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To: Councillor Finlayson, Master of Mortifications; Councillor George Adam, the Lord Provost; Councillor Noble; and Mr Colin G. Taylor, Dean of Guild

Town House,
ABERDEEN 13 January 2015

GUILDRY AND MORTIFICATION FUNDS SUB COMMITTEE

The Members of the **GUILDRY AND MORTIFICATION FUNDS SUB COMMITTEE** are requested to meet in Committee Room 4 - Town House on **WEDNESDAY, 21 JANUARY 2015 at 10.00 am.**

JANE G. MACEACHRAN
HEAD OF LEGAL AND DEMOCRATIC SERVICES

BUSINESS

- 1 Minute of Previous Meeting of 14 April 2014 (Pages 1 - 4)
- 2 Guildry Funds - Review of Allowances (Pages 5 - 6)
- 3 Hamilton Monument Repair (Pages 7 - 10)
- 4 Dean of Guild Report (Pages 11 - 14)

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Agenda Item 1

GUILDRY AND MORTIFICATION FUNDS SUB COMMITTEE

ABERDEEN, 14 April 2014. - Minute of Meeting of the GUILDRY AND MORTIFICATION FUNDS SUB COMMITTEE. Present:- Councillor Finlayson, Master of Mortifications, Chairperson; Councillor Noble; and Mr Frederick G.S. Dalgarno, Dean of Guild.

The agenda and reports associated with this minute can be found at:-

<http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=419&MId=3362&Ver=4>

DETERMINATION OF EXEMPT BUSINESS

1. The Sub Committee was requested to determine that the following item of business, which contained exempt information as described in Schedule 7(A) of the Local Government (Scotland) Act 1973, be taken in private:-

- Sale of Ground, Torry Quay/Greyhope Road

The Sub Committee resolved:-

in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973 to exclude the press and public from the meeting during consideration of the aforementioned item of business (Article 5 of this minute refers) so as to avoid disclosure of exempt information of the classes described in paragraphs 6 and 9 of Schedule 7(A) of the Act.

MINUTE OF PREVIOUS MEETING

2. The Sub Committee had before it the minute of its previous meeting of 18 March 2013.

The Sub Committee resolved:-

to approve the minute.

REVIEW OF ALLOWANCES

3. The Sub Committee had before it a paper by the Head of Finance which (a) provided information concerning (1) the amount of allowances paid from the Guildry Funds to Burgesses of Guild, Widows and Widowers of Burgesses and Children of Burgesses from 1995 to 2012; and (2) the number of people receiving allowances for the same period; and (b) proposed that the allowances be increased by either 3% or 5% rounded up to the nearest £10, backdated, for 2013/14.

The Sub Committee resolved:-

to recommend that the following increases (5%) in annual allowances be approved by the Council backdated from 1 May 2013:-

Guildry Fund Allowance	Present Allowance	Proposed Allowance
Burgesses	£1,680	£1,765
Widows/Widowers of Burgesses	£1,680	£1,765
Children of Burgesses	£1,560	£1,640

REPORT BY DEAN OF GUILD

4. The Sub Committee had before it a report by the Dean of Guild which discussed the use of the Guildry funds.

The report explained that the Burgesses of the Guild of the City of Aberdeen were about to celebrate the granting of a Royal Charter by King Alexander II who came to the throne in 1214. The precise date of granting was not known however a programme of events was planned to celebrate this important landmark in the history of Aberdeen's oldest civic body.

The report highlighted that concern had been expressed that because the amounts paid to Burgesses (or widows of) were *de minimis* in relation to the total funds, and that no awards had been sought nor claimed from the Guildry Award Scheme in the past three years, that the Office of the Scottish Charity Regulator (OSCR) could consider that the Burgesses of Guild no longer qualified as a charitable body, which would have adverse consequences for the Guild and its funds.

Therefore, the report put forward the following proposals for consideration:-

- (1) that a one off payment of £500 be made to all current recipients of payments from the Guildry funds - this would be by way of a heating allowance at a time when people were suffering hardship in meeting such bills, and this should not affect other benefits;
- (2) under the Guildry Award Scheme, payment of annual scholarships be made to students at Aberdeen University, The Robert Gordon University and the Saltire Society, and that the annual amount payable under the scheme be increased to a maximum of £20,000. The criteria for qualification would be the same as the current award scheme and ordinary applications to the current award scheme would still be considered but the scheme would be better administered and more widely advertised;
- (3) in recognition of the forthcoming 800th anniversary of the granting of the Royal Charter for the Burgesses of Guild and the City of Aberdeen, that a one off competition be held for charities in Aberdeen requiring assistance with projects of a capital nature, with the suggestion that three awards be made of £10,000, £6,000 and £4,000, with charities applying for these by submitting an application detailing the project and what the award would be used for; and
- (4) that funding be made available for the creation of a coat of arms for the Burgesses of Guild.

