



NORTH AYRSHIRE COUNCIL TRUST FUNDS
TRUSTEES' ANNUAL REPORT AND FINANCIAL STATEMENTS
FOR THE YEAR ENDED
31 March 2021

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1. INTRODUCTION

The Trustees present the Annual Report together with the Financial Statements and the Auditor's Report for the year ended 31 March 2021.

ADMINISTRATION INFORMATION

The following Charities' Financial Statements are included in this report:

Charity Number	Charity Name	Charity Number	Charity Name
SC042136	Anderson Park Trust	SC043644	North Ayrshire Council (Dalry) Charitable Trust
SC042101	Douglas Sellers Trust	SC043600	North Ayrshire Council (Kilbirnie & Glengarnock) Charitable Trust
SC042117	Margaret Archibald Bequest	SC043374	North Ayrshire Council (Kilwinning) Charitable Trust
SC025083	North Ayrshire Council Charitable Trust	SC043494	North Ayrshire Council (Largs) Charitable Trust

Contact Address

North Ayrshire Council
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Cunninghame House
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KA12 8EE

Auditor

Deloitte LLP
110 Queen Street
Glasgow
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Current Trustees

Robert Barr
John Bell
Timothy Billings
Marie Burns
Ian Clarkson
Joe Cullinane
Scott Davidson
Anthea Dickson
John Easdale
Todd Ferguson
Robert Foster
Scott Gallacher
Alex Gallagher
Margaret George
John Glover
Tony Gurney

Alan Hill
Christina Larsen
Shaun Macaulay
Tom Marshall
Jean McClung
Ellen McMaster
Ronnie McNicol
Louise McPhater
Davina McTiernan
Jimmy Miller
Jim Montgomerie
Ian Murdoch
Donald L Reid
Donald Reid
Ronnie Stalker
Angela Stephen
John Sweeney

2. STRUCTURE AND GOVERNANCE

The Charitable Trusts are registered with the Office of the Scottish Charity Regulator (OSCR).

The governing documents are:

	Charity Name	Governing Document	Dated
SC042136	Anderson Park Trust	Trust Disposition and Settlement	8 July 1960
SC042101	Douglas Sellers Trust	Trust Disposition and Settlement	21 January 1955
SC042117	Margaret Archibald Bequest	Trust Deed	22 July 1992
SC025083	North Ayrshire Council Charitable Trust	No overall governing documents. Available documents include: Spier's Trust: Trust Scheme North Ayrshire Museum: Scheme of Administration and Minute of Agreement Hugh Watt Bursary: Deed of Trust John Hugh Watt Scholarship Prize: Deed of Gift	1978 1958 1974 1873 1920
SC043644	North Ayrshire Council (Dalry) Charitable Trust	Trust Deed	26 November 2012
SC043600	North Ayrshire Council (Kilbirnie & Glengarnock) Charitable Trust	Trust Deed	23 October 2012
SC043374	North Ayrshire Council (Kilwinning) Charitable Trust	Trust Deed	20 July 2012
SC043494	North Ayrshire Council (Largs) Charitable Trust	Trust Deed	7 September 2012

During 2020/21 McGavin Park Trust held within North Ayrshire Council Charitable Trust was wound up, with the agreement of the Office of the Scottish Charity Regulator, following the exhaustion of its capital through the disbursement of grants.

The Trustees of the Charitable Trusts are the elected members of North Ayrshire Council and are appointed through their election to the Council.

The Head of Finance is the designated officer within North Ayrshire Council with responsibility for the proper administration of the Charitable Trusts' financial affairs. The Head of Finance is responsible for keeping proper accounting records that are up to date and which ensure that financial statements comply with the Charities Accounts (Scotland) Regulations 2006.

The Head of Finance has considered and taken steps to address any risks to which the Charity may be exposed, in particular those related to its operation and finances. Trustees are satisfied that adequate systems are in place to mitigate exposure to such risks.

3. MANAGEMENT OF FUNDS AND INVESTMENT POLICY

Decisions regarding the management of the Trusts have been delegated by the Council to the relevant Locality Partnerships.

The Trustees rely on the expertise of North Ayrshire Council to manage the investments to ensure the maximum return and the least risk to the Charities. In this way, the income stream for the future benefit of the Charities is protected.

The funds of the Charities are deposited with North Ayrshire Council (see note 7) and invested in stocks and shares in a variety of companies (see note 8).

