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**East Dunbartonshire Council**

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**EAST DUNBARTONSHIRE COUNCIL CHARITABLE TRUSTS**

TRUSTEES' ANNUAL REPORT AND ACCOUNTS

FOR THE YEAR ENDED 31 MARCH 2019

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## Annual Trustees' Report

### Introduction

The Trustees present the annual report together with the audited financial statements for the year ended 31 March 2019.

### ADMINISTRATION INFORMATION

<b>Charity Names &amp; Numbers</b>	<b>East Dunbartonshire Council Charitable Trusts</b> <b>Robert Lillie Trust</b> <b>Talbot Crosbie Bequest</b>	<b>SC025074</b> <b>SC018495</b> <b>SC018494</b>
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**Principal Office** East Dunbartonshire Council HQ  
Southbank Marina  
12 Strathkelvin Place  
Kirkintilloch G66 1TJ

**Contact Address** East Dunbartonshire Council  
Finance  
Broomhill Industrial Estate  
Kirkintilloch G66 1TF

**Trustees Appointed 23 May 2017** Councillor Stewart MacDonald  
Councillor John Jamieson  
Councillor Vaughan Moody  
Councillor Andrew Polson

**Auditor** Peter Lindsay  
Audit Scotland  
4<sup>th</sup> Floor, South Suite  
The Athenaeum Building  
8 Nelson Mandela Place  
Glasgow G2 1BT

### Structure and Governance

East Dunbartonshire charitable trusts are registered with the Office of the Scottish Charity Regulator (OSCR).

The governing documents are:

East Dunbartonshire Council Charitable Trusts, Lennoxton Memorial Cairn - extract from Minute of Meeting of Western No.3 Campsie and Baldernock District Council, dated 14 November 1949 re Lennoxton Memorial Cairn.

East Dunbartonshire Council Charitable Trusts, Miss Hutchison's Legacy - extract of Will of Miss Hutchison dated 27 & 28 October 1941.

Robert Lillie Trust – the Will of Robert Lillie, dated 26 April 1949.

Talbot Crosbie Bequest – the Will of John Burrell Talbot Crosbie, dated 23 September 1968.

The governance arrangements are now under the control of East Dunbartonshire Council (the Council), who appoint Trustees as required. All Trustees are elected members of East Dunbartonshire Council. Following the Local Government elections on 4 May 2017 the trustees were appointed on 23 May 2017 to replace those appointed on 15 November 2012.

The charity Trustees have overall responsibility for ensuring that there are appropriate systems of controls, financial and otherwise. They are also responsible for keeping proper accounting records which disclose with reasonable accuracy at any time the financial position of the charity and enable them to ensure that the financial statements comply with the Charities Accounts (Scotland) Regulations 2006. They are also responsible for safeguarding the assets of the charity and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities and to provide reasonable assurances that:

- the charities are operating efficiently and effectively
- the charitable assets are safeguarded against unauthorised use and disposition
- proper records are maintained and financial information used by the charities is reliable
- the charities comply with relevant laws and regulations

The systems of internal controls are designed to provide reasonable, but not absolute, assurance against material misstatement or loss. The systems of internal control follow that of the Council itself and, as such, much of this is delegated to the Chief Finance Officer (Section 95 Officer). The Council continually seeks to improve the effectiveness of its systems of internal control so that any irregularities are either prevented or quickly detected. The systems of internal control are based on a framework of regular management information, financial regulations, financial and administrative procedures (including segregation of duties), management supervision, and a system of delegation and accountability.

The Accounts and Trustees Report are prepared by the Finance service of the Council.

The appointed auditors are Audit Scotland. The Council has agreed to meet the cost of this audit and not pass this on to the Trust. This is to provide additional financial support to the Trust, ensuring that core funds are not eroded.

The Trustees meet annually and will ensure that the required accounting arrangements are adhered to. Due to the limited ability to spend funds under the current structure, approval was sought from OSCR to reorganise the Trusts. The funds for Lennoxton War Memorial Cairn and Miss Hutchison's Legacy will be utilised for the purposes that the charity was set up for. It is anticipated that these funds will be utilised in 2019/20. Approval has been granted by OSCR to reorganise the Robert Lillie and to transfer the assets of the Trust to East Dunbartonshire Leisure and Culture Trust which is working to achieve the same aims. This is in progress and it is expected that the funds will transfer early 2019/20.

## Management of Funds and Investment Policy

Decisions regarding the management of East Dunbartonshire Council Charitable Trusts are made by the Trustees. They rely on the expertise of the Council to manage the investments to ensure the maximum return at the least risk to the charity. In this way, the income stream for the future benefit of the charity is protected.

