

GENERAL TRUSTEES MAY 2023

Proposed Deliverance

The General Assembly:

1. Receive the Report (*Section 1.2*).
2. Welcome progress on the Presbytery Mission Plan Act (Act VIII 2021) (*Section 2*).
3. Welcome the appointment of further Presbytery Buildings Officers and encourage other new reformed Presbyteries to take advantage of this offer (*Section 3.2*).
4. Manses
 - (a) Instruct Congregations to ensure that all retained Manses are fully wind and water tight and meet the Repairing Standard as per the Housing (Scotland) Act 2006 by 31 December 2024 (*Section 5.4*).
 - (b) Instruct Congregations to provide a valid Energy Performance Certificate and a report on compliance with the Repairing Standard along with the next Manse Condition Schedule sent to Presbyteries (*Section 5.3*).
 - (c) Remind Presbyteries of their oversight obligations in regard to each of the above (*Section 5.5*).
 - (d) Establish a Manse Liaison Group to present a proposal on manse provision to the General Assembly of 2024 with the involvement of the General Trustees, the Faith Nurture Forum, the Assembly Trustees, Presbyteries, Presbytery Buildings Officers and the Law Department (*Section 5.8*).
5. Property Disposals
 - (a) Remind all Congregations and Presbyteries about how funds in the Consolidated Fabric Fund can be utilised (*Section 6.4.6*).
 - (b) Approve the creation by the General Trustees of Presbytery-based sub-funds of the Central Fabric Fund (*Section 6.4.8*).
 - (c) Note that consideration will be given in the coming year to amendments to the operation of the "Application of a Levy on Proceeds of Sale Regulations" (*Section 6.4.9*).
6. Note the delay of the Consolidating Act until the General Assembly of 2024 (*Section 7.1*).
7. Note and endorse the position of the General Trustees in relation to ongoing discussions with the Scottish Government about the significant adverse impact on the Church of the Land Reform (Scotland) Act 2016 (Register of Persons Holding a Controlled Interest in Land) Regulations 2021 (*Section 7.2*).
8. Appoint Mr Alan Kennedy as Chair and Rev Scott Rennie as Vice-Chair of the General Trustees (*Section 8.1.1*) and Mr Michael Craig, Rev Alan Gibson and Mrs Isobel Gray as members of the General Trustees (*Section 8.1.3*).
9. Authorise the payment of £1,900 to each of Mr Alan Kennedy as Chair Pro Tem and Rev Scott Rennie as Vice-Chair Pro Tem for their services over the past year (*Section 8.1.2*).

Report

1. INTRODUCTION

1.1 *"The General Trustees support Congregations and Presbyteries in maintaining and developing appropriate flexible, robust and sustainable facilities capable of supporting local mission and worship."* (Mission Statement)

1.2 The Trustees submit to the General Assembly their ninety-sixth report since their incorporation under the Church of Scotland (General Trustees) Order Confirmation Act 1921.

1.3 The Trustees' Annual Report and Financial Statements for 2022 are not yet to hand. An unaudited summary of asset values is presented in Appendix 1.

2. PRESBYTERY MISSION PLANNING

2.1 The Trustees recognise the pain that has been felt throughout the Church with the re-categorisation and impending loss of churches across the country. At the same time, we have been greatly encouraged and inspired by the courage and commitment of Presbytery Mission Planning Committees across Scotland in their grappling with the need to reduce our estate to a size that can be well managed and resourced for the future mission of the church. Painful though it has been for many congregations, communities and individuals, we firmly believe that because of the considered yet radical nature of Plans so far approved, the disappointments of this process will be rewarded in the future by good stewardship of buildings which are well-equipped spaces in the right places.

2.2 The Trustees would like to take this opportunity to record their grateful thanks to the Faith Nurture Forum and members of PMPIG for the wholly collaborative approach they have taken in working together in the consideration of Presbytery Mission Plans (PMPs). The process has been a learning curve for us all, but as the year has gone on we have acquired a great deal of knowledge and learning for the future and, as a consequence, a resource of experience in Presbytery Mission Planning has been built up. We hope this model of committed collaborative working is a positive example of what is possible when we collaborate in the service of the Church at large. We look forward to continuing this collaborative approach with PMPIG and Presbyteries in the years ahead.

2.3 Through the Presbytery Mission Planning process, together with the work of Presbytery Buildings Officers in Presbyteries, we have learned a great deal more about the condition of the Church's estate at large. Whilst there are some great examples of well-resourced and high standard buildings which are a real asset for mission, we are sorry to

report that too often this is not the case. Even within the estate that will be retained in PMPs there is a considerable amount of works to be done and resources required to bring what is being retained up to even a satisfactory state.

2.4 Good quality, inviting, warm, well-maintained and resourced buildings are not a luxury, they are a vital asset for the mission of the Church. We are fortunate to have a wide variety of buildings, modern and ancient, sacred as well as secular. For meaningful mission within communities in the 21st century we need to provide better physical spaces. As difficult as it is to divest ourselves of much-loved buildings in the present, we will simply not be able to forgive ourselves if, in 10 years' time, we do not have a markedly improved estate of buildings which are an asset for mission and financially self-sustaining in their communities.

2.5 The Trustees believe that the traditional stewardship model is failing when it comes to investing and retaining buildings as a resource for mission and a new model of financial planning and stewardship is urgently required across the church. We look forward to working with others across the church to develop thinking in this respect.

2.6 The Trustees are also greatly looking forward to working together with Presbyteries and Congregations in investing in the retained necessary buildings in PMPs so that these can be the best possible resource for the mission of the Church and are, in future, maintained at a standard that makes them a blessing to the wider communities which they serve. The Trustees would encourage the whole Church to use the proceeds that arise from the sale of buildings categorised B in PMPs to reinvest in innovative and imaginative ways. The properties that remain should be the best resource they can be, a true community resource and financially self-sustaining wherever possible.

2.7 Historic Signature Churches

2.7.1 One part of the Church's estate that has come to the fore in our concern and thinking is a small number of what we would describe as historic signature churches which, due to their history and place in public life over many centuries, hold a special place in national life and in their ecclesial history. These buildings consequently often face very specific challenges in terms of resourcing for congregations, financially and materially. The Trustees feel that we have much to learn in terms how we vision and plan as a denomination for these styles of buildings from other denominations such as the Church of England.

2.7.2 These buildings are cultural assets that we believe have great potential for mission, particularly in the public and wider cultural life of our communities and the nation. We believe that in some cases they remain too often an untapped resource for mission. It is our intention this year to develop a programme in partnership with Presbyteries and other bodies to explore how we can better develop the place of these unique buildings in the life of the nation and their communities.

2.7.3 The Trustees want to partner with the congregations who are the faithful and committed stewards of these buildings to explore with them how their ministry and mission, rooted in these sacred spaces, can develop in the years to come. We want to learn from other denominations in this regard, but also garner the expertise of other civic bodies and organisations who can help us develop our thinking. We also recognise the urgent need to explore a financially sustainable model for these historic churches going forward that will help them thrive and innovate in their unique circumstances, as part of the mixed economy that is our wider estate.

3. LAND AND BUILDINGS

3.1 The Church's Estate

3.1.1 A detailed analysis of the property vested in the General Trustees at the end of 2022 is not yet to hand. Figures at the end of 2021 are shown below.

Property	End 2021
Churches	1,276
Manses	770
Halls	1096
Miscellaneous Congregational Properties	330
Total	3,608

The acreage of Glebeland was 12,500 at the end of 2021.