4. OBJECTIVES AND ACTIVITIES

Charity Number	Charity Name	Objectives
SC042136	Anderson Park Trust	Provision of recreational facilities or the organisation of recreational activities in the Burgh of Largs.
SC042101	Douglas Sellers Trust	Maintenance, improvement and advancement of recreational facilities within the Burgh of Irvine; Maintenance, improvement and floral decoration of open spaces within the Burgh of Irvine.
SC042117	Margaret Archibald Bequest	Relief of those in need who are aged 65 and over and who reside in the Parish of Dalry.
SC025083	North Ayrshire Council Charitable Trust	Encouragement and promotion of education among students, including bursaries and prizes awarded; Provision of recreational facilities or organisation of recreational activities; Upkeep of war memorials.
SC043644	North Ayrshire Council (Dalry) Charitable Trust	Prevention or relief of poverty; Provision of recreational facilities or the organisation of recreational activities; Relief of those in need by reason of age, ill health, disability, financial hardship or other disadvantage.
SC043600	North Ayrshire Council (Kilbirnie & Glengarnock) Charitable Trust	Prevention or relief of poverty; Provision of recreational facilities or the organisation of recreational activities; Relief of those in need by reason of age, ill health, disability, financial hardship or other disadvantage.
SC043374	North Ayrshire Council (Kilwinning) Charitable Trust	Prevention or relief of poverty; Provision of recreational facilities or the organisation of recreational activities; Relief of those in need by reason of age, ill health, disability, financial hardship or other disadvantage.

Income received is expended on awards and, where necessary, supplemented by revenue reserves.

Charity Number	Charity Name	Objectives
SC043494	North Ayrshire Council (Largs) Charitable Trust	Prevention or relief of poverty; Provision of recreational facilities or the organisation of recreational activities; Relief of those in need by reason of age, ill health, disability, financial hardship or other disadvantage.

5. PERFORMANCE

Income to the Charities comes from property rents, share dividends and investment returns.

In the year to 31 March 2021, 4 awards of grant totalling £2,661.00 were disbursed.

The impact of Covid related restrictions resulted in fewer than anticipated grant applications during 2020/21.

6. FINANCIAL REVIEW

Overview

In the year to 31 March 2021, the Charitable Trusts made a surplus of £7,843 (2019/20 Deficit of £15,870).

The Trusts held cash and bank balances at 31 March 2021 of £176,541 (2019/20 £168,699).

The increase in balances relates to income from property rents, share dividends and investment returns, partly offset by the utilisation of funds through the disbursement of grants noted above.

In addition, the Trusts held investments in the form of stocks and shares in a variety of companies with a market value of £283,872 at 31 March 2021 (2019/20 £272,112), (see note 8).

Future Plans

The Charitable Trusts will continue to promote their activities and consider applications submitted by individuals and groups who meet the criteria.

The ongoing impact of the Covid-19 pandemic has resulted in a greater than normal degree of uncertainty within financial markets which may have an adverse impact on the value of stocks and shares held by the Trusts over the course of 2021/22. However, given the current levels of Bank and Cash balances available to the Trusts, it is not anticipated that this will have any impact on the ability of the Trusts to disburse grants during 2021/22.

Where any Trusts have been identified as low value or dormant, North Ayrshire Council will continue to identify options for utilising Trust balances and these will be presented to Trustees when available.

The undernoted Trusts have been identified as dormant having made no disbursements for at least one year, however it is recognised that the pandemic and subsequent lockdown restrictions have impacted on the level of grant disbursement activity during 2020/21:

Charity Number	Charity Name	Period Dormant
SC042136	Anderson Park Trust	Over 5 years
SC025083	North Ayrshire Council Charitable Trust bequests: Largs War Memorial North Ayrshire Museum Sir James Dyer Simpson Spiers Trust	Over 5 years Over 5 years Current Year Current Year
SC042101	Douglas Sellers Trust	Over 2 Years
SC043600	North Ayrshire Council (Kilbirnie & Glengarnock) Charitable Trust	Over 2 Years
SC043644	North Ayrshire Council (Dalry) Charitable Trust	Current Year
SC043494	North Ayrshire Council (Largs) Charitable Trust	Current Year
SC043374	North Ayrshire Council (Kilwinning) Charitable Trust	Current Year

Reserves Policy

Reserves are held by North Ayrshire Council on behalf of the Trust and revenue income generated from the capital which has not been disbursed at 31 March each year is invested in North Ayrshire Council's Loans Fund.

