STATUTORY INSTRUMENTS

2015 No. 1799

EDUCATION, ENGLAND

The Diocese of Guildford (Educational Endowments) (Down Road Church of England School) (Amendment) Order 2015

Made - - - -	*15th October 2015*
Coming into force - -	*4th November 2015*

WHEREAS—

(1) the endowment of the educational foundation known as Down Road Church of England School, in the County of Surrey ("the foundation"), referred to in the Diocese of Guildford (Educational Endowments) (Down Road Church of England School) Order 2010(**a**) ("the principal Order"), made under sections 554 and 556 of the Education Act 1996(**b**) has been shown to the satisfaction of the Secretary of State for Education ("the Secretary of State") to be or to have been held in connection with the provision of religious education in accordance with the tenets of the Church of England at a voluntary school, the premises of which have ceased to be used for the purposes of such a school;

(2) article 3(1) of the principal Order provides for the division of the assets representing the endowment of the foundation ("the trust assets"), being the site of the former school and buildings erected thereon, into two separate trust funds namely the Down Road School Fund and the Down Road Religious Education Fund;

(3) article 4 of the principal Order appoints the Guildford Diocesan Board of Education ("the Board of Education") as trustee of the Down Road School Fund and appoints the Rector, Vicar and Churchwardens for the time being of the Parish of Merrow as trustees of the Down Road Religious Education Fund;

(4) article 4 of the principal Order vests the trust assets in the Board of Education. Article 5 of the principal Order authorises the Board of Education to sell the site of the former school and buildings erected thereon and thereafter to account to the trustees of the Down Road Religious Education Fund for the proportion of the capital and income of the trust assets provided for in article 3(1) of the principal Order;

(5) application for an order varying the provisions made in the principal Order has been made to the Secretary of State by the Board of Education, which body appears to her to be the appropriate authority of the Church of England for the purpose;

(6) the Board of Education wishes the provisions in the principal Order relating to the appointment of the Board of Education as trustee of the foundation and of the Down Road School Fund to be varied and the Guildford Diocesan Board of Finance ("the Board of Finance") named as trustee of that foundation and Fund in its place. The Board of Education also wishes the provisions in the principal Order to be varied to vest the trust assets of the foundation in the Board of Finance in place of the Board of Education.

(**a**) S.I. 2010/2435.

(**b**) 1996 c.56. Section 554 was amended by paragraph 168 of Schedule 30 to the School Standards and Framework Act 1998 (c.31) and section 556 was amended by paragraph 169 of that Schedule.