

Report of the Assistant Director (Lifelong Learning and Culture)

## **The William Reed Trust**

### **Summary**

1. This report asks the Executive Member to agree to:
  - i) extend the objects of the William Reed Trust to include conservation of fossils, and
  - ii) spend the trust's permanent endowment as well as the accrued interest.

### **Background**

2. The "William Reed Bequest for the Yorkshire Philosophical Society" was made through a will proved on 21 May 1892. The current charity was registered with the Charity Commission on 26 August 1987. Although a separate charity it is linked to the Yorkshire Museum and Gardens Charity. The scheme document (see Annex A) names North Yorkshire County Council as sole trustee. This responsibility passed to City of York Council on Local Government Reorganisation.
3. The objects of the charity are "the purchase of British fossils and works on natural history and especially on geology and palaeontology to be added to the geological collection and to the "Reed Reference Library" in the Yorkshire Museum.

### **Consultation**

4. Consultation has taken place with the York Museums and Gallery Trust (YMT) who are the managing trustee for the Yorkshire Museum and Gardens Charity.

### **Proposal**

5. YMT are proposing to conserve the Ichthyosaur fossil, a giant sea-creature, as part of the redisplay of the Yorkshire Museum. It is estimated that this project will cost in excess of £20k. The Yorkshire Museum Ichthyosaur is ten metres long, the largest in Britain. It was the original 'type specimen' from which the newly discovered species was described in 1876. The Ichthyosaur will form the centrepiece of the new gallery 'Extinct: A Way of Life'. No funding has currently been identified for the project. It is proposed to use the

£600 of permanent endowment and the accrued interest of just over £18,000 as a contribution towards this project. To do this it will be necessary to amend the charitable objectives to include conservation of fossils and to resolve to spend the trust's endowment as well as the interest.

## **Options**

6. The main options are:
  - a) to maintain the status quo and retain the current charitable objectives of the fund
  - b) to change the charitable objectives to include conservation and to spend only the interest in the fund
  - c) to change the charitable objectives to include conservation and to spend both the interest and the endowment

## **Analysis**

7. Very little has been spent from this fund since 1987 which is why the interest has accumulated to this level. There is little current demand to purchase fossils or books and any purchases required can be accommodated from YMT's operational budgets. The proposed conservation project on the other hand represents a significant, one-off opportunity to conserve an important fossil as part of the refurbishment and redisplay of the Yorkshire Museum.
8. It would be possible to spend only the interest and retain the endowment but given the small sum involved it would not make sense to continue to administer the charity; it would be better to spend the full sum.
9. Under the circumstances option c) is recommended: to change the charitable objectives to include conservation and to spend both the interest and the endowment.

## **Implications**

10. **Financial** – The balance of the fund at the start of 2009/10 is £18,528 and the interest the fund receives is between £800 and £900 per annum.
11. **Legal** - The charity is categorised by the Charity Commission as a "smaller charity" having a yearly income of less than £10,000 and no land. Relevant guidance on how to deal with smaller charities is contained under the heading "Smaller charities: changes, transfers, voluntary removal and winding up" on the Charity Commission website. There is a simple procedure available to the Council procedure, set out in section 75 of the Charities Act 1993 as amended by the Charities Act 2006, for changing the purposes of the charity and to authorise the spending of the permanent endowment.
12. Once relevant procedures had been complied with the proceeds from the fund would be paid to YMT by the Council in the form of a grant to complete the work on the Ichthyosaur.

13. There are no Human Resources, Property, Equalities, Crime and Disorder, Information Technology or Property Implications arising from this report.

### **Risk Management**

14. In compliance with the Councils risk management strategy. There are no risks associated with the recommendations of this report.

### **Recommendations**

15. The Executive Member is asked to agree to:
- change the charitable objectives of the William Reed Trust to include conservation of fossils, and
  - to spend the fund's endowment as well as the accrued interest

Reason: To facilitate conservation of the Ichthyosaur in the collection of the Yorkshire Museum.

**Annex A:** William Reed Trust registration document

### **Contact Details**

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<b>Wards Affected:</b>				All
✓				
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