7. DECLARATION

This report was signed on behalf of the Trustees on 27 September 2021 by:

Mark Boyd

Mark Boyd
Head of Finance
North Ayrshire Council

Joe Cullinane

Councillor Joe Cullinane
Leader
North Ayrshire Council

Independent auditor's report to the trustees of North Ayrshire Council Trust Funds and the Accounts Commission

Report on the audit of the financial statements

Opinion on financial statements

We certify that we have audited the financial statements in the statement of accounts of North Ayrshire Council Trust Funds for the year ended 31 March 2021 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 and 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 our opinion the accompanying financial statements:

- properly present the receipts and payments of the charity for the year ended 31 March 2021 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

We conducted our 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. Our responsibilities under those standards are further described in the auditor's responsibilities for the audit of the financial statements section of our report. We are independent of the charity in accordance with the ethical requirements that are relevant to our audit of the financial statements in the UK including the Financial Reporting Council's Ethical Standard, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our 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 charity, 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

Our 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 our 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 <https://www.frc.org.uk/auditorsresponsibilities>. This description forms part of our auditor's report.

Extent to which the audit was considered capable of detecting irregularities, including fraud

Irregularities, including fraud, are instances of non-compliance with laws and regulations. We design procedures in line with our responsibilities outlined above to detect material misstatements in respect of irregularities, including fraud. Procedures include:

Independent Auditor's Report

- considering the nature of the charity's control environment and reviewing the charity's documentation of their policies and procedures relating to fraud and compliance with laws and regulations. We also enquired with management and those charged with governance about their own identification and assessment of the risks of irregularities;
- obtaining an understanding of the applicable legal and regulatory framework and how the charity is complying with that framework;
- identifying which laws and regulations are significant in the context of the charity;
- assessing the susceptibility of the financial statements to material misstatement, including how fraud might occur; and
- considering whether the audit team collectively has the appropriate competence and capabilities to identify or recognise non-compliance with laws and regulations.

We obtained an understanding of the legal and regulatory framework that the body operates in, and identified the key laws and regulations that:

- had a direct effect on the determination of material amounts and disclosures in the financial statements. This included the Charities and Trustee Investment (Scotland) Act 2005 and the Charities Accounts (Scotland) Regulations 2006.
- do not have a direct effect on the financial statements but compliance with which may be fundamental to the body's ability to operate or to avoid a material penalty. These included the Scottish Charity Regulator (OSCR) regulations.

We discussed among the audit engagement team regarding the opportunities and incentives that may exist within the organisation for fraud and how and where fraud might occur in the financial statements.

As a result of the performing the above, we identified the greatest potential for fraud was in relation to the grant payments. The risk is that grants are paid to external bodies by the charity that do not satisfy the charity's objectives. In response to this risk, we tested a sample of grant payments made in the year to confirm that they have been made in accordance with the charity's objectives.

In common with all audits under ISAs (UK), we are also required to perform specific procedures to respond to the risk of management override. In addressing the risk of fraud through management override of controls, we tested the appropriateness of journal entries and other adjustments; and evaluated the business rationale of any significant transactions that are unusual or outside the normal course of business.

In addition to the above, our procedures to respond to the risks identified included the following:

- reviewing financial statement disclosures by testing to supporting documentation to assess compliance with provisions of relevant laws and regulations described as having a direct effect on the financial statements;
- performing analytical procedures to identify any unusual or unexpected relationships that may indicate risks of material misstatement due to fraud;
- enquiring of management and internal legal counsel concerning actual and potential litigation and claims, and instances of non-compliance with laws and regulations; and
- reading minutes of meetings of those charged with governance.

The extent to which our procedures are capable of detecting irregularities, including fraud, is affected by the inherent difficulty in detecting irregularities, the effectiveness of the charity's controls, and the nature, timing and extent of the audit procedures performed.

Independent Auditor's Report

Irregularities that result from fraud are inherently more difficult to detect than irregularities that result from error as fraud may involve collusion, intentional omissions, misrepresentations, or the override of internal control. The capability of the audit to detect fraud and other irregularities depends on factors such as the skilfulness of the perpetrator, the frequency and extent of manipulation, the degree of collusion involved, the relative size of individual amounts manipulated, and the seniority of those individuals involved.

Reporting on other requirements

Statutory other information

The trustees are responsible for the statutory other information in the statement of accounts. The statutory other information comprises the Trustees' Annual Report.

Our responsibility is to read all the statutory other information and, in doing so, consider whether the statutory other information is materially inconsistent with the financial statements or our knowledge obtained in the audit or otherwise appears to be materially misstated. If we identify such material inconsistencies or apparent material misstatements, we are required to determine whether this gives rise to a material misstatement in the financial statements themselves. If, based on the work we have performed, we conclude that there is a material misstatement of this statutory other information, we are required to report that fact. We have nothing to report in this regard.