3.1.2 Land and Property Disposals in 2022

Full details are not yet to hand but provisional figures show there were 73 property sales in the year including glebe land, churches, halls, manses and miscellaneous properties. Sales proceeds for these disposals totalled £13,872,954.

3.2 Presbytery Buildings Officers (PBOs)

3.2.1 The appointment of PBOs has proved to be of enormous benefit to the Presbyteries and congregations involved, as well as the Trustees. There is little doubt that the appointment of PBOs in partnership with Presbyteries has been the most important advance in the care of our buildings as a resource for mission that has taken place in the last decade. As well as their valued work in giving professional advice within Presbyteries, working together as a team, with their varied backgrounds as buildings professionals, they bring a cumulative expertise in the care and maintenance of buildings to the Church as a whole.

3.2.2 Presbyteries remain involved in the day-to-day working of the PBOs but line management will remain the responsibility of the Trustees' staff team.

3.2.3 The Trustees would encourage any new reformed Presbytery that has not yet taken advantage of this offer to do so. The Presbyteries of Clyde, Edinburgh & West Lothian, Fife, Forth Valley & Clydesdale and North East & Northern Isles currently have Presbytery Buildings Officer post allocations and the Presbyteries of Perth and Lothian & Borders have requested that posts be advertised.

3.3 Energy Supply Scheme

3.3.1 On 1 April 2020, the General Trustees entered into fixed rate utility supply contracts on behalf of congregations participating in the scheme. The gas contract is with Scottish Hydro (SSE) and runs until 31 March 2024 while the electricity contract is with OPUS and runs until 30 September 2023.

3.3.2 The General Trustees provided participating congregations with the longest fixed term periods then available, unaware of just how beneficial this would turn out to be in the recent period of extreme energy market turbulence.

3.3.3 955 congregations with 1,392 supply points currently participate in the electricity scheme while 715 congregations with 796 supply points are in the gas scheme. The Trustees' staff continue to assist congregations wishing to join the scheme and any that face administrative difficulties.

3.3.4 Although market prices have subsided somewhat recently, we remain pessimistic about the terms that will be available when the supply contracts are renewed.

3.3.5 Initial approaches have been made to the suppliers about the nature of contracts currently being offered. Unfortunately, OPUS has announced that they are withdrawing from this sector of the market (multiple sites with individual billing). SSE has confirmed that it can provide both gas and electricity on the current basis.

3.3.6 Both OPUS and SSE will provide the Trustees' staff with data to enable a full tender exercise to be undertaken in early course. As in the past, once terms have been agreed, congregations will have the opportunity to "opt out" of the scheme if they so wish while others may choose to join.

3.4 Heating Consultant

3.4.1 The Trustees provide advice on efficient heating design for congregations through the Trustees' Heating Consultant. Mr Andrew W MacOwan (Andrew MacOwan Associates Ltd) carries out independent surveys of existing heating systems at churches, halls and manses and gives advice on new heating systems and advises congregations on how they may improve standards relating to the efficiency of heating systems, lowering carbon footprint and reducing costs. Despite the difficulties posed by Covid during 2022, Mr MacOwan undertook a total of 41 surveys.

3.4.2 Mr MacOwan carried out 10 surveys to manses to assess the heating requirement and engaged with 5 congregations relating to approvals for heating works. Trustees cover one-third of the cost of surveys in respect of Church of Scotland premises.

4. COMMITTEE REPORTS

4.1 Fabric

4.1.1 The Trustees continued to provide guidance and financial assistance to congregations in terms of repairs to and works on buildings. The pandemic continued to have an effect on the number of applications which were presented to the Fabric Committee, via Presbyteries and the Presbytery Planning process has necessitated the approval of works, during each Presbytery's Planning phase, which are of an emergency or wind/watertight nature only. However, the Trustees look forward to assisting congregations with buildings requirements where those buildings have been categorised "A" in an approved Presbytery Plan.

4.1.2 Specialist advice continued to be made available in the areas of:

- Assembly legislation
- Procedures and Processes
- Lighting
- AV equipment
- Heating
- Communion-ware, memorials and movables
- Planning and Ecclesiastical exemption
- Release of funds held for the benefit of congregations in the Consolidated Fabric Fund for utilisation against costs for a variety of fabric and related items

4.1.3 Despite the smaller number of applications for approvals for works to buildings and financial assistance, the Fabric Committee made available grants of £728,000 to a total of 25 congregations, and loans of £1,366,000 to a total of 5 congregations for the year ending 31 December 2022. The Fabric Committee continued to meet regularly, by video conferencing, and although visits by Trustees and staff were significantly curtailed much guidance was given either by telephone, video conferencing or email.

4.2 Safe Buildings

4.2.1 Health and Safety

4.2.1.1 The online Health and Safety (H&S) Toolkit has been revised and updated with current best practice to guide responsible persons in managing statutory requirements for the safe operation of Church of Scotland buildings.

4.2.1.2 The H&S toolkit and its contents will be advertised through social media, the central Church of Scotland website, and the 'Life and Work' magazine. In addition, printed handbooks will be available in 2023 where required to assist with managing buildings safety. The H&S Toolkit will be updated to allow provision of guidance for the general safe use of buildings.

4.2.1.3 Health and Safety (iHASCO) online training suite has been acquired and offers a comprehensive package of health and safety training and safety awareness courses. Links to access the training suite are provided under each relevant safety topic within the online H&S toolkit. The training package aims to support congregations with an understanding of statutory health and safety requirements to manage buildings effectively.

4.2.1.4 Concern was expressed from records held showing that around 50% of active congregational sessions do not have a nominated Health and Safety administrator. It has also been noted that there are a number of congregations not following good health and safety practice which presents a risk to the individuals concerned and the Session members who may be liable were an incident to occur.

4.2.1.5 Food safety training continued throughout 2022 and it is anticipated that this will be outsourced in future.

4.2.1.6 The Health & Safety Adviser offered assistance to a large number of congregations covering a range of incidents and worked closely with Presbytery Buildings Officers on a significant number of issues requiring risk assessment and analysis.

4.2.2 Fire Safety

4.2.2.1 Fire Risk Assessments: The Fire Safety Adviser continues to work with supporting congregations proactively and reactively in the development and implementation of fire safety risk assessments and fire evacuation plans, including required fire safety equipment.

4.2.2.2 Fire safety awareness training webinars to support congregations has been delivered by 5 individual sessions provided in 2022. A total of 462 people attended and positive feedback on the content and delivery was received. Future webinars to include the review and content of the H&S toolkit.

4.2.2.3 Fire Legislation – Domestic Premises – February 2022: The Scottish Government implemented new fire legislation to protect all domestic properties (manses) with the requirement of interlinked fire alarms. Information, support and continual guidance has been provided over the last year by the General Trustees to ensure that all congregations are aware of the new requirements. The Manse Condition Schedule has been revised to define the new provision for interlinked fire alarms. Information and statistics on compliance across all manses and relevant premises will be gathered electronically in early 2023 to give a level of assurance to the General Trustees that all manses are up to current fire standards.

4.2.2.4 Concerns have been raised that following fire safety inspections of church and church halls, some congregations have been installing domestic grade smoke/heat alarms within non-domestic premises. This follows Scottish Government legislation for ensuring all domestic premises have interlinked smoke alarm systems. This requirement and equipment type should only be implemented for manses (domestic premises) under the control of congregations and the General Trustees not churches or church halls (non-domestic premises).

4.2.2.5 There were four recorded incidents of fire concerning church premises and grounds. All four incidents were caused by wilful fire-raising out with the usual times of occupation, with damage to property only.

4.2.2.6 The Fire Safety Adviser will work with external agencies to assist those congregations that do not yet have an agreed Fire Evacuation Policy in place.

