary (resident) of the charity under a Scheme dated 12<sup>th</sup> January 1960 with effect from .....Date.....**

A weekly maintenance contribution (WMC) of £ is payable in arrears monthly towards the upkeep of the dwelling and this figure may be increased upon one month's notice. The WMC should be paid by direct debit to the charity. The WMC will be payable by standing order from the commencement of the week during which you take occupation.

If you are entitled to Housing Benefit you may wish to make an application now to the council in this regard. If you experience difficulties in claiming please let the charity know.

It is a condition of occupancy that the full amount of weekly maintenance contribution is paid regardless of the services or support elements used by the resident.

The Resident will be responsible for payment of the utility bills and council tax relating to their dwelling. Meters will be read prior to occupation. (The charity will pay the resident's water rates).

The utility suppliers are currently EDF. Should a resident chose another provider he/she should provide the charity with details in case of emergency.

The following regulations for residents are to ensure the smooth running of the almshouses:

1. The trustees undertake to carry out all repairs, including internal and external decoration. Residents are not allowed to make any structural alteration to the dwellings, nor alter the plumbing or electrical installation. No shelves, cupboards, locks or fittings shall be fixed or removed, nor shall any alteration be made to any room or its fittings without the prior consent of the clerk/trustees.
2. The residents should permit reasonable access for inspection of their almshouses and for repairs and decoration to be carried out.
3. Residents should keep their almshouse clean and tidy and avoid storage of excess or unnecessary items. All defects which become apparent in the property should be reported to the scheme trustees.

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4. The use of paraffin oil and portable gas heaters is strictly prohibited. The scheme Clerk or the trustees should be consulted if additional heating is required.
5. Residents should not be absent from their dwellings for more than a total of twenty-eight days in any one year without the prior consent of the trustees and should inform the scheme trustees if they will be away for more than a week at a time.
6. The name and address of the next of kin should be supplied to the trustees, together with information as to whether a Will has been made and, if so, where it is deposited.
7. Residents are required to occupy the property quietly and with thought for other residents and/or neighbours. No radio, TV or music system should be operated in such a manner as to cause a disturbance, nor shall anything be done in, upon or about the premises which shall be a nuisance, annoyance or disturbance to the occupants of other almshouses, adjoining property, or to the general public to include the routine use of a piano or other musical instrument by a professional or amateur musician.
8. The trustees may take such steps as they think proper in the administration of the trust and for the residents' welfare. Any alteration to the rules will be notified in writing to each resident. These rules are set out in the Residents' Handbook and form part of the Letter of Appointment. (Residents Handbook to follow)
9. Residents may expect to continue in occupation for as long as they need the accommodation providing they continue to qualify as a beneficiary and are able to look after themselves. If health deteriorates they must be willing to accept advice and guidance, either from their own doctor or a medical consultant appointed by the trustees. The trustees will also consult with the next of kin, Social Services and other agencies if necessary.

10. Residents should provide the trustees with authority to contact their doctor and next of kin directly in the event of emergency by signing the attached form.
  11. Pets should not be kept without the written consent of the trustees.
  12. **Visitors are not permitted to stay in an almshouse, except with the consent of the trustees.**
  13. Neither the resident(s) nor any relation or guest of his/her/theirs will be a tenant of the charity or have any legal interest in his/her/their almshouse.
- 
14. The trustees reserve the right to ask a resident(s) to vacate the dwelling and move, either temporarily or permanently, to another almshouse belonging to the same charity.
  15. The resident's attention is drawn to the Complaints Procedure set out in the Residents' Handbook.
  16. The trustees retain the power to set aside a resident's appointment with good cause, e.g. in the case of serious misconduct, non-payment of WMC, a breach of the regulations, or if the resident is no longer a qualified beneficiary or a risk to themselves or other residents.
  17. Should a resident wish to leave his/her dwelling to live elsewhere, not less than one calendar months' notice in writing must be given to the trustees. Maintenance contributions remain payable until the notice period expires and the dwelling is vacated and cleared of furniture and possessions.
  18. When the resident vacates the almshouse for whatever reason, all items belonging to the resident should be removed by him or her forthwith. Weekly maintenance contributions should be paid up to the departure date, as well as all utility bills. Should a resident ask to vacate the dwelling forthwith, the weekly maintenance contribution should be paid to the end of the notice period.
  19. In the event that possessions and goods are left abandoned by the resident, the trustees reserve the right to sell them after a period of one month and out of the proceeds pay any outstanding amounts owing to the charity, including outstanding weekly maintenance contributions and any other expenses including removal costs.

20. If a resident is below retirement age, or is not yet receiving a state pension, the appointment will be reviewed annually.
  
21. It is the residents' responsibility to notify the charity if their circumstances change. However, unless your incomes were to substantially increase to the extent that you no longer qualify as a beneficiary, the likelihood is that you would be allowed to remain in the dwelling. Trustees reserve the right to review residents' financial circumstances from time to time.
  
22. Neither the almshouse nor its garden may be used as a place of business, either from where to conduct business or to store items connected with running a business.

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23. Residents may apply to trustees to keep a mobility scooter at the charity's premises. All such vehicles are kept by the residents entirely and solely at the resident's risk. Proof of insurance should be provided to the trustees.
  
24. It is a condition of occupancy that upon reaching pensionable age, a suitable alarm monitoring system, i.e. Lifeline, may be installed. All contact details from their telephone tree must be advised to the charity.
  
25. It is a condition of occupancy that a new resident signs a copy of this Letter of Appointment (copy enclosed), signifying their willingness to abide by the above rules, before taking up occupation. In the event of an appointment being made to two persons, both should sign the copy Letter. A second copy/second copies is/are enclosed for the resident's retention.

Signature.....

Date.....

# Benenden Almshouse Charities

## Residents' Handbook

### Contents:

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Welcome  
List of contacts

#### Section 2 - History, Governance and Management

Historical Note  
Constitution  
Management  
The Almshouses

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Complaints  
Housing Ombudsman

## Section 1 – Introduction

The Benenden Almshouse Charities would like to extend a very warm welcome to you as a new resident. We hope that you will settle in quickly and be very happy here. This handbook sets out useful information about the charity and its general administration and management. It also explains your responsibilities as a resident. Please do not hesitate to speak to the Clerk or a Trustee if you need further information on any matters.

Please note that the conditions stated in this handbook form part of your contract with the charity and supplement the rules and regulations given in your Letter of Appointment which you signed when you accepted your appointment. It may be necessary to amend these rules and regulations from time to time but any changes would be discussed with residents beforehand when you would be given the opportunity to express any views or concerns.