Our opinion on the financial statements does not cover the statutory other information and we do not express any form of assurance conclusion thereon except to the extent explicitly stated in the following opinion prescribed by the Accounts Commission.

Opinion prescribed by the Accounts Commission

In our 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 we are required to report by exception

We are required by The Charity Accounts (Scotland) Regulations 2006 to report to you if, in our opinion:

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

We have nothing to report in respect of these matters.

Use of our 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, we do not undertake to have responsibilities to members or officers, in their individual capacities, or to third parties.

Sarah Anderson

Sarah Anderson, FCCA (for and on behalf of Deloitte LLP)
1 City Square
Leeds
LS1 2AL
United Kingdom
27 September 2021

Deloitte LLP is eligible to act as an auditor in terms of section 1212 of the Companies Act 2006

Statement of Receipts and Payments for year ended 31 March 2021

The Statement of Receipts and Payments, as required by the Charities Accounts (Scotland) Regulations 2006, provides an analysis of the incoming and outgoing cash and bank transactions for the year.

The funds are classed as 'Restricted' because they have specific objectives, as set out in Section 4 of the Trustees' Annual Report.

2020-21		Receipts			Payments			Surplus / (Deficit)
Charity	Description	Investments	Property Rents	Total Receipts	Charitable Activities	Governance Costs	Total Payments	
		£	£	£	£	£	£	£
SC042136	Anderson Park Trust	1	-	1	-	152	152	(151)
SC042101	Douglas Sellers Trust	2	-	2	-	153	153	(151)
SC042117	Margaret Archibald Bequest	6,573	-	6,573	2,136	376	2,512	4,061
SC025083	North Ayrshire Council Trust	3,233	2,660	5,893	525	583	1,108	4,785
SC043644	Dalry Trust	6	-	6	-	161	161	(155)
SC043600	Kilbirmie & Glengarnock Trust	9	-	9	-	166	166	(157)
SC043374	Kilwinning Trust	100	-	100	-	325	325	(225)
SC043494	Largs Trust	18	-	18	-	182	182	(164)
Total		9,942	2,660	12,602	2,661	2,098	4,759	7,843

2019-20		Receipts			Payments			Surplus / (Deficit)
Charity	Description	Investments	Property Rents	Total Receipts	Charitable Activities	Governance Costs	Total Payments	
		£	£	£	£	£	£	£
SC042136	Anderson Park Trust	5	-	5	-	153	153	(148)
SC042101	Douglas Sellers Trust	7	-	7	-	154	154	(147)
SC042117	Margaret Archibald Bequest	10,882	-	10,882	8,400	360	8,760	2,122
SC025083	North Ayrshire Council Trust	3,671	2,660	6,331	3,973	621	4,594	1,737
SC043644	Dalry Trust	20	-	20	1,264	162	1,426	(1,406)
SC043600	Kilbirmie & Glengarnock Trust	28	-	28	-	167	167	(139)
SC043374	Kilwinning Trust	214	-	214	16,549	328	16,877	(16,663)
SC043494	Largs Trust	56	-	56	1,100	182	1,282	(1,226)
Total		14,883	2,660	17,543	31,286	2,127	33,413	(15,870)

Statement of Balances as at 31 March 2021

The Statement of Balances, as required by the Charities Accounts (Scotland) Regulations 2006, reconciles the cash and bank balances at the start and end of the financial year, with any surpluses or deficits shown in the Statement of Receipts and Payments.

2020-21		Bank and Cash in Hand			Land and Buildings	Investments
Charity	Description	Opening Balance	Surplus / (Deficit)	Closing Balance	Market Value at 31 March	Market Value at 31 March
		£	£	£	£	£
SC042136	Anderson Park Trust	461	(151)	310	-	-
SC042101	Douglas Sellers Trust	742	(151)	591	-	-
SC042117	Margaret Archibald Bequest	44,486	4,061	48,547	-	199,209
SC025083	North Ayrshire Council Trust	72,654	4,785	77,439	145,000	84,663
SC043644	Dalry Trust	2,331	(155)	2,176	-	-
SC043600	Kilbirnie & Glengarnock Trust	3,433	(157)	3,276	-	-
SC043374	Kilwinning Trust	37,831	(225)	37,606	-	-
SC043494	Largs Trust	6,760	(164)	6,596	-	-
Total		168,698	7,843	176,541	145,000	283,872

