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<b>Report To:</b>	<b>Trustees of Council's Charities</b>	<b>Date:</b>	<b>8<sup>th</sup> October 2015</b>
<b>Report By:</b>	<b>Honorary Treasurer</b>	<b>Report No:</b>	<b>FIN/96/15/JB/BA</b>
<b>Contact Officer:</b>	<b>Jan Buchanan</b>	<b>Contact No:</b>	<b>01475 712225</b>
<b>Subject:</b>	<b>Reorganisation of SC019229 William Stewart of St Fillans Bequest</b>		

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## 1.0 PURPOSE

- 1.1 The purpose of this report is to seek the approval of trustees for the reorganisation of the charity and the distribution of the funds between two local charities, Little Sisters of the Poor and Greenock Medical Aid.

## 2.0 SUMMARY

- 2.1 At the previous meeting of 4<sup>th</sup> June 2015, trustees approved actions to wind up the William Stewart of St Fillans Bequest and thereafter to distribute the remaining funds and apply to have the Bequest removed from the OSCR register.
- 2.2 This trust dates back to 1868 and its charitable purpose is to promote the religious and intellectual improvement of the poor and destitute of Greenock. Trustees have discretion as to distributions from the Bequest. The current arrangements are that the annual distribution is divided equally between four organisations - Greenock Medical Aid, Little Sisters of the Poor, Caladh House and Argyll & Clyde Acute Hospital Endowment Fund. There is £1,361 in reserves plus a creditor of £30 for awards for previous years.
- 2.3 Research since the June meeting has disclosed that two of these organisations are no longer active in the area. The Caladh House Association was taken over by Turning Point Scotland in 2013 and the Argyll & Clyde Acute Hospital Endowment Fund also no longer operates, the former health board having been split between two successor Health Boards. It is proposed to pay out to only the two who remain active.
- 2.4 It is therefore proposed that the trustees, in the exercise of their discretion, approve a full and final transfer of all remaining funds in equal shares between the Little Sisters of the Poor and Greenock Medical Aid. Both organisations are registered Scottish charities, are still active and provide a service for the benefit of the poor in Inverclyde. This sits well with the charitable purpose of the trust. OSCR has informally indicated that the proposal is reasonable and an application is likely to be acceptable to them.

## 3.0 RECOMMENDATIONS

- 3.1 It is recommended that the trustees:
- approve the submission of an application or applications to OSCR for consent to reorganise the Trust to permit transfer by the Trustees of the whole funds held by the Trust (both by way of the original endowment and unrestricted revenue reserves) to the Little Sisters of the Poor and Greenock Medical Aid (an equal share to each), to wind up the Trust by making such a transfer, and to remove the Trust from the Scottish Charity Register;
  - decide to reorganise the Trust on the basis set out at a) above, but that only following on OSCR approval of the same; and

- c) decide to transfer the whole funds held by the Trust (both by way of the original endowment and unrestricted revenue reserves) to the Little Sisters of the Poor and Greenock Medical Aid (an equal share to each) and so wind up the Trust, but that only after reorganisation in terms of b) above.

Alan Puckrin  
Honorary Treasurer

## 4.0 IMPLICATIONS

### Finance

4.1 There are no financial implications arising from this report.

#### Financial Implications:

##### One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report £000	Virement From	Other Comments
Trusts	William Stewart	2015/16	1.4		

##### Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact £000	Virement From (If Applicable)	Other Comments

### 4.2 Legal

The review of the charities will entail further applications to OSCR for either a reorganisation scheme or schemes under Sections 39-45 of the Charities and Trustees Investment (Scotland) Act 2005 or to have a charity wound up under s.16(2)(c) of the Charities and Trustees Investment (Scotland) Act 2005. Officers from Legal will require to enter dialogue with OSCR to progress matters, prepare and submit all necessary forms to OSCR, and such formal documentation as is required to implement the reorganisation following on OSCR approval.

### 4.3 Human Resources

There are no HR implication arising from this report.

#### Equalities

4.4 There are no equalities implications arising from this report.

#### Repopulation

4.5 There are no repopulation implications arising from this report.

## 5.0 CONSULTATIONS

5.1 a) The Head of Property and Legal Services has been consulted about the matters in this report.