4.3 Glebes

4.3.1 The Trustees encourage all congregations who have glebes to engage with the Trustees in the management of glebeland, either to generate income for their congregation – by leasing or sale – or to utilise land for mission purposes. In order to maximise income for the long term and, in many cases, provide much needed housing in rural communities, the Trustees are keen to engage with local congregations on long term planning for potential development of glebeland. Last year, the Scottish Government published two draft bills – The Agriculture Bill and the Land Reform Bill – both of which will affect glebeland, and the Trustees responded to consultations on both these proposed pieces of legislation.

4.3.2 All income received from glebeland, whether rent or capital receipts, accrues for the benefit of the local congregation.

4.3.3 Leases: The Trustees report that income from agricultural, grazing and amenity lets in 2022 was around the same level as in the previous year. Throughout 2022, 108 new leases were approved by the Trustees and 142 rent reviews of existing leases were carried out to ensure that rents remain at market rates. Total income generated from glebe rents was £434,000 which assists the financial commitment of congregations to support their Giving to Grow contributions. The Trustees are particularly focused on letting to young farmers and new entrants to farming and thus supporting local rural communities.

4.3.4 Sales: Where glebeland is sold the capital received is credited to the Consolidated Stipend Fund and, as with glebe rents, the income accrued annually is applied towards Giving to Grow in that particular parish. There has been a moratorium on glebe sales through much of last year due to staffing difficulties. However, it is hoped that the recruitment of additional staff will enable sales to be brought back on line in 2023.

4.4 Historic Properties – Dissolution

4.4.1 The Historic Property Portfolio Group (HPPG) was established to deal with the disposal of large A-listed churches which, in terms of Church law, have come to the General Trustees following a Presbytery's decision the dissolve the congregation. As a consequence, such buildings are effectively redundant for use by the Church of Scotland but disposal of such buildings can be difficult.

4.4.2 They may have been, or even still are, landmarks in the community and much loved by the former congregations, but they are expensive to maintain and not readily saleable or indeed suitable for alternative uses. The very attributes of historic or aesthetic importance which resulted in the building being A listed, places restrictions on alteration which make many unattractive to any potential buyer. In the meantime, the obligation of maintenance imposes a burden on the Church. Currently HPPG has 2 historic buildings in its portfolio – the Kirk of St Nicholas in Aberdeen and Brechin Cathedral.

4.4.3 The Kirk of St Nicholas has been a landmark in the centre of Aberdeen literally for centuries, and its A listing extends not only to the architecture but some of the internal features. Continuing maintenance is being undertaken and there is still some demand for use by local bodies. However, so far, none of these bodies has shown any appetite to take over its ownership with the costs involved – even when the transfer of ownership was offered with a significant sum of money as a “dowry” towards future maintenance. The long search continues for an effective solution.

4.4.4 Brechin Cathedral is an A-listed building of regional and national importance and the Trustees have established a formal arrangement with the Society of Friends of Brechin Cathedral in terms of access and maintenance protocols. The Trustees continue to engage with local and national bodies (including Historic Environment Scotland who own the adjacent Round Tower) in terms of its future use and ownership.

4.4.5 The Trustees are, of course, aware of the sensitivities surrounding the disposal of such buildings and of the requisite obligations concerning continued good stewardship and maintenance. They do also equally acknowledge that their work is focussed on assisting continuing congregations with their buildings’ requirements and, as such, appropriate disposal of HPPG properties remains the required outcome.

4.5 Audit and Assurance

4.5.1 The financial accounts of the General Trustees and other financial reports are prepared to the highest level of competence, accuracy and integrity by professional staff of the Stewardship and Finance Department. They are ably supported by the staff of the General Trustees and the work of the internal and external auditors who report to the appropriate Committee regularly.

4.5.2 The governance of all the work of the Trustees is upheld by meeting the highest level of responsibility and integrity. The identification and assessment of risks faced by the General Trustees is ever present in all their deliberations.

4.6 Finance & Resources

4.6.1 The General Trustees’ principal activities are the support of parish ministry and support of congregations in the provision of ‘*well-equipped spaces in the right places*’. In doing so, the Trustees administer a significant level of funds which are applied towards the achievement of their trust purpose and charitable objectives.

4.6.2 Although administration charges are levied on all the funds, these only partially cover the actual costs incurred by the Trustees in operating them and so the balance of such costs is met by the General Fund. Details of the various funds and the costs are referred to in section 6 below.

4.7 Investment

4.7.1 In September 2022, the General Trustees commissioned an external Investment Policy Review not having carried one out for some years. The aims of the review were to consider:

- the current and ongoing appropriateness of investing in the funds of the Church of Scotland Investors Trust (“COSIT”) to meet the Trustees’ objectives;
- the target investment mix for each of the funds for which the Trustees have responsibility including the Consolidated Stipend Fund; and
- how the Trustees might practically consider additional Environmental, Social and Governance (ESG) factors when determining the investment policy for each fund.

4.7.2 The results of this review were presented to the Trustees’ Finance & Resources Committee and, in summary form, to the full Board. Throughout the process, the Committee has engaged with COSIT which informed the Committee that it was independently carrying out its own internal review.

Representatives of the Committee have been invited to attend the March meeting of the COSIT Board after which it will consider how to take the review forward.

4.7.3 During 2022, the Committee had a hybrid meeting with the Special Committee on the Ethics of Investment Practice and currently awaits sight of its final proposals in that regard.

4.7.4 The Committee also undertook a detailed assessment of the feasibility of the replacement of CrossReach’s facility at Gaberston being financed by a loan from the Consolidated Stipend Fund. This has been agreed in principle with the security of the loan being guaranteed by the Assembly Trustees. The maximum amount of the loan is £3.2m and this investment proposal was agreed by Faith Nurture Forum.

5. MANSES

5.1 The collated deliverances of the General Assembly of 2022 included the following three that related to manses:

- a) Remind Financial Boards of their duty to provide a habitable manse and to keep it in a good state of repair and decoration and remind Presbyteries of their oversight obligations in terms of Regulations VII 2007.
- b) Instruct Congregations (1) to provide a valid Energy Performance Certificate with the Manse Condition Schedule when this is submitted for inspection to Presbytery from 31 December 2022 and (2) to ensure the Energy Performance Certificate Rating for the Manse is within Categories A – C by 31 December 2025 as a target date through carrying out any necessary improvements to the building or through the sale and purchase of an approved Manse by that date.
- c) Instruct the General Trustees and Faith Nurture Forum to work with Presbyteries to help them audit and assess the current stock of manses and other residential properties across the Church in such areas as energy efficiency, provision of services, maintenance to a good standard and future sustainability and to remind Presbyteries of

their ongoing responsibility to ensure that where there are concerns around the condition of a manse they should consider what action should be taken, which may include working with the congregation to upgrade or replace said manse.

5.2 The General Trustees have started to assess manses (deliverance c) and, even at an early stage, it has become apparent that too many manses do not meet the required standard of being “habitable and in a good state of repair” (deliverance a). Indeed, some have been found to be in incredibly unsatisfactory condition and not even wind and watertight.

5.3 Moreover, it appears that the General Assembly instruction to Congregations to provide Presbyteries with an Energy Performance Certificate (EPC) for each manse is still not being implemented even though such an instruction was first given in 2013 (deliverance b1).

