

Charity Reorganisation – Summary of Application

Type of Scheme

Duncan Hall Trust Kinnettles (SC009402) has applied to the Office of the Scottish Charity Regulator (OSCR) for approval of a reorganisation scheme for a transfer of the property of the charity (after satisfaction of liabilities) to another charity under section 42(3)(b) of the Charities and Trustee Investment (Scotland) Act 2005 (the 2005 Act).

The trustees propose to transfer the assets of the charity to:

6th Forfar Boy Scout Group (SC032669).

Reasons for reorganisation

In 1927 the Duncan Hall was given to Duncan Hall Trust Kinnettles, for use as a public hall and library for the parish of Kinnettles. At the same time an endowment was provided for income to maintain the hall and the library. The trustees have maintained the hall for public use since 1927. However, the trustees explain that the hall has ceased to attract bookings, and that the hall has not been used as a library for many years. The trustees have stated that the building has failed an electrical inspection, leading to disconnection of both water and electrical services, and consequently members of the public cannot be permitted to use it. The trustees note that charity has insufficient funds to instruct the alterations necessary to provide disabled access and toilets or to bring the hall up to the necessary safety standards, and that the hall is physically deteriorating due to lack of funding for maintenance.

Reorganisation conditions

The trustees suggest that the following reorganisation conditions are met:

42(2)(a)(ii) that some or all of the purposes of the charity can no longer be given effect to (whether or not in accordance with the directions or spirit of its constitution)

42(2)(a)(iv) that some or all of the purposes of the charity have ceased in any other way to provide a suitable and effective method of using its property, having regard to the spirit of its constitution

The trustees suggest the conditions are met because:

As the purpose of the charity being to provide a public hall and library and there being insufficient public demand for the hall and there being no library, its purpose can no longer be given effect to. The trustees state that with the hall requiring significant work to make it safe and fit for use by the public, because of the fact the endowment has been depleted and the hall cannot accept bookings, there is insufficient capital or income to carry out the work required. The purposes have ceased to provide a suitable method of using its property.

Reorganisation outcomes

The trustees suggest that the following reorganisation outcome is met:

39(1)(b)(i) that the proposed reorganisation scheme will enable the resources of the charity to be applied to better effect for charitable purposes consistently with the spirit of its constitution, having regard to changes in social and economic conditions since it was constituted

The trustees suggest the outcome is met because:

The resources of the charity presently comprise of the Hall which cannot be used by the public for reasons of safety and it cannot attract the necessary income for its maintenance and operation.

The Trustees propose to transfer the property of the charity to the Sixth Forfar Boy Scout Group ((SC032669) ('the recipient charity'). There are some similarities between the purposes of the recipient charity and those of the Duncan Hall Trust Kinnettles. The recipient charity have advised that they are starting a fundraising campaign to help them build a new meeting hall as their current hall is becoming unusable. The recipient charity have therefore also confirmed that they will ringfence the funds received from Duncan Hall Trust Kinnettles for the purpose of providing a new hall and meeting place

The trustees suggest this will allow the resources of the Duncan Hall Trust Kinnettles, once realised by the sale of the hall, to be applied to better effect to fulfil the charity's purposes in the spirit of its constitution.

How to make a representation in relation to the proposed reorganisation scheme

Any person may make a representation to OSCR either supporting or opposing this proposed reorganisation scheme. Should you wish to make a representation, you may do so by writing to OSCR providing the following information:

- Your name and address
- The name of the charity concerned
- The nature of the representation and reasons for it

These are the terms of Regulation 5 of the Charities Reorganisation (Scotland) Regulations 2007).

Representations should be sent to OSCR by post or email

Postal: OSCR
2nd Floor Quadrant House
Riverside Drive
Dundee
DD1 4NY

Email: info@oscr.org.uk

Representations can be made up to 14 days following the end of the publication period. The latest date for the receipt of representations is 05/11/2026.

We cannot accept representations via social media channels.

Copies of any representations will be provided to the applicant charity for comment. If you do not wish the charity to be provided with your personal details, please indicate this in your representation.

Personal details will otherwise be disclosed to the applicant charity.

Please contact us by email or by telephone on 01382 220446 if you have any questions about the submission of a representation.

OSCR
24/09/2026