The Dean of Guild advised that he had since consulted officers in Finance who advised that benefit in kind would be more appropriate than a financial payment in terms of (1) above, and that the proposals would require further work with a more detailed report to be submitted to a future meeting for consideration, with final approval to be sought from the Council. He added that a review of the Burgesses of Guild constitution was due to be undertaken and that this would include a review of equality issues, as had been raised by the Sub Committee. He concluded that he would be working closely with his successor in order to bring these matters to fruition.

The Sub Committee resolved:-

- (i) to note the report meantime, expressing support for the general principles contained within it; and
- (ii) to request the Dean of Guild to report back to a future meeting of the Sub Committee in more detail.

In accordance with the decision recorded under Article 1 of this minute, the following item was considered with the press and public excluded.

SALE OF GROUND, TORRY QUAY/GREYHOPE ROAD

5. The Sub Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which advised of discussions which had been undertaken with Aberdeen Harbour Board in regard to ground at Torry Quay/Greyhope Road.

The report recommended:-

that the Sub Committee -

- (a) approve the sale of the ground at Torry Quay/Greyhope Road to Aberdeen Harbour Board for the amount specified; and
- (b) instruct the Head of Legal and Democratic Services to conclude missives for the sale of the property on the terms agreed with Aberdeen Harbour Board.

The Sub Committee resolved:-

to recommend to the Property Sub Committee that the recommendations be approved.

ANY OTHER COMPETENT BUSINESS

6. The Dean of Guild advised that this was his last meeting before his term of office came to an end in May, and thanked elected members and officers for their support and assistance during his eight years in the role.

The Chairperson thanked the Dean of Guild for his excellent service to the Burgesses and the Council, and wished him well in his future endeavours.

The Sub Committee resolved:-

to concur with the Chairperson's remarks.

- ANDREW FINLAYSON, Master of Mortifications, Chairperson.

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**ABERDEEN CITY COUNCIL
GUILDRY FUNDS - REVIEW OF ALLOWANCES - May 2013**

History of Allowances

	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Burgesses	820.00	850.00	900.00	950.00	1000.00	1050.00	1100.00	1150.00	1,180	1220	1260	1300	1350	1400	1470	1520	1600	1680	1765
Widows of Burgesses	820.00	850.00	900.00	950.00	1000.00	1050.00	1100.00	1150.00	1,180	1220	1260	1300	1350	1400	1470	1520	1600	1680	1765
Daughters of Burgesses	720.00	750.00	800.00	850.00	900.00	950.00	1000.00	1050.00	1,080	1120	1160	1200	1250	1300	1370	1410	1480	1560	1640
Number of persons receiving allowances																			
Burgesses	1	2	1	1	1	1	1	1	2	2	2	2	2	0	0	0	0	0	0
Widows of Burgesses	11	12	8	9	8	8	8	8	7	7	5	4	3	3	3	3	3	3	2
Daughters of Burgesses	10	8	8	7	5	4	3	3	2	1	1	0	0	0	0	0	0	0	0
	22	22	17	17	14	13	12	12	11	10	8	6	5	3	3	3	3	3	2

Burgesses	0	1820	£0
Widows/Widowers of Burgesses	2	1820	£3,640
Daughters/Sons of Burgesses	0	1690	£0
	2		£3,640

Burgesses	0	1855	£0
Widows/Widowers of Burgesses	2	1855	£3,710
Daughters/Sons of Burgesses	0	1725	£0
	2		£3,710

Assuming a 3% increase in the allowances rounded

or continue at 5% increase rounded

Basic Retirement Pension

Single Person	Increase	Married Couple	Increase
57.60		92.10	
58.85	2%	94.10	2%
61.15	4%	97.75	4%
62.45	2%	99.80	2%
64.70	4%	103.40	4%
66.75	3%	106.70	3%
67.50	1%	107.90	1%
72.50	7%	115.90	7%
75.50	4%	120.70	4%
77.45	3%	123.80	3%
79.65	3%	127.25	3%
82.05	3%	131.20	3%
84.25	3%	134.75	3%
87.30	4%	139.60	4%
90.7	4%	145.05	4%
95.25	5%	152.30	5%
97.65	3%	156.15	3%
102.15	5%	163.35	5%
107.45	5%	171.85	5%
110.15	3%	176.15	3%
113.10	3%	180.90	3%