5.4 As a consequence, the General Trustees consider that it is necessary to reprioritise the improvement process (deliverance b2) and to focus on having all manses that are being retained by Congregations meet the Repairing Standard that covers the legal and contractual obligations of private landlords as set out in the Housing (Scotland) Act 2006 (the “Act”) by 31 December 2024. The General Trustees consider it is unacceptable that some manse families are not treated as well as private tenants. Obligations under the Act are shown in Appendix 2.

5.5 The primary responsibility for the good maintenance of all buildings, including manses, rests with a Congregation’s Financial Board but Presbyteries are expected to utilise the inspection regime for oversight. That process will be supported by the General Trustees and Presbytery Buildings Officers who will be pleased to provide advice and answer questions about the Repairing Standard and EPCs. Reports on both should accompany Manse Condition Schedules.

5.6 The General Trustees will continue to support Presbyteries and Congregations through the process of improving their manses through the EPC categories but this requires improved compliance with the reporting regime and meeting the following conditions:

- The Presbytery has agreed that the manse has a long-term future.
- The Congregation has access to the funds necessary to pay for the work.
- The Congregation involves a Presbytery Buildings Officer at an early stage to ensure that a robust planning process for the necessary works is agreed.
- There is an assessment of whether a Deep Retrofit process or replacement of the manse is the optimal solution.
- Reporting is provided on upgraded manses to assess the improvements undertaken and their cost.

5.7 The General Trustees are considering whether to appoint a project manager or an external consultant skilled in upgrading works to provide an overview of such projects.

5.8 The General Trustees are establishing a “**Manse Liaison Group**” to investigate the present-day challenges of manse provision. The Group’s membership will include representatives of the General Trustees and their support staff, the Faith Nurture Forum, the Assembly Trustees, Presbyteries, Presbytery Buildings Officers and the Law Department. It will focus on two aspects; monitoring and improving the condition of current manses and considering alternative models of manse provision looking at ownership, size, location, affordability, build quality and sustainability. The transition from the current model to any proposed new one will also be considered. It will present a proposal on future models of manse provision to the General Assembly of 2024.

6. FINANCIAL RESOURCES

6.1 Funds Supporting Parish Ministry

6.1.1 Glebe Funds

6.1.1.1 The Trustees hold glebe land on behalf of individual congregations. The Trustees wish to emphasise that the assessed accounting value shown in the Trustees’ accounts is *illiquid* which means it neither represents cash available to be spent nor is it an indication of the open market value if the land were to be sold. Rental income is transferred to the Faith Nurture Forum to be applied as a contribution to each congregation’s ministry costs.

6.1.1.2 Funds arising from the sale of glebe land totalling £376,000 were transferred to the Consolidated Stipend Fund in 2022 (2021: £934,000) with the capital being held for the benefit of that congregation.

6.1.1.3 The administrative costs of the Fund are met entirely by the General Fund which is only permitted to charge £55,000 to the rental income. In 2022, the true cost of operating the Fund was £156,000 and so £100,000 was transferred from the General Fund to cover the difference.

6.1.2 Consolidated Stipend Fund

6.1.2.1 The Trustees administer the Fund on behalf of congregations with holdings in it. The total value of the fund was £111,187,000 at the end of 2022 (2021: £111,972,000) and it is almost wholly invested in the Growth Fund of the Church of Scotland Investors Trust (COSIT).

6.1.2.2 This is in accordance with the Fund’s investment policy that was revised at the 2021 General Assembly so that (a) it aims to distribute £3.2m each year from 2021 to 2025 inclusive comprising dividend income and sale proceeds and (b) its objective is otherwise to maximise the long-term capital value of the Fund to benefit future levels of income and capital.

6.1.2.3 The administrative costs of the Fund are met entirely by the General Fund which is only permitted to charge 1% of the fund’s income. In 2022, the true cost of operating the Fund was £121,000 while the permitted charge was £22,000 and so £100,000 was transferred from the General Fund to cover the difference.

6.1.2.4 Distributions in 2022 totalled £3,200,000. After the deduction of administration costs, the balance was passed to the Faith Nurture Forum to help the individual congregations meet their parish ministry costs.

6.1.2.5 On the recommendation of the Presbytery and with the concurrence of the Faith Nurture Forum, General Assembly Regulations provide for the possibility of surplus capital in a congregation's holding in the Consolidated Stipend Fund being transferred to its holding in the Consolidated Fabric Fund. No such transfers were made in 2022 (£10,000 in 2021).

6.1.2.6 The Trustees' agreement to lend up to £3.2m CrossReach from this fund is described in Section 4.7.4.

6.2 Funds Assisting Congregations in the Provision of Suitable Buildings

6.2.1 Central Fabric Fund

6.2.1.1 This Fund is the main resource which enables the Trustees to provide financial assistance in the form of grants and loans to congregations for repairing and improving the buildings which they use as local resources for Christian mission. Loans totalling £1,366,000 and grants totalling £728,000 were awarded in 2022. Both these figures are lower than usual due to the pausing of major projects during Presbytery planning.

6.2.1.2 The administrative costs of the Fund are met entirely by the General Fund which is only permitted to charge 6.5% from distributions of income from the investments. In 2022, the true cost of operating the Fund was £265,000 while the permitted charge was £131,000 and so £134,000 was transferred from the General Fund to cover the difference.

6.2.2 Consolidated Fabric Fund

6.2.2.1 In this Fund, the Trustees hold both properties and investments on behalf of congregations.

6.2.2.2 The heritable properties are those occupied by congregations which are vested in the Trustees as owners in trust. These properties principally comprise churches, halls and manses. At the end of 2022, their total value in the Trustees' accounts was £504,877,000. The Trustees wish to emphasise that this amount is *illiquid* which means it neither represents cash available to be spent nor is it an indication of the open market value if the premises were to be sold. However, valuations are undertaken prior to each and every disposal. Local congregations are responsible for the repair, maintenance and insurance of the buildings they occupy and for the health and safety of all those who use them.

6.2.2.3 The Fund also comprises investments derived from the past sale of properties that are held on behalf of individual congregations. The total value of these investments including accrued revenue was £83,500,000 at the end of 2022. Subject to various safeguards and approvals, both capital and accrued revenue may be withdrawn to meet a wide range of buildings-related expenditure incurred by the congregations on churches, halls and manses to enable them to maintain, repair and improve these buildings. In 2022, £1,376,560 was withdrawn from capital accounts and £2,793,000 from revenue accounts for fabric purposes.

6.2.2.4 Accrued revenue may also be withdrawn to meet the cost of utilities and insurance. In 2022, the sums withdrawn were £677,000 and £319,000 respectively.

6.2.2.5 On the recommendation of the Presbytery and with the concurrence of the Faith Nurture Forum, General Assembly Regulations provide for the possibility of surplus capital in a congregation's holding in the Consolidated Fabric Fund being transferred to its holding in the Consolidated Stipend Fund. No such transfers were made in 2022 (£100,000 in early 2023).

6.2.2.6 The Trustees are entitled to deduct an administration charge of 6.5% from distributions of income from the investments, and rental income, though they omitted to do so for some investments prior to the end of 2021. No charges are made in respect of properties even though much of the work of the staff of the Trustees relates to them. In 2022, the true cost of operating the Fund was £657,000 while the permitted charge was £186,000 and so £471,000 was transferred from the General Fund to cover the difference.

6.3 Funds Supporting the Work of the General Trustees

6.3.1 General Fund

6.3.1.1 The General Fund, which is unrestricted, is used to meet all the expenses incurred by the Trustees in the administration of their business, the main item being staff salaries and associated costs. The net incoming resources of this Fund (primarily the payments received under Gift Aid from Church of Scotland Insurances Services Ltd) are applied towards reserves or may be transferred to other Funds such as the Central Fabric Fund to assist in the making of grants and loans to Congregations.

