

ANGUS COUNCIL

ENVIRONMENTAL & LEISURE SERVICES COMMITTEE – 29 MAY 2003

FRIENDS OF KIRRIEMUIR GATEWAY TO THE GLENS CHANGE OF CONSTITUTION

REPORT BY THE DIRECTOR OF LEISURE SERVICES

ABSTRACT

This report brings to the committee's attention minor changes to the Constitution of the Friends of Kirriemuir Gateway to the Glens in order to achieve charitable status.

1. RECOMMENDATION

It is recommended that the Committee notes the contents of this report.

2. BACKGROUND

A Friends of the award-winning Kirriemuir Gateway to the Glens was proposed in November 2000 (Report no 1026/00) and a constitution was approved by Council in November 2001 (Report No 1300/01).

Since then the Friends have ably supported the Museum and its activities and membership currently stands at 85.

In order to achieve charitable status, the committee of the Friends has been involved in detailed discussions with HMI Taxes and a few minor changes have been proposed.

In the opinion of the Cultural Services Manager, these changes do not affect the productive partnership working with the Council, and it is recommended that the Committee notes the changes. The details of the changes are attached in an appendix.

3. FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

4. HUMAN RIGHTS IMPLICATIONS

There are no Human Rights implications arising from this report.

5. CONSULTATION

The Chief Executive, the Director of Law and Administration and the Director of Finance have been consulted in the preparation of this report.

JOHN R ZIMNY
DIRECTOR OF LEISURE SERVICES

BACKGROUND PAPERS

NOTE: No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information), were relied on to any material extent in preparing this report.

APPENDIX

Section titled '**Objects and Powers**'

1. **Separate** this section into two distinct clauses: one headed 'Objects', the other 'Powers'.

2 Delete the following text in the original draft constitution:

OBJECTS AND POWERS

2. The object of the Association shall be the education of the public by promotion, support, assistance and improvement of the Kirriemuir Gateway to the Glens Museum (hereinafter referred to as 'The Museum') in co-operation with its management and staff.
3. In furtherance of this object, but not otherwise, the Association may:
 - a) Raise money and invite and receive contributions to be applied to the Museum's projects subject to clause 4;
 - b) Generally further the charitable purposes of the Museum and encourage the development of the facilities which it affords;
 - c) Appoint delegates and representatives and subscribe to any other bodies with whom the Association may be concerned;
 - d) Engage in, support and co-ordinate research, publishing, education, advertising and other charitable work for the furtherance of the said object;
 - e) Engage in any other lawful activities to promote the said object.
4. The Association shall not engage in any substantial permanent trading activities in raising funds for its charitable objects and shall conform to any relevant requirements of the law.

3. Insert under new heading of 'Objects', the following:

OBJECTS

"The objects of the Association shall be to advance the education of the public through the creation of a better understanding of and participation in the preservation of the historical, cultural and built heritage of Kirriemuir and its environs. In furtherance thereof, but not otherwise, the Association shall seek:

- I. To encourage and assist members of the local community and other voluntary groups to value, collect, display and enjoy historical and cultural artefacts relevant to the area by mounting displays, making presentations and undertaking research;
- II. To develop skills and extend knowledge of topical problems as they relate to the recording of local history;
- III. To raise awareness of the artefacts, skills and activities within the Gateway to the Glens Museum.

4. Insert under new heading of 'Powers', the following:

POWERS

In furtherance of this object, but not otherwise, the Association may:

- IV. Raise money and invite and receive contributions to be applied to the Association's projects subject to clause 4;
- V. Generally further the charitable purposes of the Association;
- VI. Appoint delegates and representatives and subscribe to any other bodies with whom the Association may be concerned;
- VII. Engage in, support and co-ordinate research, publishing, education, advertising and other charitable work for the furtherance of the said object;
- VIII. Engage in any other lawful activities to promote the said object.

5. **Delete** “FICO (Scotland)” in S. 33 and insert “Charities” (Inland Revenue Charities).
6. **Delete** the sentence (S. 35) beginning.... “Thereafter the Committee shall”, and **insert**

“In the event of the dissolution of the Association, any assets remaining after the satisfaction of all debts and liabilities shall not be paid to or distributed among the members of the Association, but shall be given or transferred to a recognised charitable organisation(s) having objects similar to those of the Association, failing which any assets will be held in trust for charitable purposes only.”