The conditions set out in this handbook may seem onerous but are set out to avoid any unnecessary misunderstandings in a shared or terraced building

The almshouse is your home and every effort will be made to help you remain independent, free to choose your own lifestyle and able to benefit from the quiet enjoyment and dignity that the almshouses provide. I am sure you will appreciate the importance of everyone in the community respecting the wishes of others, allowing them their privacy if that is what they wish and ensuring that rumours and gossip are not allowed to develop.

The trustees have tried to minimise these rules and regulations which have been designed for the benefit of all residents and to ensure the efficient management of the trust.

Once again, a very warm welcome.

Chairman: Mr Robin Dalton Holmes  
Trustees: Mrs Janet Beattie, Mr John Burbage,  
Mrs Mary Cruse, Mr Blair Gulland, Mr Colin  
Hayman, Mrs Arianwen Neve.  
Clerk: Mrs Deborah Jenkins  
Emergency out of hours numbers: 01580  
240454/240629

## Section 2 – History, Governance and Management

### Historical Note

Feoffee Cottages in Benenden and Thorn Cottages in Iden Green were originally given in the 17<sup>th</sup> century by local benefactors to house the poor and needy of the parish. Feoffee Cottages had fields attached which were to provide income for distribution to the poor of the parish. The benefactors were Edmund Gibbon, who lived at Hole Park, and Richard and Peter Sharp, members of a wealthy clothier family who farmed in Iden Green. Edmund Gibbon was also a great benefactor of the village school. He gave several farms in Benenden for the maintenance of the school.

### Constitution

The charity is run in accordance with a scheme prepared by the Charity Commission and sealed on 12<sup>th</sup> January 1960 – registered charity number 232743.

### Management

The trust is governed by a board of voluntary trustees who are approved by the Parish Council for a four-year period, which can be extended. Day-to-day administration of its affairs is delegated to the clerk (assisted by Mrs Arianwen Neve, Trustee).

### The Almshouses

The charity manages unfurnished dwellings which are often designed with the needs of older people in mind. Feoffee Cottages consists of one two-bedroom flat and five one-bedroom flats. Thorn Cottages is a terrace of three one-bedroom houses.

The principle behind everything that the charity does is that residents should enjoy independence and the freedom to come and go as they please while living in comfortable and secure accommodation. Residents should feel confident in the knowledge that support will always be available, whether from the charity itself or from outside agencies, should the need arise. Above all, the trust respects residents' privacy.

Residents may expect to continue in occupation as long as they need the accommodation providing they continue to qualify as a beneficiary, are able to look after themselves and their appointment as a beneficiary is not set aside. If health deteriorates they must be willing to accept advice and guidance, either from their own doctor or a medical consultant appointed by the Trustees. The Clerk/Trustees will also consult with the next of kin, Social Services and other agencies if necessary.

## Section 3 – Health and Safety

### Doctor and Dentist

If you do not have a General Practitioner (GP), the Clerk will be able to give you the names of GP practices in the neighbourhood. The name of your GP must be given to the Clerk.

You have every right to see your Doctor, nurse or other carer in confidence and to keep your medical affairs entirely to yourself if you wish. However, if you have a chronic health problem, it would be advisable, and you might feel safer, for the Clerk/trustees to be made aware of it so that appropriate action can be taken in an emergency. Anything you tell the Clerk/Trustees will be kept in confidence within the charity.

'Message in a Bottle' is a free system that encourages people to keep their basic personal information and details of their current medication in a common place where it can be found in an emergency. The small plastic container is kept in the fridge where emergency services will find it. They will know residents use this system by two discreet labels. One is fixed to the front entrance of the resident's accommodation; the other is displayed on the fridge where the information is kept. The system is usually a community based project in partnership with other local social, health or emergency services.

### Emergency Contact Details

If you become ill or are in difficulties, the Clerk/Trustees will make every effort to get in touch with your next of kin, your Doctor, or the ambulance or social services on your behalf. Please therefore provide the trustees with authority to contact your Doctor and next of kin directly in the event of emergency by signing the 'GP Authorisation Form' and 'Next of Kin Information Form' which are attached to this booklet.

It is important that you let the Clerk have details (names, addresses, and telephone

numbers) of these essential contacts. If the details change from time to time, please remember to inform the charity.

### Fire Precautions

The almshouses comply with the appropriate fire regulations. All of the almshouses are fitted with smoke detectors. If you hear a smoke alarm or notice obvious signs of an outbreak of fire, please evacuate the building by the nearest route. Do not attempt to put the fire out or to collect personal belongings. Stay calm and help other residents to leave the building.

**If a resident is hard of hearing, they should ask for appropriate equipment to alert them in the event of an emergency.**

**Evacuation Policy:** When you hear the fire alarm, follow the fire procedure. If it is safe to do so, please evacuate the building by the nearest route to the fire assembly point. The exit routes and fire escapes are clearly marked with green signs in the corridors. Shut the door of your almshouse behind you and do not attempt to take any personal belongings with you. Wear warm clothing and leave your flat immediately.

### Avoiding the Risk of Fire

Please be conscious of the risk of fire, for example, regularly checking at night or before going out that appliances have been fully switched off. It is especially important that those who smoke in their own almshouse dwelling do so responsibly and are aware of the risk of falling asleep or getting too close to curtains while smoking. Do not wedge doors open or leave chip pans unattended and use ash trays if you smoke. Smoking in bed is strictly forbidden. Please be considerate to others and avoid smoking in their presence as the risks associated with passive smoking are now well recognised. If you are expecting visitors, please air the room beforehand so that any smoke can dissipate.



## Slips, Trips and Falls

The trustees wish to draw your attention to the need to exercise care when using the footpaths in wet, snowy or icy weather.

## Security

Please consider the following:

### DO:

- Keep your front door locked at all times
- Use the chain to identify callers before opening the door
- The chain should only be used to open the door a few inches when identifying callers and not kept in permanent use as this may prevent access in an emergency.

### DO NOT:

- Allow a stranger to enter your home without proof of identity. If you are in doubt, please call the Clerk/Trustee, a family friend or the police
- Leave ground floor windows open so that intruders can gain access
- Keep cash or valuables in your home.

**BE AWARE OF** bogus officials or doorstep salesmen. Always ask for proof of identity.

## Keys

Only let people into the house whom you know or are expecting. Never allow anyone claiming to be gas, electricity or water meter readers to enter the dwelling. Please refer them to the Clerk/Trustees.

The Clerk, the Chairman and Mrs A Neve, trustee holds a master key which can open your front door, but it will only be used in an

emergency or with your permission. You must not fit locks and chains without the trustees' consent as these may impede access for emergency services. Chains should only be used when you wish to identify callers before deciding whether to let them in. The trustees may advise on alternative security arrangements.