6.3.1.2 Transfers totalling £806,000 were made in 2022 to subsidise Restricted Funds where the true costs incurred in their operation were not covered by the permitted level of charges.

6.3.2 Historic Property Fund

6.3.2.1 The Trustees established this designated fund when they agreed to assume administrative responsibility for certain substantial historic listed buildings that present challenges that mean they are not capable of being disposed of when congregations are formally dissolved. The costs associated with the upkeep of these buildings over an extended period may well be substantial and the number of such buildings will become clearer as Presbytery Plans are developed.

6.3.2.2 The Fund benefits from the heritable and moveable assets of these dissolved congregations with these monies being used to meet the cost of keeping such buildings in good order until such time as a satisfactory outcome is achieved either by outright disposal or the liabilities of ownership are no longer the sole responsibility of the General Trustees.

6.3.2.3 The sale proceeds of buildings in other dissolved congregations continue to be credited to the Central Fabric Fund.

6.3.3 Church of Scotland Insurance Services Limited

6.3.3.1 The Church of Scotland Insurance Services Limited (“the Company”) is a limited company incorporated and domiciled in Scotland with registered company number SC001777. The registered office is 121 George Street, Edinburgh, EH2 4YN.

6.3.3.2 The Company is a wholly-owned subsidiary of the General Trustees and all profits are paid over to the General Trustees by a tax efficient distribution (Gift Aid.) All the company’s assets, liabilities, and results for the year are consolidated with those of the General Trustees.

6.3.3.3 CoSIS provides competitively priced insurance with comprehensive cover specifically tailored for the typical activities of congregations of the Church of Scotland in respect of the operation of their church, hall, and manse.

6.3.3.4 During 2023, CoSIS will continue to engage with Congregations, Presbyteries and the General Trustees to develop insurance solutions for the Church that are appropriate during this time of change. This will include support for the insurance of the increasing number of unoccupied properties expected to arise from the disposal process and assistance with finding a suitable solution for the insurance valuation of the Church’s buildings, many of which have not been revalued in over ten years.

6.3.3.5 The present insurance arrangement with AVIVA is scheduled to run until each Congregation’s policy renewal date in 2025. Although this may appear some way off, CoSIS is already considering how to take the Scheme forward in the best interest of Congregations. However, even now, it is clear from wider market conditions, that material premium increases should be expected.

6.4 Allocation of the Sale Proceeds of Properties

6.4.1 The collated deliverances of the General Assembly of 2022 included the following one that relates to the disposal of properties:

“Instruct the General Trustees, jointly with the Assembly Trustees, the Legal Questions Committee and the Faith Nurture Forum, to review current law and practice with a view to bringing legislation to General Assembly 2023 that would allow greater flexibility in relation to the allocation of the sale proceeds of properties found to be surplus to requirements following the dissolution of a congregation or the union of one or more congregations and exploring with the encouragement and support of Presbytery whether some monies might be released for mission, and provide a transparent process with adequate criteria by which decisions on the use of such funds are made.”

6.4.2 The General Trustees widened the scope of the review to cover all sales of congregational property; namely, sales arising from dissolution and other sales irrespective of whether the decision to sell a property is as a result of a union.

6.4.3 The Solicitor to the Church provided the General Trustees and the Assembly Trustees with a review on the background legislative information which essentially reaffirmed what was presented in the Assembly Trustees’ report to the General Assembly of 2022. In summary, it stated that:

- In the event of a dissolution, the free proceeds from the sale of properties (subject to the deduction of certain outstanding monies) are allocated to the Central Fabric Fund which is the restricted fund of the General Trustees from which all grants and loans are provided to congregations for fabric purposes. This operates as a single fund and no account is taken of the Presbytery from which the funds originated.
- In the event of the sale of a property other than due to dissolution, the proceeds of sale (net of the costs of any congregational fabric project such as the purchase of a replacement building or the refurbishment of another building) are credited to the Consolidated Fabric Fund for the benefit of that congregation after the deduction of a 10% levy that is allocated to the Central Fabric Fund.

6.4.4 These limitations on the use of sale proceeds held in the Consolidated Fabric Fund flow from two civil law factors.

- First, the funds are subject to trust conditions which require the property and funds of congregations to be applied towards the maintenance of the Church of Scotland in that area. This does not inevitably lead to the conclusion that they can only be applied for the fabric purposes of the congregation concerned. It may be possible for a congregation to decide to contribute towards the maintenance of the Church of Scotland in a wider geographical area than the parish, looking outward to the near environs and neighbouring congregations who have need of funds to support them. This could include the use of funds to support ministry in such congregations.
- Whether this is possible will largely depend on the second factor, which is the duty of both the General Trustees and congregational trustees, as charity trustees, to act in the best interests of the charity at all times. What that means, in this context, is that both sets of trustees have a duty to ensure (so far as possible) that the congregation has sufficient assets to meet its liabilities. The liabilities attached to ownership of a church building are well known. A fabric fund of £50,000 will not go far towards the long-term maintenance and repair of an A or B-listed Victorian church. It would be unlawful for the General Trustees to retain ownership – and thus ultimate responsibility for maintenance – of the remaining properties of a congregation but to divest themselves of the means to perform that duty. The General Assembly cannot direct either the General Trustees or congregational trustees to do anything which cuts across these trusteeship responsibilities.

6.4.5 The Solicitor’s review concluded that:

- It is evident that the extent of the current flexibility in the allocation of such funds is not widely understood, and steps should be taken to increase awareness of what is possible.
- Civil law permits only limited further flexibility in relation to the sale proceeds of properties of uniting congregations.

- In the light of what we know about the current poor condition of many of our church and manse buildings and the anticipated costs of bringing manses, in particular, up to a good standard of repair and with satisfactory Energy Performance Certificate ratings, coupled with increasing buildings insurance and energy costs, it would not at this point be prudent for the funds held in trust for fabric purposes to be released for other purposes.
- More flexibility is possible in the case of the sale proceeds of the properties of dissolved congregations.

6.4.6 Summary of Existing Flexibility: Consolidated Fabric Fund

6.4.6.1 The Solicitor restated that it is possible in terms of current Church and civil law to apply congregational monies in the Consolidated Fabric Fund ("CFF") for the following purposes:

- For fabric expenditure of the congregation for which monies are held – this includes expenditure on repair and renewal of heritable property, central heating systems, grounds and gardens, floor coverings, white goods, some furnishings, buildings insurance, heating & lighting costs (following an Energy Survey).
- For fabric expenditure of a linked congregation or (with Presbytery support) of another congregation within the Presbytery.
- For non-fabric purposes which are within the spirit of the 2001 "Church Without Walls" Report if a congregation's holding is greater than £50,000 (only accrued revenue may be released).
- If a congregation's holding in the CFF is in excess of its reasonable requirements for fabric purposes, the whole or part of the surplus may be transferred to its holding in the Consolidated Stipend Fund. If there are still surplus fabric endowments, these may be transferred to the Central Fabric Fund, where they will be available to provide financial assistance by way of grants and loans to congregations for buildings-related purposes. See also section 6.2.2.5.
- The 10% levy on property sales introduced by the Application of a Levy on Proceeds of Sale Regulations imposes a "tax" of 10% on net sale proceeds, to be applied on CFF holdings of more than £75,000 and credited to the Central Fabric Fund to benefit congregations without immediate access to capital reserves for their fabric needs.

