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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 2020

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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 2020.

### 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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<b>Principal Office</b>	East Dunbartonshire Council HQ Southbank Marina 12 Strathkelvin Place Kirkintilloch G66 1TJ
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<b>Contact Address</b>	East Dunbartonshire Council Finance Broomhill Industrial Estate Kirkintilloch G66 1TF
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<b>Trustees Appointed 23 May 2017</b>	Councillor Stewart MacDonald Councillor John Jamieson Councillor Vaughan Moody Councillor Andrew Polson
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<b>Auditor</b>	Peter Lindsay Senior Audit Manager Audit Scotland 4 <sup>th</sup> Floor, South Suite The Athenaeum Building 8 Nelson Mandela Place Glasgow G2 1BT
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### 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 system of internal control is designed to provide reasonable, but not absolute, assurance against material misstatement or loss. The system of internal control follows 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 system of internal control so that any irregularities are either prevented or quickly detected. The system of internal control is 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. The funds for Lennoxton War Memorial were utilised in 2019/20 to plant poppy seeds near the Cairn. Miss Hutchison's Legacy will be used for work on Regent Gardens in Kirkintilloch. Consultation has taken place in partnership with Kirkintilloch Community Council and it is anticipated that these funds will be utilised in 2020/21. Approval was granted by OSCR to reorganise the Robert Lillie and to transfer the assets of the Trust to East Dunbartonshire Leisure and Culture Trust. This transfer took place at the start of 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 and the remaining funds were transferred to East Dunbartonshire Leisure and Culture Trust at the start of 2019/20. A letter was received from OSCR 21<sup>st</sup> August 2019 confirming that the charity had been removed from the Scottish Charity Register.

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 2019/20. There are also external investments for the Talbot Crosbie Bequest which are managed by Brewin Dolphin and these achieved an average yield of 4.1% in 2019/20.

The funds from Miss Hutchison's Legacy will be used to refurbish part of Regent Gardens as part of the Kirkintilloch Town Centre Masterplan. It is anticipated these funds will be spent in 2020/21. The funds for the Lennoxton War Memorial Cairn were used in 2019/20 to plant poppies near where the Cairn was to mark the centenary of the end of WW1.

A total of £0.015m 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 2020 and the Statement of Receipts and Payments for the Year Ended 31 March 2020 in the financial statements following.

The Statement of Receipts and Payments overleaf shows a surplus of £0.018m for the Talbot Crosbie due to a net increase of income over expenditure during 2019/20.

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 19 November 2020 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 2020 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 the United Kingdom Accounting Standards, including Financial Reporting Standard 102 The Financial Reporting Standard applicable in the UK and Republic of Ireland (United Kingdom Generally Accepted Accounting Practice).

In my opinion the accompanying financial statements:

- give a true and fair view of the state of affairs of the charities as at 31 March 2020 and of its incoming resources and application of resources for the year then ended;
- have been properly prepared in accordance with United Kingdom Generally Accepted Accounting Practice; and
- have been prepared in accordance with the requirements of the Charities and Trustee Investment (Scotland) Act 2005, and regulation 8 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.

### **Conclusions relating to going concern basis of accounting**

I have nothing to report in respect of the following matters in relation to which the ISAs (UK) require me to report to you where:

- the use of the going concern basis of accounting in the preparation of the financial statements is not appropriate; or
- the trustees have not disclosed in the financial statements any identified material uncertainties that may cast significant doubt about ability of the charities to continue to adopt the going concern basis of accounting for a period of at least twelve months from the date when the financial statements are authorised for issue.

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

The trustees are responsible for the preparation of financial statements that give a true and fair view in accordance with the financial reporting framework, 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.

In preparing the financial statements, the trustees are responsible for assessing the charities' ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless deemed inappropriate.

