

Monthly Agenda – August 2008

There will be a meeting of the community council at 7pm Monday 4th August in the Burgh Chambers of the Town Hall, Queen's Gardens. There will be a short break at about 8pm during which the 200 Club draw will be made. The meeting is audio-recorded to assist the secretary in producing the minutes.

(Copies of Agendas and Minutes of the Community Council are held at Fife Council's Local Office, St Mary's Place and the Town Library, Church Square. Those from late 1997 on are on line at <http://www.standrewscc.net/>)

1. Apologies

2. Minutes of July 2008

Read for accuracy in matters of substance – harangue the secretary for minor errors (spelling etc) outwith the meeting.

3. Presentations

3.1. Museums and Library Review Presentation

3.2. St Andrews Hospital Travel Plan

William Dove to make a short presentation

4. Fife Councillors

4.1. Frances Melville

4.2. Bill Sangster

4.3. Robin Waterston

4.4. Dorothea Morrison

5. Planning Committee

5.1. Planning Committee Reports

6. Matters Arising from Previous Meetings

6.1. Bandstand Concerts – see appendix B

6.2. Beautiful Scotland Judges Visit

The judges are to visit on Wednesday 6th August starting at 9.30 am – Ken Crichton to report on details of visit.

6.3. Luxury Tourism Awards - update

6.4. New St Andrews Hospital Name

Letter from Anne Herring with attached list of names and reason why they have a local relevance – suggested names are

1. The Saltire Hospital or Hospital and Health Centre.
2. St Andrews Community Hospital or Hospital and Health Centre.
3. Pipeland Brae Hospital or Hospital and Health Centre.
4. St Regulus Hospital or Hospital and Health Centre.

Copies of the form will be circulated at the meeting.

Comments to be back by 29th August.

6.5. Reports from Representatives

6.6. Any Other Matters Arising

7. From Committees

7.1. Recreation

7.2. General Purposes

7.3. 200 Club

7.4. Health, Education & Welfare Committee

8. New Business

8.1. Transition Towns

Email from Roddy Yarr asking if CC will be discussing this topic and requesting the chance to make a short presentation next month.

8.2. Proposed Reorganisation of Trust Funds

See appendix C

9. Reports from Office Bearers

9.1. Chair

9.2. Treasurer

9.3. Secretary

9.3.1. Correspondence – Appendix A.

10. Any Other Competent Business

Please notify Chair of AOCB items before the start of the meeting or at the break. Hint: Given that the end of the meeting is often taken in something of a rush, unless items are urgent it might be better to submit them for next meeting's New Business.

Appendix A Correspondence

23/07/08	Fife Council- Performance and Organisational Support	Consultation on Proposed Re-organisation of Trusts – extension of date of consultation until 25 th September
July 2008	ASCC	Two copies of the Community Councillor Newsletter for Summer 2008
11/07/08	Fife Licensing Board	Notice to Community Councils – Applications for Premises Licences
14/07/08	Gordon Christie Toys	Copy of letter sent to Transportation Services regarding obstruction caused by work at former Wilson Ironmongers premises and its effect upon local traders.
25/07/08	St Andrews Hospital & Health Centre Project Team	Letter in reply to Catherine Rowe apologising for being unable to attend CC to give presentation on travel plan, but proposing holding a public meeting on 4 th September.
July 2008	Lady Haig's Poppy Factory	Price List for Poppy Wreaths 2008
16/07/08	St Andrews in Focus	Invoice for Sept/Oct 2008 St Andrews in Focus
18/07/08	Fife Council- Performance and Organisational Support	Proposed Reorganisation of Trust Funds
15/07/08	Fife Council Finance & Procurement	Invoice Reminder for booking Town Hall 005/05/08
25/07/08	St Andrews Kilrymont Rotary	Offer to run Bandstand Concerts from 2009
20/07/08	Lorraine Gardiner, Fife Council	Questionnaire for a Masters Thesis on the effect of PAN 81 in relation to Community Councils and Planning.
24/07/08	Barbara Weaver	Email from this lady who is a municipal court judge from Killeen, Texas who wishes to court officials and Sherriffs etc
22/07/08	New Hospital Project Office	Letter with form which lists various suggestions for name of new hospital which can be voted upon!
July 2008	Patrick Loughlin	Email reply to enquiry about Luxury Tourism Awards

Appendix B. Bandstand support Offer from Kilrymont Rotary

Subject: Bandstand Support

Date: Fri, 25 Jul 2008 12:27:17 +0100

For Attention Patrick Marks

Our Club is well aware of problems in getting support for running the summer bandstand program and clearly a major disappointment that there will be none this year.

The St Andrews Kilrymont Club has one its main aims to support local community and feel the Summer Bandstand Program would be a suitable project for our Club.

Our thinking was to discuss with you the option of our Club taking responsibility for the Bandstand Program from next summer, possibly for 3 years.

If this would be of interest, the Club would appreciate an early opportunity to meet with the Community Council to discuss this. Perhaps you could contact me to arrange a meeting?

Regards

Will Aitken

Secretary St Andrews Kilrymont Rotary Club

Appendix C: Proposed Re-organisation of Trust Funds

Proposed Re-organisation of Trust Funds

The Council has recently been reviewing the way it administers Trust Funds held by it in terms of the local government legislation. These vary greatly in size and character but many are currently inactive because the Trust purposes have either failed or are out of date.

To make the distribution of monies out of these Trust Funds more effective, it is proposed to ask the office of the Scottish Charity Regulator to allow the funds to be re-organised into a series of Trusts, with one for each settlement, with the purposes being broadly to do with relief of poverty.