Rates From -

- April 1994
- April 1995
- April 1996
- April 1997
- April 1998
- April 1999
- April 2000
- April 2001
- April 2002
- April 2003
- April 2004
- April 2005
- April 2006
- April 2007
- April 2008
- April 2009
- April 2010
- April 2011
- April 2012
- April 2013
- April 2014

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ABERDEEN CITY COUNCIL

COMMITTEE	Guldry & Mortification Funds Sub Committee
DATE	21 January 2015
ACTING DIRECTOR	Ewan Sutherland
TITLE OF REPORT	Hamilton Monument Repair
REPORT NUMBER	CG/15/02
CHECKLIST COMPLETED	Yes

1. PURPOSE OF REPORT

1.1 The purpose of this report is to:

- a) Inform the Committee of the balance of funds within the Graveyards Mortification Fund.
- b) Inform the Committee of the request from Aberdeen City Heritage Trust for funding towards the repair cost of the Hamilton Monument.

2. It is recommended that the Committee:

- a) Consider the request from Aberdeen City Heritage Trust and agree to provide £2,000 towards the repair cost of the Hamilton Monument.

3. FINANCIAL IMPLICATIONS

An approach has been made by Aberdeen City Heritage Trust for funding towards the cost of repairing the Hamilton Monument within the south-west corner of St Nicholas Churchyard. Repair work will cost in the region of £12,000.

The Churchyard Mortifications Fund currently stands at £27,400.

If the Graveyard Mortification Fund provides £2,000, Aberdeen City Heritage Trust will pay for the remainder of the cost of repairing the Hamilton Monument.

4. OTHER IMPLICATIONS

Unless repair work is carried out there could be a safety risk from the collapse of the monument.

5. BACKGROUND/MAIN ISSUES

- 5.1 The Dr Hamilton's Monument is located in a prominent position towards the South West corner of St Nicolas Kirkyard, Union Street, Aberdeen.
- 5.2 The structure, along with other structures in the Kirkyard is recognised as being of architectural or historic interest and is included in the Statutory List at Grade B.
- 5.3 The Monument was designed by John Smith and constructed in 1843 as a Doric aedicule raised on a plinth in granite ashlar construction to enclose a stone funerary urn. It is probably the finest complete work of classical architecture in the Kirkyard.
- 5.4 The monument is surrounded by 8 mini obelisks which appear to have once been connected by an iron bar or chains. These are probably contemporary with the construction of the original monument.
- 5.5 The funerary urn has been toppled by vandals, has fallen and chipped an adjacent grave table and landed wedged immediately to the south of the monument. This event happened a number of years ago.
- 5.6 It is understood that the monument is still owned and the responsibility of the Hamilton family. We expect that there will be no traceable line of family responsibility, although this is continuing to be explored.
- 5.7 Repairs are anticipated to be in the regions of £12,000 and Aberdeen City Heritage Trust consider that the preservation of the Hamilton Monument to be a high priority, given the architectural significance of the monument and it's current state of disrepair.

6. IMPACT

The St. Nicolas Kirkyard is a major contributor to the high visual impact of Union Street, enjoyed both by residents and visitors alike. The historical significance of the monuments is recognised by a grade 2 listing identifying a duty to preserve these historic monuments to be enjoyed by future generations.

7. MANAGEMENT OF RISK

Without repair, the monument could further deteriorate to the point of collapse with the potential loss of a class 2 listed structure and potential injury to people in the Kirkyard.

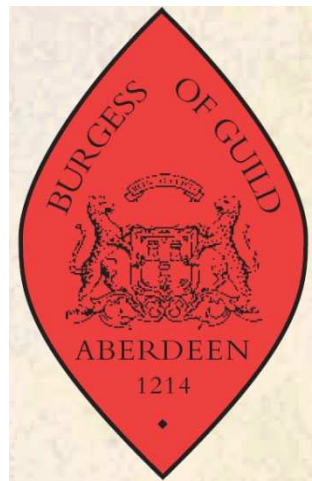
8. BACKGROUND PAPERS

Survey of the Hamilton Monument by Aberdeen City Heritage Trust
February 2011(not attached).