The Clerk and/or the trustees may be able to advise on alternative security arrangements.

Your privacy will be respected. The Clerk has strict instructions only to enter your home:

- if you ask her or him to do so, or
- if you have given permission for work to be done in your absence, or
- in an emergency.
- for an annual inspection by a trustee of the premises

Please do not obtain extra keys without first asking the trustees, as this may lessen security.

Make sure that you and your visitors check that the main front door to the house is securely shut after entry or exit, or at least by 9pm

## Routine Visits

Residents will be visited in their new home by two trustees or representatives of the charity after they have settled in and thereafter from time to time. This is an opportunity to get to know you better and to address any issues and concerns.

A mutually convenient time will be arranged beforehand.

## Section 4 – Terms of Occupancy

### Letter of Appointment

Your Letter of Appointment, of which you have a copy, is personal to you and explains that you occupy the almshouses as a beneficiary of the charity. This means that neither you nor any relation or guest of yours is a tenant with the security of tenure that a tenancy offers. No other person is allowed to live at the property unless they have formally applied to the charity and been granted beneficiary status in their own right and you have been jointly allocated the same dwelling.

In exceptional circumstances the trustees could ask you to find alternative accommodation and leave. In practice, this occurs very rarely when trustees believe that they have no alternative.

Examples of such circumstances are if:

- A resident was no longer able to look after themselves safely or to live independently, even with the help of the social services or family support
- The resident consistently failed to pay weekly maintenance contributions (WMC) on a regular basis without good reason
- The resident's behaviour was deemed to be unreasonable and anti-social, either in respect of other residents or members of staff
- The resident's circumstances changed significantly to the extent that they were no longer qualified to live in the almshouses as a beneficiary, or did not have the required qualification when first appointed.
  - The resident failed to comply with the rules and regulations made by the charity
  - The resident provided untrue or misleading answers or information in his/her application to be appointed a beneficiary of the charity

It is a condition of occupancy that residents provide the charity with accurate and complete information of their financial circumstances and that residents inform the charity if their circumstances change. The

charity may review residents' financial circumstances from time to time. However, residents are assured that only in the most unusual circumstances would this lead to someone being asked to leave.

The charity would only set aside an appointment as a last resort after every reasonable effort had been made to resolve the issues. If, having been asked to leave, a resident felt aggrieved, they have the right to have their case heard in the County Court. If the decision to set aside the appointment was upheld, they would be given reasonable assistance to find alternative accommodation.

### Weekly Maintenance Contribution (WMC)

Weekly maintenance contributions are payable in arrears by the thirtieth of each month by standing order. If you receive Housing Benefit or Local Housing Allowance from the local authority, arrangements can be made for your Housing Benefit to be paid directly into the charity's bank account. If you are experiencing difficulties in claiming, please let the charity know.

The amount you pay is a contribution towards the cost of running the charity. Items covered by the WMC include:

- Building repairs and maintenance
- Servicing and repair of water, gas and electrical installations
- Decoration costs
- Buildings Insurance
- Water and sewage charges
- Upkeep of communal areas and/or garden, where applicable

The level of WMC is usually reviewed annually but the charity reserves the right to review this more frequently if it is in the charity's best interests.

### Consulting Residents

The trustees will hold meetings from time to time to discuss the running of the almshouses

with you and your neighbours. You can also talk to a trustee in private by asking the clerk to the trustees to arrange this. Consultation and involving the residents in the day-to-day running of the charity's almshouses is a form of participation which will benefit all concerned. Trustees welcome the residents' views on matters affecting their quality of life at the almshouses.

The trustees will consult you:

- before any work is done on your almshouse (except in an emergency)
- before making changes to the communal facilities, including the gardens
- before making changes to the amount of weekly maintenance contribution payable
- before anyone enters your home
- if you raise a difficulty with them.

### **Absence from Home**

You are expected to be in full time occupation of your almshouse and extended periods away during the year might lead the trustees to conclude that you have less need for almshouse accommodation than others.

Residents must live in the almshouse as their permanent home and not be absent for more than [28 consecutive days in] any year without the prior consent of the charity. If you go away for any period, including overnight stays, please inform the charity of your temporary address and contact phone number. Should you return earlier than planned, please inform the charity immediately you arrive home as it is important in an emergency to know if any residents are away.

### **Legionella**

The risk of contracting Legionnaire's Disease from a domestic property where the water services are regularly used is very low, however the risk increases if the water services have not been used for an extended

period. Residents are advised to adopt the following recommended procedures:

Ensure the thermostat on your hot water system is set to a minimum of 65c but be aware that the risk of scalding from outlets that are not fitted with a thermostatic mixer valve is greatly increased.

Any hot or cold tap that is not used within a seven day period should be flushed through for at least 2 minutes on a weekly basis on your return to the property. Avoid splashing to minimise the release of water droplets / aerosols.

Any shower that is not used within a seven-day period should be flushed through for at least 2 minutes on a weekly basis or on your return to the property at both maximum and minimum temperatures. Avoid the release of water droplets / aerosols by either securing a plastic bag over the shower head with a corner cut off to allow water to escape or by removing the shower head and placing the shower hose over the drain outlet.

Any toilet that is not used within a seven-day period should be flushed on a weekly basis or on your return to the property. The lid should be closed to avoid contact with any water droplets / aerosol.

Shower heads should be cleaned and disinfected regularly to ensure no scale or algal build up.

Before going away, please ensure that all food has been put away, taps and appliances have been fully switched off and windows shut. If you are leaving your flat during the winter months, please discuss with the clerk how much heating is required to minimise the risk of burst pipes, etc.

### **Central heating, electricity and hot water**

In addition to the weekly maintenance contribution residents are responsible for paying their utility bills. Meters will be read prior to occupation. The utility suppliers are

currently EDF Energy. Should a resident choose another provider he/she should provide the charity with details in the case of emergency. Residents are not allowed to use any heating appliance that has not been supplied by the charity, such as portable gas or electric heaters, as these pose a serious safety risk. The use of paraffin oil is also strictly prohibited.

### **Audio Equipment**

Particular consideration should be given to moderate the sound of all audio equipment including, but not exclusively, television and radio, especially between the hours of 10.00pm and 7.00am.

### **Improvements to your Home**

You must not carry out any internal or external improvements, alterations, repairs or decoration, plumbing or electrical installations to your home without the prior permission of the trustees. No shelves, cupboards, locks or fittings shall be fixed or removed without prior consent. For all major works, the trustees will instruct an architect or surveyor to design and plan the work before placing an order with a building contractor. Payment for improvements is the responsibility of the trustees.