Below is a draft report which it is proposed to put to the Council's Policy, Finance and Asset Management Committee on this subject on the 23rd October 2008 and I am writing to ask if your Community Council have any observations to make on its terms.

Comments to be sent in by the Thursday 25th September 2008.

Andrew Ferguson

Team Leader (Democratic Services)

ADMINISTRATION OF TRUST FUNDS

1.0 Introduction

1.1. The Council currently administers 183 trust funds across the whole of Fife. Funds under management currently amount to £2,440,000.

1.2. The purposes of these trusts vary widely between the relief of poverty and the upkeep of specific memorials or public areas. Some of these purposes have been exhausted; some of them are incapable of now being fulfilled - for example, where an old folks' home which was to be the beneficiary has long since closed down - and some of the Trust purposes are no longer appropriate in a modern age, for example where funds were to be distributed to "deserving poor", or were grants of such things as "gifts of coal".

1.3. As a result, out of a total of 183 trusts, only 53 gave out monies in year 06/07, i.e. 71 % of them were inactive. Put another way, from the income available for distribution of £171,424 only £35,357 was in fact distributed in 06/07 - a total of 21%. The Charities and Trustee Investment (Scotland) Act 2005 and the Charities Reorganisation (Scotland) Regulations 2007, made under the Act, provide an opportunity to reorganise the trusts in such a way that they can be administered effectively, efficiently and for maximum benefit to the community.

1.4. The proposal therefore is that the existing trusts either be transferred into a new trust with broad charitable purposes, or be otherwise disposed of in such a way that the funds can be properly utilised. The trusts would be set up on a settlement by settlement basis so that there would be separate trusts, for example, for Kinghorn, Burntisland, Culross, and so on. The Council would formally be the trustees but decision making would be

delegated to the Area Committees, and to the Executive Director, Performance and Organisational Support, in consultation with the relevant Ward Members, for grants under £5,000.

1.5. Excluded from consideration in this report are both the Fife Educational Trust, Fife Environment Trust and any opencast mineral royalty trust set up under specific planning agreements relating to areas affected by open cast developments. Certain other individual trusts such as the Galloway Trust in Colinsburgh will also be dealt with separately.

2.0 Option Appraisal

2.1 A Working Group of officers from Performance & Organisational Support, Finance and Resources, and Asset and Facilities Management Services have been appraising the various options available to the Council. The options which have been appraised are:

A. A do nothing option. This would continue the current cycle of stagnation in relation to some of the trust funds under management of the Council and would not appear to be the best management of resources.

B. Creation of a Fife-wide charitable trust. This would have the benefit of ease of administration. However, many of the trusts refer to very specific localities and it would seem to be going against the spirit of the Trust purposes in almost every case by creating a single central trust. In addition, discussions with the Office of the Scottish Charity Regulator (OSCR) would indicate that such a reorganisation would be unlikely to be acceptable to them.

C. Reorganisation on an area committee basis. This option was considered in the context of the old area committee structure of three areas. However, even with the seven area committees, similar arguments to the previous option might apply in that the specific trust purposes involved would not be being met. Again, OSCR have indicated that reorganisation on this basis is unlikely to be acceptable.

D. Reorganisation of trusts to a settlement by settlement basis i.e. trusts based on a particular town or village where one or more trust exists. This appears to be the best option in that the vast majority of the trusts relate to specific properties or specific settlements so that the spirit of what the person leaving the money intended can be complied with more fully whilst, at the same time, making the trusts both easier to administer and more effective in allowing distribution of monies. It also seems to be the option favoured by OSCR.

3.0 Monitoring and Evaluation

3.1 It is proposed that the grants be administered in accordance with the Council's Standard Monitoring Framework. All applications would require to be in the appropriate form. Where the application was from an organisation, then the appropriate accounts and constitution would be required.

3.2 In due course it is anticipated that reports back on the operation of the various settlement Trusts would be part of the ongoing scrutiny process.

4.0 Resource and Policy Implications

4.1 A decision to proceed on the basis recommended will initially require an additional workload which will be absorbed within existing staff resources. Financial implications of the decision will be limited to the size of the funds currently under management. There are no known property, legal, risk or policy impact implications. Persons who wish to object to the trust reorganisation will be entitled to do so by means of representations made to OSCR once the application has been received by them.

5.0 Consultation

5.1 All relevant local members as well as community councils have been consulted on the text of this report. [any consultation responses to be appended]

6.0 Conclusion and Recommendations

6.1 In order to achieve the reorganisation of the trust funds under management, it is proposed that a new charitable trust for each affected settlement. The majority of the existing trust funds would be transferred into the appropriate charitable trust. However, a number of other "trusts" are capable of being distributed immediately - in particular, the various cemetery funds which can be utilised by Community Services towards the upkeep of the relevant cemeteries. A current statement of the funds, their income, and disbursements made in the last financial year, is attached as Appendix 1.

6.2 It is accordingly recommended that Committee:

6.2.1 agree reorganisation of the existing trusts on the basis that they either be transferred into new trusts on a settlement by settlement basis with broad charitable purposes, or be otherwise disposed of in such a way that the funds can be properly utilised; decision making in respect of the settlement trusts being delegated to the Area Committees, and to the Executive Director, Performance and Organisational Support, in consultation with

the relevant Ward Members, for grants under £5,000., all subject to ongoing discussions with OSCR on the exact format of the trusts; and

6.2.2 notes that further reports on progress will be put to future meetings of this Committee.