2019-20		Bank and Cash in Hand			Land and Buildings	Investments
Charity	Description	Opening Balance	Surplus / (Deficit)	Closing Balance	Market Value at 31 March	Market Value at 31 March
		£	£	£	£	£
SC042136	Anderson Park Trust	609	(148)	461	-	-
SC042101	Douglas Sellers Trust	890	(147)	743	-	-
SC042117	Margaret Archibald Bequest	42,363	2,122	44,485	-	202,417
SC025083	North Ayrshire Council Trust	70,917	1,737	72,654	145,000	69,695
SC043644	Dalry Trust	3,737	(1,406)	2,331	-	-
SC043600	Kilbirnie & Glengarnock Trust	3,572	(139)	3,433	-	-
SC043374	Kilwinning Trust	54,495	(16,663)	37,832	-	-
SC043494	Largs Trust	7,986	(1,226)	6,760	-	-
Total		184,569	(15,870)	168,699	145,000	272,112

The unaudited accounts were issued on the 23 June 2021. The audited accounts were authorised for issue on 27 September 2021

Signed on behalf of the Trustees on 27 September 2021 by:

Mark Boyd
Head of Finance
North Ayrshire Council

Councillor Joe Cullinane
Leader
North Ayrshire Council

1. 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.

2. Reorganisation

During the period 2012 to 2014, North Ayrshire Council undertook a review of Sundry Trusts that resulted in the creation of eight new Town Trusts. The North Ayrshire Council Charitable Trust comprises those registered charitable funds that were not amalgamated on a geographical basis, including:

Name of Trust Fund	Purpose
North Ayrshire Museum	For Benefit of North Ayrshire Museum
War Memorial Fund	Largs War Memorial Fund
Sir James Dyer Simpson	Education Prize for Largs Academy
Spier's Trust	Education Prize for the Garnock Valley
Robert Fleck Award	Education Prize for Saltcoats schools
Hugh Watt Bursary Fund	Education Prize for Irvine schools
John Hugh Watt Scholarship Prize	Education Prize for Irvine Royal Academy

3. Taxation

The Charitable Trusts are not liable to income or capital gains tax on their activities. Irrecoverable VAT is included in the expense to which it relates.

4. Trustee Remuneration, Expenses and Related Party Transactions

- No remuneration or expenses were paid to the Trustees or any connected persons during the year 2020/21 or 2019/20; and
- The Trusts received interest of £458 (2019/20: £1,246) from North Ayrshire Council at 31 March 2021 and all transactions incoming and outgoing are made via the Council's bank accounts; and
- For 2020/21 charges for administration costs of £825 (2019/20: £798) have been levied by North Ayrshire Council.

5. Grants

4 awards of grant, totalling £2,661.00, were awarded to individuals and community groups during 2020/21 (2019/20: 16 grants totalling £31,285.62 were awarded). 1 grant was awarded to a community group, 1 to an individual and 2 to schools, all for the benefit of the local community.

6. Audit Fee

The audit fee for the year was £1,200 (2019/20: £1,200), allocated across all Trusts.

7. Cash and Bank Balances

During the year the Trust's balances were held by North Ayrshire Council, which manages the administration of the funds on behalf of the Trustees. 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.

8. Investments

Two of the Trusts hold the following investments:

Margaret Archibald Bequest	Nominal Value	Market Value at 31 March 2021	Market Value at 31 March 2020
	£	£	£
GlaxoSmithKline plc	1,183	60,948	71,690
Marks & Spencer plc	400	2,225	1,460
Diageo plc	400	42,750	36,994
Barclays plc	336	2,499	1,263
Royal Dutch Shell plc	563	8,624	8,786
Unilever plc	37	48,875	49,116
British American Tobacco plc	300	33,288	33,108
		199,209	202,417

North Ayrshire Council Charitable Trust	Purchase Price / Nominal Value	Market Value at 31 March 2021	Market Value at 31 March 2020
	£	£	£
JPM UK Higher Income Fund	1,790	6,997	5,532
Merchants Trust	406	8,060	6,013
Alliance Trust	73	26,867	18,618
Zeneca Group plc	68	19,567	19,483
Diageo	217	23,173	20,049
		84,663	69,695

9. Land and Buildings

Income from property relates to grazing rents at Marshallands Grazings, Barrmill Road, Beith. The land was purchased for £25,000 in 2004 by the Spier's Trust and was last revalued in 2020/21 to a current market value of £145,000. No depreciation is charged.