As the trustees have responsibility for the long-term maintenance of the almshouses, they have to consider individual resident's requests for alterations alongside their own maintenance programme. If an alteration would be structurally unsound, reduce the amenities for subsequent occupants, or increase future maintenance costs, it will not be approved. If you live in a listed building, some alterations will need local authority consent before any work can be carried out.

Whilst at all times the charity will respect the privacy of residents, it is a condition that residents allow reasonable and regular access to their almshouses for repairs and decoration to be carried out. Representatives of the

charity will visit from time to time by prior appointment.

### **Employment**

With the permission of the charity, residents may be allowed to work from their almshouse, however they must guarantee that this will not be disruptive for other residents and that it will not involve delivery or storage of items and/or visitors to the buildings.

### **Visitors – Family and Friends**

**Visitors are not permitted to stay in an almshouse, except with the consent of the trustees.**

Where permission is granted occasional overnight stays only will be permitted but these must not be regular occurrences. It is vital that trustees are aware of any overnight visitors for safety and security reasons.

### **Smoking**

Smoking is prohibited in all common areas, including a shared entrance hall. Residents must comply with the charity's policy on smoking which is to avoid smoking indoors and may be reviewed for future residents.

### **Pets**

The trustees will have explained their policy on pets to you at interview and before you moved in. If you wish to keep a pet you must first obtain the written permission of the trustees. Small animals or caged birds are usually acceptable but must not become a nuisance to other residents. Please advise the Clerk about arrangements you have made for the care of your pet(s) if you are away on holiday or become ill.

### **Guide Dogs**

Where possible, consideration will be given to accommodating Guide Dogs for those residents with impaired or loss of sight.

### **Mobility scooters**

There is no accommodation for this type of equipment.

### **Moving Out**

If you wish to vacate the almshouse to live elsewhere, you must give the trustees written notice of not less than one calendar month. Maintenance contributions remain payable until the notice period expires and the dwelling is vacated. When the resident vacates for whatever reason all items belonging to the resident should be removed by him or her forthwith. In the event of the death of a resident their personal representatives are responsible for WMC until the premises are cleared of personal possessions and the keys are returned.

If a resident were to leave their almshouse dwelling without giving notice, they would be liable for paying their WMC for a period of one month after the date on which they vacate as well as utility bills.

Trustees have the right to start the process of setting aside the appointment in the event of non-payment of WMC.

In the unlikely event that any possessions, chattels or goods are, without the written agreement of the charity, left abandoned by the resident in the almshouse after the resident has vacated, the charity will take reasonable care of them for a period of up to

3 months. After this period the resident agrees by signing the Letter of Appointment that the charity may sell them and, out of the proceeds, pay any outstanding amounts owing to the charity, including outstanding weekly maintenance contributions and any other expenses, including disposal and removal costs.

### **Re-Housing**

If you wish to move from one almshouse dwelling to another, you should contact the clerk to discuss the matter. While every effort would be made to assist a resident to move if there was a good reason, the decision would depend upon availability and be entirely at the discretion of the trustees.

There may be circumstances, for example during extensive refurbishment or other unforeseen circumstances, when the charity may need to ask you to vacate the dwelling and move, either temporarily or permanently, to another dwelling. Your views would be taken into account and you would be given at least three months' notice should a move be necessary.

### **Gifts and Legacies**

It is the trustees' policy that no one involved in the running of the charity should accept any gift or legacy from a resident. If you wish to donate anything to the charity please contact the clerk to the trustees. All such matters will be dealt with in confidence.

## Section 5 – Services Provider

### The Clerk /Trustees

Clerks/Trustees support the general wellbeing of residents without interfering in their lives or intruding on their privacy. Clerks/Trustees are not trained carers and cannot therefore offer personal care support. They can, however, liaise on your behalf with a wide range of local health and social services to ensure that you receive the help you need to remain safe and independent in your home. External services might include help with personal care and hygiene, meal preparation and provision, cleaning or shopping or the provision of physiotherapy or occupational therapy aides for use around the home.

### Furniture and Fittings

Although the almshouses are offered unfurnished, the charity provides carpets and appropriate kitchen and bathroom flooring. White goods are not normally provided.

### Gardens

The maintenance of the communal areas is the responsibility of the charity. The current contractors are A D Crompton and Gold & Green who maintain the gardens regularly over the growing season. Residents are encouraged to maintain their own areas of garden where possible.

### Repairs and Decorations

The charity is responsible for both external and internal repairs and decoration to your home and the communal parts. Please report all necessary work to the clerk or trustees who will arrange for it to be carried out.

You will be consulted in advance about arrangements for work to be carried out. Workmen will not be allowed to enter your home while you are out unless you have agreed to satisfactory arrangements. An

exception will have to be made, however, if an emergency arises such as a water leak.

### Insurance

The charity insures the building and its own contents.

Please do not keep more cash in your home than is necessary to meet day-to-day expenses and keep valuables out of sight. Residents are responsible for insuring their personal property.

### Television

Residents need a television licence to use any television-receiving equipment including TV set, set-top box, video or DVD recorder, PC or mobile phone to watch or record programmes as they are being broadcast. This includes foreign broadcasts.

Television licences are currently free to those aged 75 and over.

There are television concessions available to:

- Those who are blind or severely sight impaired
- People who are retired or disabled and live in certain types of accommodation
- Households with a person aged 75 years or over until 31<sup>st</sup> May 2020.

Trustees must apply for concessionary licences on behalf of their residents. To qualify residents must meet certain requirements. Please refer to the trustees for further details.

### Cleaning

You are responsible for keeping your own flat clean, including cleaning the windows inside. If cleaning becomes difficult or you cannot clean the windows safely, please advise the Clerk/Trustees who will make alternative arrangements. There is likely to be a small hourly charge if this becomes necessary.

Storing excess items presents a safety hazard and in extreme cases of hoarding trustees may have to consider setting aside the resident's appointment.

Cleaning the communal areas is the responsibility of the charity and the cost of this service will form part of the weekly maintenance contribution. You will be advised when contractors are coming to clean the outside of the windows of your flat.

### **Personal Electrical Equipment Testing**

The trustees will arrange for regular testing of all electrical equipment as unsafe equipment may prove a hazard to all other residents.

### **Fixed Wire Insulation Testing**

The Trustees will arrange testing of Fixed Wire Insulation every 5 years to ensure that electrical circuits or equipment is not overloaded or defective.

### **Training**

When you move into your home the Clerk/Trustees will ensure that you are familiar with:

- action to be taken in the event of a fire
- how to operate all the equipment belonging to the Trust in your home
- central heating.