Funds available are invested each year with interest earned. Investments are made both internally, with the Council's Loans Fund, and externally for the Robert Lillie Trust and the Talbot Crosbie Bequest, which have investment funds managed by Brewin Dolphin.

## Objectives and Activities

East Dunbartonshire Council Charitable Trusts is an "umbrella" trust comprising two small bequests for the upkeep of Lennoxton Memorial Cairn and Regent Gardens in Kirkintilloch.

The Robert Lillie Trust was a bequest for the building and upkeep of an art gallery in or near Milngavie, to be called the Lillie Art Gallery. The original bequest was used to fund the creation of the Lillie Art Gallery in Milngavie, which is owned by the Council but currently managed by East Dunbartonshire Leisure and Culture Trust. The income from the remaining sum is used to meet the running costs of the gallery.

The Talbot Crosbie Bequest is being treated as Common Good and is available for use, at the Council's discretion, for the benefit of the occupants of the former Burgh of Bearsden. This is primarily achieved by giving grants to appropriate organisations in the area of the former Bearsden and Milngavie District Council.

## Performance

Income to East Dunbartonshire Council's charitable trusts comes from investment returns. The average interest rate for any internal investments with the Council's loans fund was 0.5% in 2018/19. There are also external investments for the Robert Lillie Trust and the Talbot Crosbie Bequest which are managed by Brewin Dolphin and these achieved an average yield of 3.0% and 3.7% respectively in 2018/19.

The funds from Miss Hutchison's Legacy will be used to refurbish part of Regent Gardens as part of the Kirkintilloch Town Centre Masterplan. The funds for the Lennoxton War Memorial Cairn will be used to plant poppies near where the Cairn was to mark the centenary of the end of WW1.

Greater investment returns in 2018/19 meant the amount given to EDLCT to help meet the Gallery's operating costs was £0.008m.

A total of £0.014m was paid out in grants and donations to community organisations in keeping with the aims of the Talbot Crosbie Bequest.

## Financial Review

The balances available to the Trusts and the income and expenditure during the financial year are set out in the Statement of Balances as at 31 March 2019 and the Statement of Receipts and Payments for the Year Ended 31 March 2019 in the financial statements following.

The Statement of Receipts and Payments overleaf shows a surplus of £0.001m for the Robert Lillie Trust and a surplus of £0.019m for the Talbot Crosbie due to a net increase of income over expenditure during 2018/19.

Reserves are held by the Council on behalf of the Trust and revenue income, generated from capital that has not been disbursed at 31 March every year, is invested in line with the investment policy outlined above. In general, the Trusts maintain the original capital sum and any expenditure will be from interest earned. This is in line with the conditions of the foundation of the Trusts. These amounts are shown in the Statement of Balances.

## Declaration

This report was signed on behalf of the Trustees on 26 September 2019 by:

.....  
**Councillor Vaughan Moody**  
Trustee  
East Dunbartonshire Council

.....  
**Councillor Andrew Polson**  
Trustee  
East Dunbartonshire Council

# Report of the Independent Auditors to the Trustees of East Dunbartonshire Council Charitable Trusts

## **Independent auditor's report to the trustees of Talbot Crosbie Bequest (SC018494), Robert Lillie Trust (SC018495), East Dunbartonshire Council Charitable Trusts (SC025074)**

### **Report on the audit of the financial statements**

#### **Opinion on financial statements**

I certify that I have audited the financial statements in the statement of accounts of Talbot Christie Bequest, Robert Lillie Trust and East Dunbartonshire Council Charitable Trusts for the year ended 31 March 2019 under Part VII of the Local Government (Scotland) Act 1973 and section 44(1)(c) of the Charities and Trustee Investment (Scotland) Act 2005. The financial statements comprise the Statement of Receipts & Payments, the Statement of Balances and notes to the financial statements, including a summary of significant accounting policies. The financial reporting framework that has been applied in their preparation is applicable law and a receipts and payments basis.

In my opinion the accompanying financial statements:

- properly present the receipts and payments of the charities for the year ended 31 March 2019 and its statement of balances at that date; and
- have been prepared in accordance with the requirements of the Charities and Trustee Investment (Scotland) Act 2005, and regulations 9(1),(2) and (3) of The Charities Accounts (Scotland) Regulations 2006.