6.4.6.2 The Trustees and Stewardship & Finance have regularly tried to promote the use of holdings in the CFF revenue account for utilities, insurance, cleaning etc but the uptake by Congregations has been very disappointing. For example, in 2021, only 78 congregations (roughly 10% of congregations with a CFF holding) submitted claims for energy costs. This represents around 7% of total energy costs. Over the past seven years, 181 congregations have made no claims whatsoever against their revenue fund holding in the CFF.

6.4.6.3 The above will apply equally to congregational funds being allocated in future to the CFF as a result of disposals arising from the union of congregations.

6.4.7 Dissolved Congregations: Central Fabric Fund

6.4.7.1 The Solicitor also restated that the net sale proceeds of the properties of dissolved congregations are credited to the Central Fabric Fund which was established in 1979. This is the fund from which the General Trustees provide grants and loans to Congregations.

6.4.7.2 Concerns have been raised with the General Trustees regarding the fact that funds paid into the Central Fabric Fund arising from a dissolution in one Presbytery are available to be used in the provision of grants or loans to congregations in all Presbyteries. The General Trustees' view was that earmarking such amounts for the use of given Presbyteries was not the intention of the legislation nor was it practical or realistic to attempt to do so with the large number of Presbyteries in existence prior to their rationalisation.

6.4.8 Proposed Changes within the Existing Legislative Framework: Dissolutions

6.4.8.1 The General Trustees have agreed that they could create a series of new restricted funds (one in respect of each of the new Presbyteries) being effectively sub-funds of the Central Fabric Fund.

6.4.8.2 The dissolution proceeds (other than from the proceeds of sale of Historic Properties) would be shared equally between the main Central Fabric Fund and that of the Presbytery sub-fund. Such sub-funds would continue to be administered by the General Trustees and Congregations in a given Presbytery would be expected to draw down on that Presbytery sub-fund before seeking grants and loans from the main Central Fabric Fund.

6.4.8.3 If approved in principle by the General Assembly, the Trustees would consult with Presbyteries before implementation to ensure the process is transparent with adequate criteria.

6.4.9 Levy on Proceeds of Sale

6.4.9.1 The General Trustees currently charge a levy of 10% on the net proceeds as described in Section 6.4.6 with that payment being made to the Central Fabric Fund. As the General Trustees cannot currently exercise any further flexibility once monies have been allocated to congregational holdings in the Consolidated Fabric Fund, they are turning their attention to the levy itself.

6.4.9.2 Consideration will be given to amending the Regulations so that an additional component could be added to the levy that could be made available for non-Fabric purposes within the Congregation or for Fabric or non-Fabric purposes within the Presbytery.

6.4.9.3 The feasibility of such proposals will have to address how to frame rules so that (a) the Central Fabric Fund is adequately funded, (b) the Congregations affected will have sufficient resources to meet their future Fabric costs and (c) whether and how any of the money raised could be shared more widely within the Presbytery.

6.4.9.4 The Trustees will consult with Presbyteries and the Assembly Trustees.

6.5 Services from the Office of Assembly Trustees

6.5.1 The staff of the General Trustees are provided by the Assembly Trustees through the employing agency of the Central Services Committee (CSC) that also provides support services including legal, financial, premises, IT, HR and Communications. The cost of the staff working directly for the General Trustees, as well as the support services provided by the CSC, is re-charged to the General Trustees and met by the General Fund and not from other sources.

General Trustees' Expenditure	2022	2021
General Trustees' Staff Costs	£ 955,000	£ 941,000
Support Services Costs (paid to CSC)	£ 767,000	£ 719,000
Total staffing and services overheads	£1,722,000	£1,660,000

7. LEGISLATION

7.1 Legislative Change

7.1.1 In the General Trustees' report to the 2021 General Assembly, reference was made to proposals to undertake a review of Assembly legislation (both Acts and Regulations) pertaining to and governing the work of the Trustees. It is not intended that major amendments are proposed but the Trustees felt that a review was required to make it easier to access and reference the legislation and to update the legislation where appropriate.

7.1.2 Having consulted with other committees and departments (in particular the Office of the Principal Clerk), the Trustees envisage that all current Assembly legislation pertaining to the General Trustees be brought together, with any proposed amendments, into a single consolidating Act and, whilst it was initially envisaged that this would be submitted to the General Assembly of 2023, potential legislative amendments in conjunction with the Assembly Trustees and the diversion of senior management workload to Presbytery Planning issues has necessitated a delay in submission to the General Assembly of 2024.

7.2 Register of Persons Holding a Controlled Interest in Land

7.2.1 For the past couple of years, the Trustees have reported to the Assembly on the significant compliance burden imposed on the Church in the form of the new Register of Persons Holding a Controlled Interest in Land, which became effective as of 1 April 2022. It has the policy aim of showing who has significant influence or control over dealings with land/buildings by the owner (or tenant, in a lease of more than 20 years) where this information is not publicly available elsewhere. This is done by requiring a property owner, and those who are "associates" of the owner (and thus deemed to have significant influence or control), to notify the Keeper of the Register of certain personal details: name, contact address, date of birth and date on which the "association" was formed. There is provision for non-disclosure in the case of anyone who may be placed in danger if their details were made public, and dates of birth will not appear in the public Register.

7.2.2 In terms of the legislation, office-holders within a congregation are deemed to be "associates" of the General Trustees, where title is vested in the General Trustees. This means that the details of office-holders (usually the Minister, Session Clerk and Treasurer) in each congregation will require to be provided to the General Trustees, who will then be responsible for making the necessary entries in the Register and notifying each associate that this has been done. It will also be necessary to amend the Register each time any of this information changes.

7.2.3 Statutory duties are placed on the property owner to supply this information to the Register, and also on the "associates" to provide the requested information to the owner and give notice of any changes to the information previously supplied. The same duties also apply where congregational properties are vested in local trustees. So, where there is a clause in the title placing it under the control of the General Assembly, local trustees will have to notify details of the General Trustees as an "associate", and in all cases will have to register details of the current congregational office-bearers if they are different to the property-holding trustees named in the title, and update the Register each time there is a change of trustee.

7.2.4 The Scottish Government proposes to extend the initial 12-month period of grace, until 1 April 2023, to 1 April 2024. After this, criminal penalties attach to non-disclosure, and to the provision of false or misleading information.

7.2.5 The register applies retrospectively, so all landowners and tenants have a duty to enter their details and update them when there are any changes. It will be a huge logistical task for the General Trustees, at a time of severe financial constraint, to achieve the registration of the approximately 5,000 properties to which they hold title and it is difficult to perceive any public benefit which will flow from compliance given that it is currently a straightforward matter for a member of the public to find out who to contact in relation to any Church property. In any case, the concept of individuals having "control" over our properties is misleading as it does not consider the reality that our Presbyterian polity is designed to preclude such control.

7.2.6 The Solicitor of the Church has sought to engage with the Scottish Government over the past year in an attempt to achieve an acknowledgement of all of this and an exemption from or amendment to the legislation so as to recognise its disproportionate impact on the Church. She has also pointed out that – unlike charities constituted in other ways – charities (such as congregations) who are constituted as unincorporated associations will be subject to two transparency regimes once the Charities (Regulation and Administration) (Scotland) Bill which is currently in the Scottish Parliament becomes law. The Bill creates a new public register of charity trustees which will contain the names of all trustees, along with a principal office/contact address. Charities constituted as Scottish Charitable Incorporated Organisations (SCIOs) are exempted from the registration requirements of the Register of Persons Having a Controlled

Interest in Land on the basis that they are currently subject to a similar transparency regime. Once the Bill becomes law, it will make no sense to treat other charities differently and fail to “join the dots” between these two separate exercises in transparency.