### **Visiting Services**

There are none.

## Section 6 – General Information

### Electricity Meter Mains Switch and Fuse Box

The location of your electricity meter, the electricity mains switch and the fuse box will be pointed out to you on the day you move into the Almshouses.

### Council Tax and Council Tax Benefit

You are responsible for paying your own council tax and will receive the annual Council Tax Notice from the local authority in March each year. People living alone are entitled to council tax relief of 25%.

If your income consists of the basic retirement pension and you have only modest savings, you may be entitled to Council Tax Benefit. Depending upon your precise circumstances, this could pay your council tax in whole or in part. Please speak to the Clerk/Trustee if you are unsure of your entitlement or need help in completing the claim form.

### Housing Benefit/Local Housing Allowance/Universal Credit

If your income consists of the basic retirement pension and you have little or no capital, you will almost certainly be entitled to Housing Benefit or Local Housing Allowance to help with your housing costs. Even if you do have income in addition to your basic retirement pension, you may still be entitled to some help with housing costs. To claim Housing Benefit / Local Housing Allowance you should ask for an application form at your local Benefits Office (DWP) or Housing Department. It is important that you inform your local benefits office if there are changes in your financial circumstances as they have the power to demand reimbursement in the event of an over-payment.

Eligibility for state benefits changes from time to time. If you need advice on state benefits, please ask the clerk in the first instance as he/she may have some experience of

entitlements and benefits. Other sources of information are the Citizens Advice Bureau and Age UK (give details of local offices).

### Parking

Please do not park in unauthorised places, or allow your visitors to do so, as their cars may block the way for ambulances or fire engines attending in an emergency.

Designated personal parking spaces are not allocated. Parking is normally restricted to one car per dwelling.

### Wills

You are strongly advised to make a Will and it is best to ask a solicitor to help you with this. If you need help in finding one, the local Citizens Advice Bureau will be able to suggest names.

As stated under 'Gifts and Legacies' it is the charity's policy that no one involved in the running of the charity should accept any gift or legacy from a resident. If you want to donate anything to the charity, please speak to the clerk. All such matters will be dealt with in confidence.

### Next of kin

The name and address of your next of kin, or a nominated representative, should be supplied to the charity. He or she may be contacted should the trustees have concerns.

### Lasting Power of Attorney

It is strongly recommended that you arrange a Lasting Power of Attorney which allows you to appoint someone to look after your finances and to take welfare and healthcare decisions on your behalf in the event of your mental incapacity. Again you should seek legal advice from a solicitor.



### **Local Organisations and Services**

Many of the charity's residents take advantage of a variety of organisations and services in the village.

### **Social Activities**

A welcome sense of community can result from residents taking part in social activities together, but there are no common room spaces in the Almshouses. Friendships grow and there is a greater readiness to support one another through difficult times. We find that some residents enjoy occasional opportunities to do things together, while

others prefer to pursue their interests on their own. There are many clubs and activities that take place in the village. For further details please look in the monthly Benenden magazine delivered free to all households in the village, the Village Hall website, the Memorial Hall website, the village shop and notice boards.

### **Social Media**

Those residents using social media such as Facebook and Twitter, are asked to respect the fact that no views should be expressed via social media about the charity, its trustees, other residents or staff.

## Section 7 – If Things Go Wrong

### Personal Problems

If you have any personal problems over money or any other matter and you have no family or friends whom you feel able to consult, the trustees will be pleased to help or offer advice if they can. You can ask to see the clerk/warden or any of the trustees and your concerns will be treated in the utmost confidence.

### Complaints

If you have any concerns, please bring them to the attention of the clerk/trustees who will do their best to resolve them. In the majority of cases, minor issues can be dealt with informally, quickly and efficiently and to the resident's satisfaction. The trustees and the clerk can only resolve problems and improve the service if you speak up when things go wrong.

Set out below is a procedure to be followed if residents wish to raise a complaint in connection with the occupation of their almshouse, or about services provided by the charity.

- Minor matters, such as small maintenance items, should be referred to the Clerk/trustees.
- If the Clerk/trustee is unable to resolve the matter, or if there is a persistent problem with pets, loud noise or matters affecting health and safety, the resident should refer it to the Clerk in writing. All communications about complaints will be treated in confidence.
- If you are dissatisfied with the Clerk's response, you should write formally to the

chairman of trustees asking the trustees to consider the matter. You may, if you wish, attend the meeting when your complaint is being discussed, accompanied by a friend or adviser. The chairman will write to you afterwards to advise you of the trustees' decision and to inform you of any action taken to resolve your complaint.

- If you have a complaint about a member of staff employed by the charity, other residents, or about a serious breach of health and safety regulations, you should put your complaint in writing to the chairman of trustees, with a formal request for it to be considered by the trustees at their next meeting. You will, if you wish to exercise that right, be entitled to attend when your complaint is being discussed, accompanied by a friend, advocate or professional adviser.

### Housing Ombudsman

If you remain dissatisfied with the trustees' decision, you have the right to take your complaint to the Housing Ombudsman Service whose address is:

Housing Ombudsman Service  
81 Aldwych,  
London WC2B 4HN

Telephone: 0300 111 3000

Email: [info@housing-ombudsman.org.uk](mailto:info@housing-ombudsman.org.uk).

You will need to give the Ombudsman your full name, address and telephone number and set out the details of your complaint. The Ombudsman will only be able to consider your complaint if he/she is satisfied that the trust's own procedure for handling complaints has been exhausted.