#### **Basis for opinion**

I conducted my audit in accordance with applicable law and International Standards on Auditing (UK) (ISAs (UK)), as required by the Code of Audit Practice approved by the Accounts Commission for Scotland. My responsibilities under those standards are further described in the auditor's responsibilities for the audit of the financial statements section of my report. I am independent of the charities in accordance with the ethical requirements that are relevant to my audit of the financial statements in the UK including the Financial Reporting Council's Ethical Standard, and I have fulfilled my other ethical responsibilities in accordance with these requirements. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

#### **Responsibilities of the trustees for the financial statements**

The trustees are responsible for the preparation of financial statements which properly present the receipts and payments of the charities, and for such internal control as the trustees determine is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

#### **Auditor's responsibilities for the audit of the financial statements**

My objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISAs (UK) will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements

A further description of the auditor's responsibilities for the audit of the financial statements is located on the Financial Reporting Council's website [www.frc.org.uk/auditorsresponsibilities](http://www.frc.org.uk/auditorsresponsibilities) . This description forms part of my auditor's report

#### **Other information in the statement of accounts**

The trustees are responsible for the other information in the statement of accounts. The other information comprises the information other than the financial statements and my auditor's report thereon. My opinion on the financial statements does not cover the other information and I do not express any form of assurance conclusion thereon except on matters prescribed by the Accounts Commission or required by applicable law to the extent explicitly stated later in this report

In connection with my audit of the financial statements, my responsibility is to read all the other information in the statement of accounts and, in doing so, consider whether the other information is materially inconsistent with the

financial statements or my knowledge obtained in the audit or otherwise appears to be materially misstated. If I identify such material inconsistencies or apparent material misstatements, I am required to determine whether there is a material misstatement in the financial statements or a material misstatement of the other information. If, based on the work I have performed, I conclude that there is a material misstatement of this other information, I am required to report that fact. I have nothing to report in this regard

## **Report on other requirements**

### **Opinion on matter prescribed by the Accounts Commission**

In my opinion, based on the work undertaken in the course of the audit the information given in the Trustees' Annual Report for the financial year for which the financial statements are prepared is consistent with the financial statements and that report has been prepared in accordance with The Charities Accounts (Scotland) Regulations 2006.

### **Matters on which I am required to report by exception**

I am required by The Charity Accounts (Scotland) Regulations 2006 to report to you if, in my opinion:

- proper accounting records have not been kept; or
- the financial statements are not in agreement with the accounting records; or
- I have not received all the information and explanations I require for my audit.

I have nothing to report in respect of these matters.

### **Use of my report**

This report is made solely to the parties to whom it is addressed in accordance with Part VII of the Local Government (Scotland) Act 1973 and for no other purpose. In accordance with paragraph 120 of the Code of Audit Practice, I do not undertake to have responsibilities to members or officers, in their individual capacities, or to third parties.

Peter Lindsay  
Senior Audit Manager  
Audit Scotland  
4th Floor, South Suite  
The Athenaeum Building  
8 Nelson Mandela Place  
Glasgow  
G2 1BT

26 September 2019

Peter Lindsay (Audit Scotland) is eligible to act as an auditor in terms of Part VII of the Local Government (Scotland) Act 1973.

## Statement of Receipts and Payments for the Year Ended 31 March 2019

Charity	Unrestricted Funds						
	2018/19						
	Receipts			Payments			Surplus / (Deficit)
	Note	Income	Net	Investment	Net Cost of	Grants &	
from		Receipt	Managemt				
	Investments	from	Costs	Activities			
	b c d	£	£	£	£	£	£
EDC Charitable Trusts		25	0	0	0	0	25
Robert Lillie		6,858	3,739	1,416	0	8,352	829
Talbot Crosbie		29,025	10,981	6,118	0	14,601	19,287
<b>Total</b>		<b>35,908</b>	<b>14,720</b>	<b>7,534</b>	<b>0</b>	<b>22,953</b>	<b>20,141</b>

Charity	Unrestricted Funds						
	2017/18						
	Receipts			Payments			Surplus / (Deficit)
	Note	Income	Net	Investment	Net Cost of	Grants &	
from		Receipt	Managemt				
	Investments	from	Costs	Activities			
	b c d	£	£	£	£	£	£
EDC Charitable Trusts		15	0	0	0	0	15
Robert Lillie		6,664	0	1,887	4,977	-194	-6
Talbot Crosbie		27,326	0	6,275	15,491	2,340	3,220
<b>Total</b>		<b>34,005</b>	<b>0</b>	<b>8,162</b>	<b>20,468</b>	<b>2,146</b>	<b>3,229</b>