## **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 SORP (FRS 102).

### **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 Athenauem Building  
8 Nelson Mandela Place  
Glasgow  
G2 1BT

19 November 2020

Peter Lindsay is eligible to act as an auditor in terms of Part VII of the Local Government (Scotland) Act 1973 (for Audit Scotland staff and firms where auditor is not eligible under the Companies Act)

## Statement of Receipts and Payments for the Year Ended 31 March 2020

Charity	Unrestricted Funds						
	2019/20						
	Receipts			Payments			Surplus / (Deficit)
	Income from	Net Receipt from		Investment Managemt Costs	Net Cost of Investment Activities	Grants & Donations	
Note		Investments	Broker				
	<b>b c d</b>	£	£	£	£	£	£
EDC Charitable Trusts		25	0	0	0	141	-116
Robert Lillie		9,052	0	0	0	46,535	-37,483
Talbot Crosbie		28,519	2,890	6,379	0	14,997	10,033
<b>Total</b>		<b>37,596</b>	<b>2,890</b>	<b>6,379</b>	<b>0</b>	<b>61,673</b>	<b>-27,566</b>

Charity	Unrestricted Funds						
	2018/19						
	Receipts			Payments			Surplus / (Deficit)
	Income from	Net Receipt from		Investment Managemt Costs	Net Cost of Investment Activities	Grants & Donations	
Note		Investments	Broker				
	<b>b c d</b>	£	£	£	£	£	£
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>

The payments for the Robert Lillie are for the transfer to EDLCT as agreed.

Unrestricted Funds 2018/19			Unrestricted Funds 2019/20				
Opening Balance	Surplus / (Deficit)	Closing Balance	Cash and Bank	Note	Opening Balance	Surplus / (Deficit)	Closing Balance
£	£	£			£	£	£
			East Dunbartonshire Council				
5,086	25	5,111	Charitable Trusts		5,111	-116	4,995
36,654	829	37,483	Robert Lillie		37,483	-37,483	0
154,901	19,287	174,188	Talbot Crosbie		174,188	10,033	184,221
<b>196,641</b>	<b>20,141</b>	<b>216,782</b>	<b>Total Cash and Bank</b>	<b>e</b>	<b>216,782</b>	<b>-27,566</b>	<b>189,216</b>
Market Value 31 March 2019			<b>Investments</b>		Market Value as at 31 March 2020		
		217,749	Robert Lillie				0
		721,607	Talbot Crosbie				621,298
<b>0</b>	<b>0</b>	<b>939,356</b>	<b>Total Investments</b>	<b>f</b>	<b>0</b>	<b>0</b>	<b>621,298</b>
Value as at 31 March 2019			<b>Other Assets</b>		Value as at 31 March 2020		
<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 2019			<b>Liabilities</b>		Value as at 31 March 2020		
<b>0</b>	<b>0</b>	<b>0</b>	<b>Total Liabilities</b>		<b>0</b>	<b>0</b>	<b>0</b>
<b>196,641</b>	<b>20,141</b>	<b>1,156,138</b>	<b>Overall Total Net Assets</b>		<b>216,782</b>	<b>-27,566</b>	<b>810,514</b>

## Statement of Balances as at 31 March 2020

The audited annual financial statements were issued on 19 November 2020.

Signed on behalf of the Trustees on 19 November 2020 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 2019/20;
- The Trusts received interest of £808 in total from the Council at 31 March 2020, 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.

### *d) Payments*

A payment of £0.001m was made from East Dunbartonshire Council Charitable Trusts to purchase the poppy seeds for Lennoxton Memorial.

A transfer took place during 2019/20 to transfer the remaining funds of the Robert Lillie to East Dunbartonshire Leisure & Culture Trust.

Grants of £0.015m (2018/19 £0.014m) were made from the Talbot Crosbie Bequest, as detailed below.

<b>Group Name:</b>	<b>2019/20</b>	<b>2018/19</b>
	<b>£</b>	<b>£</b>
Bearden Baptist Church	482	
Bearsden and Milngavie Highland Games	2,000	
Bearsden Festival Association		786
Bearsden Lawn Tennis Club	500	750
Enable - Milngavie and Bearsden Branch	1,000	1,750
Maxholme Pre School Playgroup	500	
Milngavie and Bearsden Amateur Swimming Club		2,700
Milngavie and Bearsden Men's Shed	1,315	2,000
Milngavie Community Development Trust	2,500	
Milngavie in Bloom	1,000	500
Milngavie Old People's Welfare Committee	2,500	3,315
Milngavie Pipe Band	2,000	1,500
Milngavie Tennis Club	200	
Milngavie Town Centre Bid Ltd		300
The Way Ahead Group	800	1,000
Westerton Over Sixties Club	200	
	<b>14,997</b>	<b>14,601</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 valuation of £0.621m for the Talbot Crosbie Bequest is the market valuation as at 31 March 2020, provided by Brewin Dolphin and reflect the decrease in the market value of the portfolios over the year. This is a result of the impact of COVID-19 on global markets.