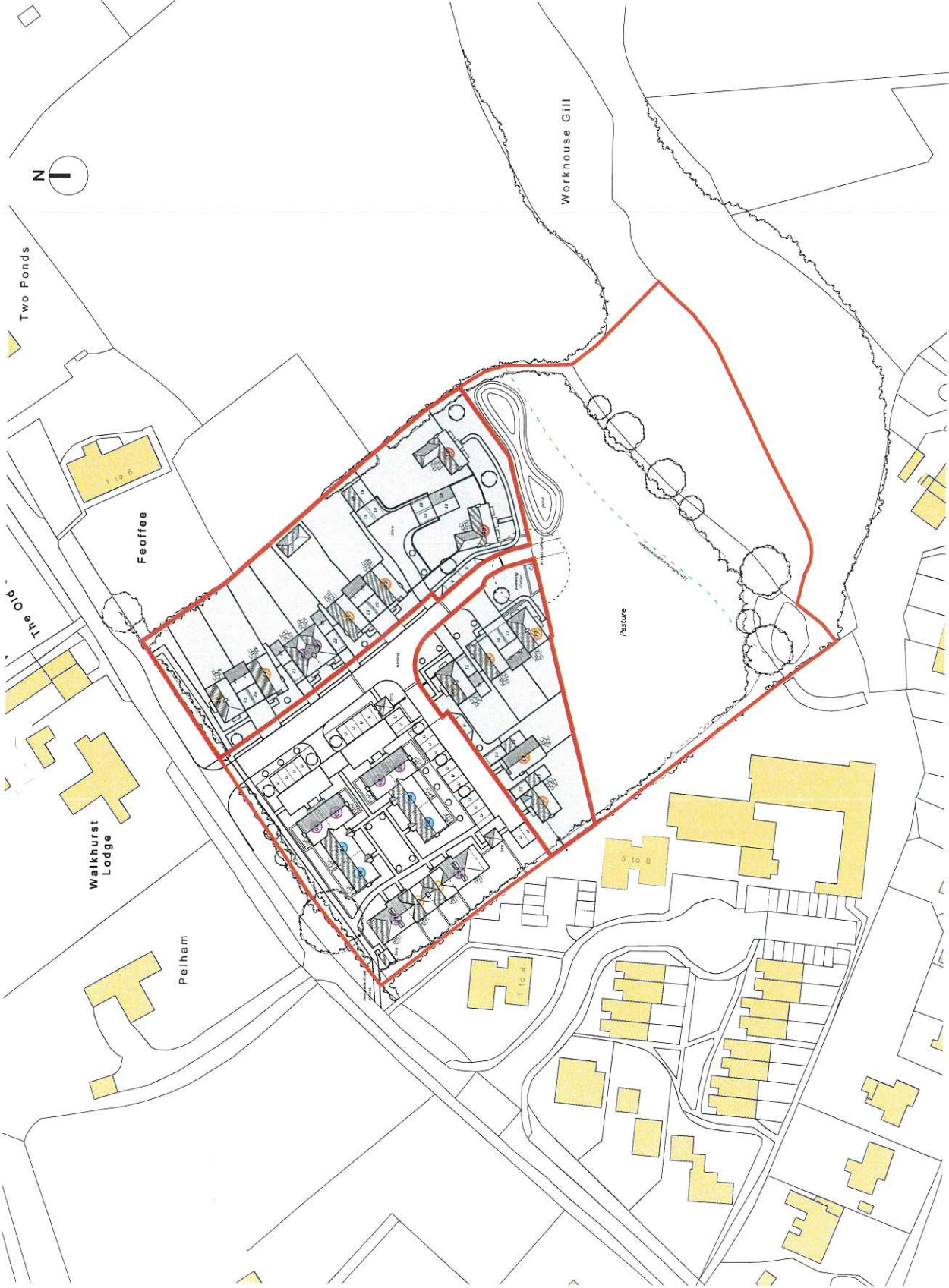
Appendix 2.2- Drawing 23240C/12 Revision A showing the location, type and size of each of the Alms House Dwellings on the Land



**NOTES**

Report all discrepancies, errors and omissions.  
 Verify all dimensions on site before commencing any work on site or  
 before starting any work.  
 All work to be carried out in accordance with the relevant British Standards, Codes of Practice and appropriate  
 manufacturers' recommendations that form part of the specification.  
 For all specialist work, see relevant drawings.  
 This drawing and design are copyright of Clague LLP  
 Registered in England No. 10742422

No.	Date	Description



**Key to Detailed Layout**

- 1 Bed Almshouse
- 2 Bed Almshouse
- 3 Bed Almshouse

**Key to Illustrative Layout**

- 2 Bed Dwelling
- 3 Bed Dwelling
- 4 Bed Dwelling

**Project Title**  
 Proposed Residential Development  
 Land adjacent to Feoffee Cottages  
 Walkhurst Road  
 Benenden

**Drawing Description**  
 Proposed Site Plan  
 Mix Plan

**Scale**  
 1:500@A1

**Drawn by**  
 JS

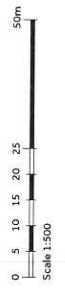
**Date**  
 March 2019

**Checked by**  
 TWM

**CLAGUE ARCHITECTS**

20 BROADWAY, LONDON  
 EC1A 3DF  
 1 BROADWAY, GERRARD LANE, WINDSOR  
 WINDSOR, WILTSHIRE, WY16 3JG  
 8, GARDY ROAD, CAMBERLEY, SURREY, GU15 2JF

CANTERBURY LONDON HERTFORDSHIRE



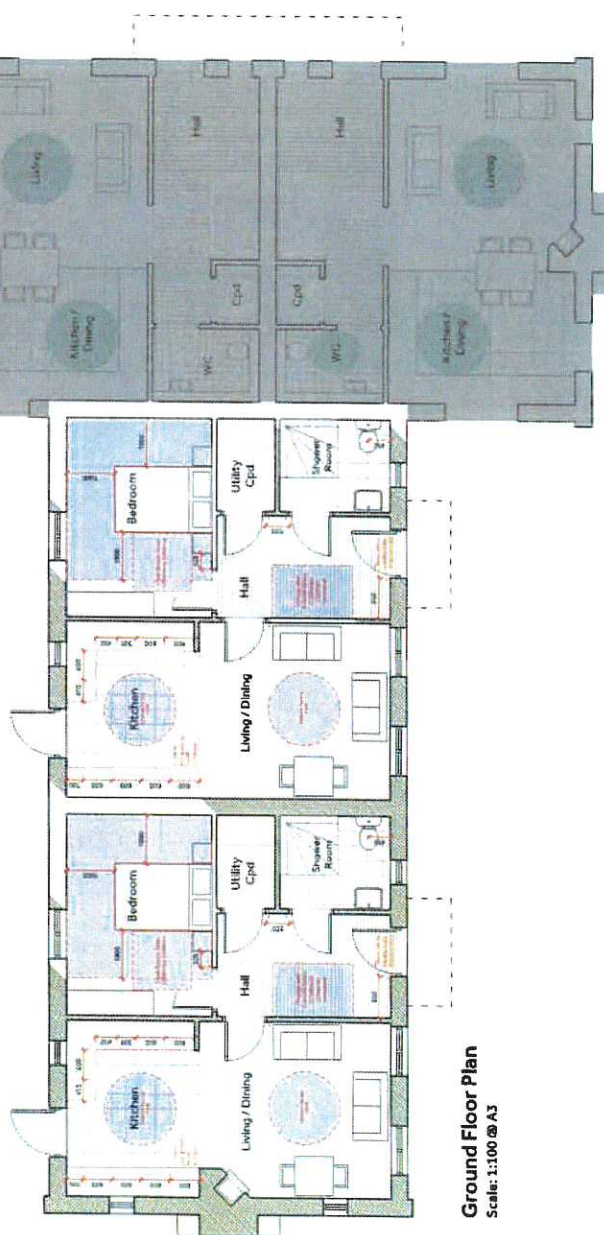


Appendix 2.3 -Drawing 23240C/24 and 23240C /100 showing the two (one bedroom)  
Almshouse Dwellings that are to be built to fully wheelchair accessible standards