## Statement of Balances as at 31 March 2019

Unrestricted Funds 2017/18 (Restated)			Unrestricted Funds 2018/19				
Opening Balance	Surplus / (Deficit)	Closing Balance	Cash and Bank	Opening Note Balance	Surplus / (Deficit)	Closing Balance	
£	£	£		£	£	£	
			East Dunbartonshire Council				
5,071	15	5,086	Charitable Trusts	5,086	25	5,111	
36,660	-6	36,654	Robert Lillie	36,654	829	37,483	
151,681	3,220	154,901	Talbot Crosbie	154,901	19,287	174,188	
<b>193,412</b>	<b>3,229</b>	<b>196,641</b>	<b>Total Cash and Bank</b>	<b>e</b>	<b>196,641</b>	<b>20,141</b>	<b>216,782</b>
Market Value 31 March 2018			<b>Investments</b>	Market Value as at 31 March 2019			
		211,427	Robert Lillie			217,749	
		698,644	Talbot Crosbie			721,607	
<b>0</b>	<b>0</b>	<b>910,071</b>	<b>Total Investments</b>	<b>f</b>	<b>0</b>	<b>0</b>	<b>939,356</b>
Value as at 31 March 2018			<b>Other Assets</b>	Value as at 31 March 2019			
<b>0</b>	<b>0</b>	<b>0</b>	<b>Total Other Assets</b>	<b>0</b>	<b>0</b>	<b>0</b>	
Value as at 31 March 2018			<b>Liabilities</b>	Value as at 31 March 2019			
<b>0</b>	<b>0</b>	<b>0</b>	<b>Total Liabilities</b>	<b>0</b>	<b>0</b>	<b>0</b>	
<b>193,412</b>	<b>3,229</b>	<b>1,106,712</b>	<b>Overall Total Net Assets</b>	<b>196,641</b>	<b>20,141</b>	<b>1,156,138</b>	

The unaudited annual financial statements were issued on 26 September 2019.

Signed on behalf of the Trustees on 26 September 2019 by:

.....  
**Councillor Vaughan Moody**  
 Trustee  
 East Dunbartonshire Council

.....  
**Councillor Andrew Polson**  
 Trustee  
 East Dunbartonshire Council

## Notes to the Accounts

### *a) Basis of Accounting*

The financial statements have been prepared in accordance with the Charities & Trustee Investment (Scotland) Act 2005 and the Charities Accounts (Scotland) Regulations 2006.

### *b) Trustee Remuneration, Expenses and Related Party Transactions*

- No remuneration or expenses were paid to the Trustees or any connected persons during the year 2018/19;
- The Trusts received interest of £716 in total from the Council at 31 March 2019, and all transactions incoming and outgoing are made via the Council's bank accounts;
- The Council has not charged the charity any fees for legal, financial or administrative services provided during the year. The Council has also absorbed the cost of the fee payable for the audit of the Trusts' accounts.

### *c) Investment Activities*

As Brewin Dolphin, acting as the Trust's investment manager, bought and sold investments on behalf of the Robert Lillie Trust and the Talbot Crosbie Bequest only the net effect of these transactions is shown in accordance with OSCR's guidelines.

Income and expenditure due but not received or paid in the financial year is shown as an asset or liability in the Statement of Balances so that the closing balance reflects the balance sheet for the Trust. Assets and liabilities are shown at *g* and *h*.

### *d) Payments*

No payments were made during 2018/19 for East Dunbartonshire Council Charitable Trusts.

A contribution of £0.008m (2017/18 £0.000m) was allocated from the Robert Lillie Trust towards the running cost of the Lillie Art Gallery. This was made possible by the trading of stocks and shares by the investment managers, Brewin Dolphin, and the net cost of this activity is also shown in the Statement of Receipts and Payments.

Grants of £0.014m (2017/18 £0.002m) were made from the Talbot Crosbie Bequest, as detailed below.

<b>Group Name:</b>	<b>2018/19</b>	<b>2017/18</b>
	£	£
Baldernock Community Trust		240
Bearsden and Milngavie Highland Games		1,000
Enable - Milngavie and Bearsden Branch	1,750	1,000
Stockiemuir and Buccleuch Tennants Association (SABTA)		100
Bearsden Festival Association	786	
Bearsden Lawn Tennis Club	750	
Milngavie and Bearsden Amateur Swimming Club	2,700	
Milngavie and Bearsden Men's Shed	2,000	
Milngavie in Bloom	500	
Milngavie Town Centre Bid Ltd	300	
Milngavie Old People's Welfare Committee	3,315	
Milngavie Pipe Band	1,500	
The Way Ahead Group	1,000	
	<b>14,601</b>	<b>2,340</b>

### *e) Cash and Bank Balances*

During the year the balances for the Trusts were held by the Council, which manages the administration of the funds on behalf of the Trustees. No costs were incurred by the Trust for this administration. The Council also acts as the banker for the charity and, as detailed above, all transactions incoming and outgoing are made via the Council's accounts. The balances are repayable on demand. Interest is paid on balances.

**f) Investments**

The investment valuations of £0.218m for the Robert Lillie Trust and £0.722m for the Talbot Crosbie Bequest are the market valuation as at 31 March 2019, provided by Brewin Dolphin and reflect the decrease in the market value of the portfolios over the year.