7.2.7 Unfortunately, these arguments have fallen on deaf ears. The Minister for Environment and Land Reform continues to adhere to the view that to grant any exemption would not be consistent with the policy intention of the legislation and would undermine the integrity of the Register. She has suggested that to offer an exemption to the Church, or implement the constructive alternative proposal put forward, would be discriminatory against “other groups” although she has not identified which other groups are equally impacted by the legislation. She has not addressed the issue of the difference in treatment accorded to SCIOs and to other types of charity, given that all are equally subject to another transparency regime. We have been told that the extension of the transition period to 1 April 2024 should be sufficient to answer our concerns.

7.2.8 Given the Minister’s response to date, the Solicitor and her team are, at the time of writing this Report, engaging with the Scottish Parliament in relation to the Charities Bill in the hope of securing a more equitable approach via this avenue. A written response on behalf of the Church to the call for views on the Bill has been submitted and oral evidence has been given to the Social Justice and Social Security Committee, which will produce reports before the Bill is debated and voted on by MSPs. The General Trustees are very grateful to the many Session Clerks who earlier this year responded to the Solicitor’s request that they contact their MSPs to highlight the impact of both pieces of legislation on the Church of Scotland and are hopeful that this will feed into the debate on the Bill and may yet produce a positive outcome.

7.2.9 Consideration is also being given to other arguments in relation to the lawfulness of the interference with the right to the protection of personal data, particularly since such interference is neither limited to what could be seen to be strictly necessary, nor proportionate to the stated objective of transparency around who controls decisions in relation to land.

7.2.10 The Trustees anticipate further developments in these areas, which will be reported to the Assembly.

7.3 Determinations under Regulations V 1995

7.3.1 The Regulations provide a mechanism to re-allocate the capital held by the Trustees for the benefit of congregations in the Consolidated Stipend and Fabric Funds. No such transfers were made during 2022 (one in 2021). See 6.1.2.5 and 6.2.2.5.

7.4 Determinations made under Act VII 1995

7.4.1 The Trustees report that, under the powers delegated to them by the General Assembly by Act VII 1995 (as amended by Act XIII 1996), they have made 93 Determinations as set out below in Appendix 3.

8. OPERATION OF THE GENERAL TRUSTEES

8.1 Trustees

8.1.1 Due to resignations in March and April 2022, the Trustees were unable to put forward names for either the Chair or Vice Chair at the time of the 2022 General Assembly. Mr Alan Kennedy has since acted as Chair Pro Tem along with Rev Scott Rennie as Vice-Chair Pro Tem. Elections for these positions were conducted in March 2023 and the Trustees now ask the General Assembly to confirm the appointment of Mr Alan Kennedy to be the Chair of the General Trustees and Rev Scott Rennie to be the Vice-Chair.

8.1.2 The Trustees recommend that Mr Alan Kennedy and Rev Scott Rennie each receive £1,900 for their services as Chair Pro Tem and Vice-Chair Pro Tem over the past year, as authorised under S.38 of the 1925 Act.

8.1.3 The Trustees ask the General Assembly to appoint Mr Michael Craig, Rev Alan Gibson and Mrs Isobel Gray as new members of the General Trustees.

8.1.4 The Trustees wish to record their thanks for the dedicated service given to them and to Congregations by the following who have retired or resigned since the General Assembly of 2022:

General Trustees:

- Rev Sheila M Kirk (December 2022)
- Mr Robert Balfour (May 2023)
- Mr Robin Stimpson (May 2023)

Advisory Members:

- Mr Iain Ogilvie (October 2022)
- Mr Tom Nelson (December 2022)
- Mr A Graham Biggerstaff (May 2023)

8.1.5 One Advisory Member has been appointed by the Board since the 2022 General Assembly:

- Mrs Lydia Fotheringham (September 2022) who serves on the Glebes Committee

8.1.6 The General Trustees are actively seeking members to serve on the Board or as Advisory Members. Those interested are asked to contact the Chair, Vice-Chair or Chief Executive & Clerk for further information.

8.1.7 The General Trustees have reviewed the role of Advisory Members, giving them the opportunity to serve as Committee Members without being expected to attend Board meetings. It is hoped that this will assist in the recruitment drive mentioned above.

8.2 Assembly Trustees

8.2.1 The General Trustees thank the Assembly Trustees for agreeing to propose to amend their Constitution so that the Chair of the General Trustees will no longer be obliged to be a member of the Assembly Trustees all of whom bear full trusteeship responsibility for the Unincorporated Entities of the Church of Scotland. The already improving communication between the two bodies will be taken forward in other ways.

8.3 Staffing

8.3.1 The staff of the General Trustees have faced an increased workload in the past year during which several members of staff departed including the Chief Executive and all this when hybrid working was still in place. Their willingness and ability to contribute for the benefit of Congregations and the wider Church has been commendable. In February, the Trustees appointed Mr Brian Waller as Acting Secretary & Clerk with Mrs Morag Menneer as his depute. She also agreed to take on the line management responsibility for the Presbytery Buildings Officers on a temporary basis. Upon the conclusion of a recruitment exercise in April, the Trustees were pleased to appoint Mr Brian Waller to the post of Chief Executive & Clerk of the General Trustees.

8.3.2 Going forward, the implementation of Presbytery Plans will require increases in both the General Trustees and the Law Department staff. It is anticipated that the sales of buildings will commence along with plans for the upgrading of the churches and halls identified as being needed for the furtherance of Christianity in Scotland. Presbyteries who choose to appoint a Building Officer will now have the additional technical support to efficiently maintain and safely operate their properties.

8.3.3 Current staffing numbers are 23 (21.63 full-time equivalent).

8.3.4 Future Staffing and Resourcing is continually under review by the Trustees. The introduction of more Presbytery Building Officers will see the staffing complement continue to grow as Presbyteries move to adopt the support of Building Officers.

In the name of the General Trustees

ALAN F K KENNEDY, *Chair Elect*
SCOTT RENNIE, *Vice-Chair Elect*
BRIAN D WALLER, *Chief Executive & Clerk*

Appendix 1**Funds of the General Trustees**

	31/12/2022 (£'000)	31/12/2021 (£'000)
Held for Congregations (Consolidated)		
Glebes (Land)	36,987	36,996
Stipend Fund (Investments)	111,187	111,972
Total Stipend	148,174	148,968
Buildings (Churches & Halls)	217,122	218,697
Buildings (Manse)s	287,755	288,555
Fabric Fund (Investments – Capital)	74,123	65,021
Fabric Fund (Investments – Revenue)	9,377	9,264
Total Fabric	588,377	581,537
Individual Funds	4,473	4,419
Temporary Funds	12,358	11,456
Total for Congregations	753,382	746,380
General Trustees' Funds (Central)		
General Fund	10,827	10,147
CoSIS	8,048	8,048
Central Fabric Fund	22,121	21,090
Glebe Improvement Fund	381	–
Heritage Property Fund	770	906
Individual Bequests	3,816	3,832
Total Central	45,963	44,023
Grand Total	799,345	790,403
Total for Buildings and Land	541,864	544,248
Total for Investments (Consolidated)	211,518	202,132
Total for Central	45,963	44,023
	799,345	790,403

The figures for 2022 are provisional and do not yet take account of investment gains or losses in the year.

Appendix 2

Manses: The Repairing Standard

The Repairing Standard, contained in the Housing (Scotland) Act 2006, covers the legal and contractual obligations of private landlords to ensure that a property meets a minimum physical standard.

Landlords must carry out a pre-tenancy check of their property to identify work required to meet the Repairing Standard (described below) and notify tenants of any such work.