# Benenden Almshouses Charities



**Ground Floor Plan**  
Scale: 1:100 @ A3



260620

**NOTES:**

- Report all discrepancies, errors and omissions
- Verify all dimensions on site before commencing any work on site or preparing shop drawings
- All materials, components and workmanship are to comply with the relevant British Standards, European Standards and applicable manufacturers recommendations that have been in force at the time of supply.
- For all specialist work, see relevant drawings
- This drawing and design are copyright of Clague LLP
- Registration number OC335946

Rev	Date	Description
-----	------	-------------

**Project Title**

**Proposed Residential Development  
Land adjacent to Feoffee Cottages  
Walkhurst Road  
Benenden**

**Drawing Description**

**Proposed Almshouse  
Units 5 to 8  
Proposed Floor Plans & Elevations  
Part M4(3) 1 Bed Accessible Flat**

<b>Scale</b>	1:100 @ A3
<b>Date</b>	June 2020
<b>Drawn by</b>	RH
<b>Checked by</b>	TWM

CLAGUE ARCHITECTS

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DATE: 26/06/20

DRAWING NUMBER: 23240C / 24

# Proposed Residential Development, Land adjacent to Feoffee Cottages, Walkhurst Road, Benenden



## APPENDIX 3 CHARITY SCHEME



Charity  
(otherwise the  
Feoffee Charity).

£.  
12,196.

Stamp £1

Scheme including appointment of Trustees  
and vesting in Official Trustees of  
Charity Lands.

# CHARITY COMMISSION.

In the matter of the following Charities, in the Parish of Benenden, in the County of Kent:-

1. The Charity known as the Thorn House Charity;
2. The Charity known as Gybbon's and Sharp's Charity (otherwise known as the Feoffee Charity); and

In the matter of the Charitable Trusts Acts, 1853 to 1939.

The Board of Charity Commissioners for England and Wales do hereby Order that the following Scheme be approved and established as the Scheme for the regulation of the above-mentioned Charities:-

## SCHEME.

1. Administration of Charities. - The above-mentioned Charities and the endowments thereof specified in the schedule hereto and all other the endowments (if any) of the Charities shall be administered and managed subject to and in conformity with the provisions of this Scheme under the title of the Benenden Almshouse Charities by the body of Trustees hereinafter constituted.

2. Vesting. - The land with the cottages thereon specified in the schedule hereto and belonging to the Charity numbered 2 above is hereby vested in The Official Trustees of Charity Lands for all the estate and interest therein belonging to or held in trust for that Charity.

3. Investments and cash. - The investments specified in the schedule hereto shall be transferred under the authority of further orders of the Charity Commissioners into the name of The Official Trustees of Charitable Funds. Sums of cash at any time belonging to the Charities and not needed for immediate working purposes shall be invested in the name of the said Official Trustees unless the Charity Commissioners otherwise direct.

## TRUSTEES.

4. Trustees. - The body of Trustees shall consist when complete of five competent persons being

One Ex-officio Trustee and  
Four Nominative Trustees.

5. Ex-officio Trustee. - The Ex-officio Trustee shall be the Vicar for the time being of Benenden.

6. Nominative Trustees. - The Nominative Trustees shall be appointed by the Parish Council of Benenden. Each appointment shall be made for a term of four years at a meeting convened and held according to the ordinary practice of the council. The chairman of the meeting shall cause the name of each person appointed to be notified forthwith to the Trustees or their clerk. The person appointed may be but need not be a member of the council.

7. *First Nominative Trustees.* - The following persons shall be the first Nominative Trustees and subject to the provisions hereinafter contained for determination of trusteeship shall be entitled to hold office as appointees of the council for the following periods respectively:-



EDWARD

William Ernest Barnett, of Scullsgate Farm, Farmer, and  
Harry Arnold Cole, of Walkhurst Lodge, Physician and Surgeon, both in Benenden,  
both for four years from the date of this Scheme;  
Douglas Downton Rollings, of The Poplars, Benenden, Company Director, for three  
years from the date of this Scheme;  
Albert ~~Barnes~~ Bateman, of Oaks Priors, Benenden, Retired Far Eastern Merchant,  
for two years from the date of this Scheme.

8. *Declaration by Trustees.* - No person shall be entitled to act as a Trustee whether on a first or on any subsequent entry into office until after signing in the minute book of the Trustees a declaration of acceptance and of willingness to act in the trusts of this Scheme.

9. *Determination of trusteeship.* - Any Nominative Trustee who is absent from all meetings during a period of one year and any Trustee who is adjudged bankrupt or makes a composition or arrangement with his creditors or who is incapacitated from acting or who communicates in writing to the Trustees a wish to resign shall cease thereupon to be a Trustee.

10. *Vacancies.* - Upon the occurrence of a vacancy the Trustees shall cause a note thereof to be entered in their minute book at their next meeting and in the case of a vacancy in the office of Nominative Trustee shall cause notice thereof to be given as soon as possible to the council. Any competent Trustee may be re-appointed.

#### MEETINGS AND PROCEEDINGS OF TRUSTEES.

11. *Ordinary meetings.* - The Trustees shall hold at least two ordinary meetings in each year.

12. *First meeting.* - The first meeting of the Trustees shall be summoned by the said Vicar or if he fails for three calendar months after the date of this Scheme to summon a meeting by any two of the Trustees.

13. *Chairman.* - The Trustees at their first ordinary meeting in each year shall elect one of their number to be chairman of their meetings until the commencement of the first ordinary meeting in the following year. The chairman shall always be eligible for re-election. If at any meeting the chairman is not present within ten minutes after the time appointed for holding the same or there is no chairman the Trustees present shall choose one of their number to be chairman of the meeting.

14. *Special meetings.* - A special meeting may be summoned at any time by the chairman or any two Trustees upon four days' notice being given to the other Trustees of the matters to be discussed. A special meeting may be summoned to take place immediately after an ordinary meeting.

15. *Quorum.* - There shall be a quorum when three Trustees are present at a meeting.

16. *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 chairman of the meeting shall have a casting vote whether he has or has not voted previously on the same question but no Trustee in any other circumstances shall give more than one vote.