9. REPORT AUTHOR DETAILS

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Report to Guildry & Mortifications Funds Sub-Committee 21/01/2015

This is a follow-up to a paper presented to the committee by my predecessor, Dean Fred Dalgarno, on 14th April 2014, (copy attached), and the decision of committee at that time was that the Dean of Guild should report back in more detail.

One of the matters addressed in Fred's paper was the subject of 'Burgess Awards' and an update on this is that I on behalf of the Burgesses have had and continue to have discussions with participating parties including the University of Aberdeen and Robert Gordon University, and The North East Scotland College; also with Mr. Ciaran Monaghan. Our ambition to create forms of 'scholarship' with these institutions remain, however as it is not yet appropriate to seek committee agreement on this I will report further in due course.

The prime purpose of this paper is to develop the other matter addressed in the earlier paper, in connection with the 800th anniversary of the granting of a Royal Charter to the Burgesses of Aberdeen by King Alexander II on 27th February 1214. The Charter document, (which survives and is held in the Town House Charter Room), is dated 27th February but the year is not included, however we are assured by historians that under the Julian Calendar the new year commenced on Lady Day (25th March) consequently on 27th February 2015 we will have held our Royal Charter for exactly 800 years.

Several events and ideas are planned for our year of celebration, a unique set of occasions, in this connection I am seeking the committee to approve in principle an expenditure budget from Guildry Funds up to a maximum of £50,000, (fifty thousand pounds). This request is coupled with a promise that following such approval we will fully report to the committee and of course to OSCR with justification of and for items of expenditure and appropriate paper work will be offered.

The following matters are planned or are in the planning stages for 2015.

An anniversary dinner will be held in the Beach Ballroom on 27th February, to date the bookings number some 530 people at a ticket price of £60/head. There will be a number of high profile guests, (with partners if desired), including The Lord Provost, The Lord Lyon, the Leader of Aberdeen City Council and the Chief Executive, the two University Principals, the Deacon Convener of the Incorporated Trades, the Lord President of the Court of Deans of Scotland, the two most immediate Past Deans of Guild, the Minister of the Mither Kirk and perhaps a few others who will deservedly enjoy our hospitality. The headline Speaker on this occasion will be well known north east journalist, Mr. Jack Webster. Clearly, costs are to be incurred to entertain our guests and there are other expenses to be met including forms of entertainment on the evening, a memento of the occasion for each person attending, speakers' and entertainers' expenses. At this point in time I am unable to estimate what all of the costs may amount to, the tremendous take up of places is encouraging a view that the event will come close to being self-funding and therefore I am suggesting a contingency figure should be in the region of **£2,000**.



Surprisingly, for an 800 years old organisation the Burgesses of Guild of the City of Aberdeen do not have a Coat of Arms and this amazing omission from our long history is now being addressed. I am very much involved with Burgess Gordon Casely who is doing a fine job in moving this forward and thanks to his heraldic connections I recently had the honour of meeting with the Lord Lyon who is wonderfully supportive. Thus far our costs in this connection amount to £800, (lodging fee £300 plus Heritage Architect's fee £500), and overall the estimated cost of this exercise will be somewhere between **£3/4,000**.

The formal presentation of the Coat of Arms can be a grand occasion later this year. We have an aspiration that this can take place in the Marischal Quadrangle with both Burgesses and Guests attending. The likely total cost of this truly unique event is difficult to predict, however I suggest a figure which might be in the region of **£10,000**.

In recent days I have been involved in discussions concerning the March Stones which from a historical point of view are very important to our city. The ACC Historian, Chris Croly, has a desire to reprint the leaflet which was published a few years ago after the Burgesses' involvement in bringing the March Stones and their importance to the attention of citizens, establishing a Guardian for each stone to keep them weed-free, etc., therefore we are keen to continue this support of the ACC initiative and to assist the funding of the leaflet reprint at an estimated figure of **£2,000**.

Other Burgesses' expenditure this year of a necessary nature includes a transfer to a new website host and a re-design of the content, a re-written and updated version of our 800 years' history booklet, and replacement of four missing Assessors' medals (badges). These items could well incur costs of up to **£5,000**.