Landlords also have a duty to repair and maintain their property from the tenancy start date and throughout the tenancy. This includes a duty to make good any damage caused by doing this work. On becoming aware of a defect, landlords must complete the work within a reasonable time.

A privately rented property must meet the repairing standard as follows:

- the property must be wind and watertight and in all other respects reasonably fit for people to live in
- the structure and exterior (including drains, gutters and external pipes) must be in a reasonable state of repair and in proper working order
- installations for supplying water, gas and electricity and for sanitation, space heating and heating water must be in a reasonable state of repair and in proper working order
- any fixtures, fittings and appliances that the landlord provides under the tenancy must be in a reasonable state of repair and in proper working order
- any furnishings that the landlord provides under the tenancy must be capable of being used safely for the purpose for which they are designed
- the property must have a satisfactory way of detecting fires and for giving warning in the event of a fire or suspected fire
- the property must have satisfactory provision for giving warning if carbon monoxide is present in a concentration that is hazardous to health
- the property must meet the statutory **Tolerable Standard** (see below)

To comply with the repairing standard, private landlords must have regard to the guidance issued by Scottish Ministers on:

- satisfactory provision for detecting and warning of fires
- electrical installations and appliances in private rented property
- the provision of carbon monoxide alarms in the private rented sector

Manses: The Tolerable Standard

The Tolerable Standard is a basic level of repair your property must meet to make it fit for a person to live in. A home may not be fit to live in if:

- it has problems with rising or penetrating damp
- it's not structurally stable (for example, it might be subsiding)
- it does not have enough ventilation, natural and artificial light or heating
- it is not insulated well enough
- it does not have an acceptable fresh water supply, or a sink with hot and cold water
- it does not have an indoor toilet, a fixed bath or shower, and a wash basin with hot and cold water
- it does not have a good drainage and sewerage system
- the electric supply does not meet safety regulations
- it does not have a proper entrance
- there are no cooking facilities – this does not mean the landlord has to provide a cooker, but there must be somewhere suitable for a tenant to install their own

Appendix 3**Determinations made under Act VII 1995****General Sales:**

In the following cases, the General Trustees made determinations authorising the sale or let of the property concerned and directed that the proceeds should be credited for the benefit of the congregations in the Consolidated Fabric Fund:

Aberfoyle – sale of manse; Auchterless and Auchaber – sale of Auchaber Church; Berneray – sale of manse; Blairdaff & Chapel of Garioch – sale of manse; Catrine – sale of church; Coatbridge Calder – sale of church and manse; Cumbernauld St Mungo’s – sale of manse; Daviot and Dunlichity – sale of church; Dornock – sale of church building; Dulnain Bridge – sale of church; Dulnain Bridge – sale of ‘Tin Church’; Dun and Hillside – sale of manse; Dundee: St David’s High Kirk – sale of church; Dunfermline: St Ninian’s – sale of manse; Foveran – sale of North Church; Dunglass – sale of churches at Oldhamstocks and Innverwick; Earlston – sale of manse; Errol – sale of manse; East Kilbride Greenhills – sale of manse; Edinburgh: Bristo Memorial – sale of church/hall; Edinburgh: Meadowbank – sale of manse; Edinburgh: Tron Kirk (Gilmerton & Moredun) – sale of manse; Edinburgh St Nicholas Sighthill – sale of ground; Falkirk Grahamston United – sale of manse; Foveran – sale of car park ground; Gretna Old, Gretna St Andrew, Half Morton and Kirkpatrick Fleming – sale of manse; Gretna Old, Gretna St Andrew’s Half-Morton and Kirkpatrick Fleming – sale of Gretna Old Hall; Glasgow: Bridgeton St Francis in the East – sale of manse; Glasgow: Castlemilk – sale of manse; Glasgow: Cranhill – sale of church/hall building; Glasgow: Queen’s Park Govanhill – sale of church/hall building; Glasgow: Shawlands Trinity – sale of manse; Glasgow: Springburn – sale of manse; Glasgow: St Christopher’s Priesthill and Nitshill – sale of manse; Glasgow: St Columba – sale of church; Glasserton and Isle of Whithorn – sale of Glasserton Church; Greenock Lyle Kirk – sale of Old West Kirk and Esplanade; Inverkeithing Parish – sale of flat, church, hall and ground; Irvine Fullarton – sale of Fullarton Centre; Irvine St Andrew’s – sale of manse; Inverness Old High St Stephen’s – sale of Old High building; Kilfinichen & Kilvickeon & the Ross of Mull – sale of St Ernan’s Church; Kilfinan – sale of church; Killean and Kilchenzie – sale of manse; Kilmarnock St Marnock’s – sale of former Riccarton building; Kilmarnock St Marnock’s – sale of manse; Kilmun, Strone and Ardentenny: The Shore Kirk – sale of manse at Dunoon; Kingwell – sale of manse; Kirkinner – sale of church and manse; Langholm, Eskdalemuir, Ewes and Westerkirk – sale of Ewes Church; Livingston Ecumenical – sale of manse; Monigaff – sale of church; Musselburgh Inveresk St Michael’s – sale of St John’s Church; Netherlee & Stamperland – sale of Stamperland Church; North Mull – sale of hall; North and West Islay – sale of manse; Orphir – sale of manse; Orwell and Portmoak – sale of manse; Penicuik Trinity Community Church – sale of former Penicuik South Church; Perth: St John’s and St Leonard’s-In-The-Field – sale of manse; Rousay – sale of hall building; Scone and St Martin’s – sale of St Martin’s Church; Shetland Church – sale of Cunningsburgh North Church; Shetland Church – sale of Dunross Ness Church; Shetland Church – sale of Gulberwick Church; Shetland Church – sale of Lunna St Margaret’s; Shetland Church – sale of St Magnus Church; Shetland Church – sale of Skerries Church; Shetland Church – sale of Voe Church; Shetland Church – sale of Whalsay Church; St Mark’s St Andrew’s – sale of Strathkinness church and hall buildings; St Mungo – sale of church; Stranraer – sale of manse; Strath and Sleat – sale of Elgol Church; Strathbrock – sale of hall; Stromness – sale of manse; Strontian – sale of church/hall building; The Bengairn Parishes – sale of church and hall buildings; Tillicoultry – sale of manse; West Lochfyneside, Cumlodden, Inverary & Lochgair – sale of manse

Glebe Sales:

In the following parishes, the General Trustees made determinations authorising the sale of Glebe subjects and directed that the proceeds should be credited to the benefit of the congregations in the Consolidated Stipend Fund:

Auchinleck – sale of Auchinleck glebe; Largo – sale of Newburn glebe; Balmaclellan, Kells & Dalry – sale of Balmaclellan West glebe; Beith – sale of Beith glebe; Campbeltown – sale of Campbeltown glebe; Innerleithen Traquair Walkerburn – sale of Traquair glebe; St Madoes and Kinfauns – sale of Kinfauns glebe; Kirkpatrick Juxta – sale of Kirkpatrick Juxta glebe; Midmar – sale of Midmar glebe; Penpont Keir and Tynron – sale of Penpont glebe; Shetland Church – sale of Tingwall glebe; Stenness – sale of Stenness glebe

Miscellaneous Sales:

The General Trustees made the following miscellaneous determinations:

Brechin Cathedral (Dissolved) – sale of Cathedral, Stracathro Church, Manse, Hall and offices and proceeds credited to the Historic Properties Fund; Kilspindie and Rait (Dissolved) – sale of church and hall buildings, proceeds credited to the Central Fabric Fund; Twechar (Dissolved) – sale of church and hall, proceeds credited to the Central Fabric Fund.