17. *Minutes and accounts.* - A minute book and books of account shall be provided and kept by the Trustees. All proper accounts in relation to the Charities shall be made out in each year and certified in such manner as the Charity Commissioners require and copies thereof shall be transmitted to the said Commissioners in compliance with the provisions of the Charitable Trusts Acts.

18. *General power to make regulations.* - Within the limits prescribed by this Scheme the Trustees shall have full power from time to time to make regulations for the management of the Charities and for the conduct of their business including the summoning of meetings, the appointment of a clerk, the deposit of money at a proper bank and the custody of documents.

#### MANAGEMENT OF LANDS.

19. *Allotments Extension Act, 1882.* - The Trustees shall let and otherwise manage in conformity with the provisions of the Allotments Extension Act, 1882, such of the lands belonging to the Charities as are subject to the provisions of section 4 of that Act. The Trustees may set apart and let in allotments in the manner prescribed by and subject to the provisions of the said Act any portion of the land belonging to the Charities other than buildings and the appurtenances of buildings.

20. *Management and letting of lands.* - Subject as aforesaid the Trustees shall let and otherwise manage all the lands belonging to the Charities not required to be retained or occupied for the purposes thereof. Except with the approval of the Charity Commissioners the Trustees shall give public notice of the intention to let any land in such manner as they consider most effectual for ensuring full publicity. The Trustees shall not create any tenancy in reversion after more than three years of any existing term or for more than 21 years certain or for less than the best rent obtainable without the sanction of the Charity Commissioners or a competent court.

21. *Leases.* - The Trustees shall provide that on the grant by them of any lease the lessee shall execute a counterpart thereof. Every lease shall contain covenants on the part of the lessee for the payment of rent, the proper cultivation of the land and all other usual and proper covenants applicable to the property comprised therein and a proviso for re-entry on non-payment of the rent or non-performance of the covenants.

22. *Repair and insurance.* - The Trustees shall keep in repair and insure for full value against fire all the buildings of the Charities not required to be kept in repair and insured by the lessees or tenants thereof.

#### APPLICATION OF INCOME.

23. *Application of income.* - The Trustees shall apply the income of the Charities in defraying the cost of repairs and insurance and all other charges and outgoings payable in respect of the property of the Charities and all the proper costs, charges and expenses of and incidental to the administration and management of the Charities.

#### ALMSHOUSES AND ALMSPEOPLE.

24. *Use and appropriation.* - The land with the three cottages thereon known as the Thorn House and the land with the four cottages thereon known as the Workhouse belonging respectively to the Charities numbered 1 and 2 above and more particularly described in the schedule hereto shall be appropriated and used for the residence of almspeople in conformity with the provisions of this Scheme.

25. *Qualifications of almspeople.* - The almspeople shall be poor persons of good character who (except in special cases to be approved by the Charity Commissioners) are resident in the Parish of Benenden at the time of appointment.

26. *Incapacity of almspeople.* - The Trustees may provide the almspeople at the cost of the Charities with any necessary attendance in case of serious illness or permanent infirmity.

27. *Contributions.* - The Trustees may make it a condition of appointing or permitting any person to be or remain an almsperson that he or she shall contribute towards the cost of maintaining the almshouses a weekly sum of not more than 5s. or such sum as the Charity Commissioners approve from time to time for each almshouse.

28. *Notice of vacancy.* - No appointment of an almsperson shall be made by the Trustees until a sufficient notice of an existing vacancy specifying the qualifications required from candidates has been published in the Parish of Benenden by advertisement or otherwise so as to give due publicity to the intended appointment but it shall not be necessary to publish a notice if a vacancy occurs within twelve calendar months after the last notice of a vacancy has been published. Notices may be according to the form annexed hereto.

29. *Application for appointment.* - All applications for appointment shall be made in writing to the Trustees or their clerk in such manner as the Trustees direct. Before appointing any applicant to be an almsperson the Trustees shall require him or her to attend in person unless he or she is physically disabled or the Trustees are of opinion that special circumstances render this unnecessary. Every applicant must be prepared with sufficient testimonials and other evidence of his or her qualification for appointment.

31. *Appointments of almspeople.* - Every appointment of an almsperson shall be made by the Trustees at a special meeting.

32. *Records.* - The Trustees shall provide and keep a book in which shall be entered the name, age and description of every person appointed to be an almsperson, the date of every appointment and the date and occasion of every vacancy. They shall also keep a register of all applications for appointment.

33. *Absence from almshouses.* - No almsperson shall be absent from the almshouses for a period exceeding 24 hours without having first notified the Clerk of the Trustees or one of them the Trustees. No almsperson shall be absent for more than 7 days at any one time or more than 20 days in any one year without the consent of the Trustees.

34. *Rooms not to be let.* - No almsperson shall be permitted to let or part with the possession of the room or rooms allotted to him or her or except with the special permission of the Trustees to suffer any person to share the occupation of the same or of any part thereof.

35. *Removal of almspeople.* - (1) The following persons may be removed from being almspeople:-

- (a) Any almsperson who in the opinion of the Trustees is guilty of insobriety, insubordination, breach of regulations or immoral or improper conduct;
- (b) Any almsperson who in the opinion of the Trustees no longer has the required qualifications;
- (c) Any almsperson who has been appointed without having the required qualifications;
- (d) Any almsperson who is suffering from mental or other disease or infirmity rendering him or her unfit to remain an almsperson.

(2) Upon the removal of any almsperson the Trustees shall take possession of the room or rooms occupied by him or her.

(3) Any almsperson removed under section (1) of this clause on account of mental or other disease or infirmity may be re-appointed on recovery without previous notice being given of the vacancy and need not have the qualification as to residence.

36. *Regulations.* - The Trustees may prescribe from time to time such reasonable regulations as they consider expedient for the government of the almshouses and the almspeople but so that the same shall not be at variance or inconsistent with any of the provisions of this Scheme and by such regulations may provide that the almspeople shall render such assistance to each other as is within their power.

GENERAL PROVISIONS.

37. *Appropriation of benefits.* - The appropriation of the benefits of the Charities shall be made by the Trustees at meetings of their body and not separately by any individual Trustee or Trustees.

38. *Trustees not to be personally interested.* - No Trustee shall take or hold any interest in property belonging to the Charities otherwise than as a Trustee for the purposes thereof and no Trustee shall receive remuneration, or be interested in the supply of work or goods, at the cost of the Charities.

39. *Charities not to relieve public funds.* - The funds or income of the Charities shall not be applied in relief or rates, taxes or other public funds.

40. *Questions under Scheme.* - Any question as to 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 Charity Commissioners upon such application made to them for the purpose as they think sufficient.