Finally, on my offerings on 2015 expenditure by the Burgesses, it is our intention to seek permission to create a permanent feature in Aberdeen to recognise our remarkable anniversary and our long-standing and unrivalled connection with and for our city. These are EXAMPLES of what might be, subject of course to discussion and agreement with authorities : a stained glass widow in the Town House or in the Mither Kirk; a granite ornament or plaque in or around Marischal College; an interpretive panel made of granite in the area of the Robert The Bruce statue (could explain why this statue is there and his strong connections with the city of Aberdeen and of course the Burgesses of the city). Any one of these examples or any other ideas could well incur costs of between **£10/20,000**.

I beg your approval, please.

Colin G. Taylor

Dean of Guild of the City of Aberdeen

21st. January, 2015

Burgesses of Guild of Aberdeen

Paper to Guildry & Mortifications Funds Committee

The Burgesses of Guild of the City of Aberdeen are about to celebrate the granting of a Royal Charter by King Alexander II who came to the throne in 1214. The actual date of granting is not known but a programme of events is planned to celebrate this important landmark in the history of Aberdeen's oldest civic body.

The Guild is a charitable body which provides for Burgesses, their spouses or daughters who may have fallen on hard times by annual payments set each year by the Guildry and Mortifications Funds Committee. The number of claimants has fallen consistently over a period of years mainly because such payments are taken into account when the recipients receive other benefits. Currently, the number of claimants is less than 10.

In 1990, a petition was raised in the Court of Session to allow a variation in the use of Burgesses' funds and this was granted in 1996. The Guildry Award Scheme was set up with a strict set of rules regarding eligibility. It was agreed initially that a total of approximately £10,000 per annum (to be reviewed annually) would be available for awards under the scheme and the first award was made in 2001. In the period since the first award was made, over £150,000 was available for distribution but it is estimated that the amounts granted are less than £60,000 with no awards being sought nor claimed in the past 3 years.

Recently, Aberdeen City Council (ACC) has been reviewing the charitable trusts under its management. Many of these are small and have been dormant for years with the funds being eroded by administration costs which have increased considerably because of the need to comply with OSCR guidelines. A number of these small trusts were set up by Burgesses to provide for Burgesses or their families who require support ie similar aims to those allowed for under the Burgesses funds. Following discussions with officers of ACC, it was agreed that, subject to approval by OSCR, these funds would be transferred to the Burgesses' funds so that a large sum (to be determined) will be received in the not too distant future.

Concern has been expressed that, because the amounts being paid to Burgesses are *de minimis* in relation to the total funds and this, coupled with the lack of other charitable payments under the Awards scheme, OSCR may consider that the Burgesses of Guild no longer qualifies as a charitable body which would have adverse consequences for the Guild and its funds.

To avoid this situation, therefore, and in recognition of the 800th anniversary of the granting of the Royal Charter, we would put forward the following proposals for consideration by the Guildry & Mortification Funds Committee and Aberdeen City Council:

1 A one off payment of £500 is made to all current recipients of payments from Guild funds. This would be by way of a heating allowance at a time when many people are suffering hardship in meeting such bills and should not affect their other benefits.

2 Under the Awards scheme, payment of annual scholarships to students at Aberdeen and Robert Gordon's Universities, Aberdeen College and the Saltire Society. The criteria for qualification for persons applying for such scholarships would be the same as for those under the current awards scheme ie with regard to residence and other regulations.

These scholarships would be discussed (and awarded) each year with the respective institutions and it is believed that, in this way, the scheme would be more likely to achieve the aims for which it was set up. It should be emphasised, however, that other applications would still be considered under the existing scheme which has to be better administered and advertised.

To provide for these awards and, given the shortfall in award payments to date and allowing for inflation, we would propose that the annual amount payable under the scheme be increased to a maximum of £20,000.

3 In recognition of our 800th Anniversary, we would propose a "one off" competition among charities in Aberdeen requiring assistance with projects of a capital nature rather than income support. 3 awards would be made of £10,000, £6,000 and £4,000 with charities applying for these by submitting a paper setting out details of the project and what the award would be used for.

4 The Burgesses of Guild of Aberdeen do not have their own coat of arms. The symbol on our notepaper is that of the medallion on the Dean of Guild's dining miniature which has no significance other than the date of 1214. We believe it is appropriate that, as the oldest civic body in the city, the Guild should have its own coat of arms and request approval for funding the application for this.

In summary, these proposals recognise the historical significance of the Burgesses of Guild, meet the criteria for payments from Guild funds and will help in the event of any challenge by OSCR to the charitable status of the Burgesses of Guild of the City of Aberdeen.

Fred Dalgarno

Dean of Guild