

CLACKMANNANSHIRE COUNCIL

Report to Council

Date of Meeting: 28th June, 2017

Subject: Charitable Trusts

Report by: Depute Chief Executive

1.0 Purpose

- 1.1. The purpose of this report is to obtain Council approval for the transfer of two Charitable Trusts to Tillicoultry, Coalsnaughton and Devonside Community Council.

2.0 Recommendations

- 2.1 It is recommended that Council:

2.2.1 notes the background information set out in paragraphs 3.1 to 3.5

2.2.2 approves the transfer of the two Charitable Trusts in respect of the Old Folks Annual Outing and the Old Folks Welfare Fund to Tillicoultry, Coalsnaughton and Devonside Community Council.

3.0 Background Information

3.1 In presenting the Council's Annual Financial Statements for 2014/15, Council agreed that work should be taken forward to secure the appointment of Independent Trust members for each of its Sundry Trust Funds. This action aimed to minimise the cost of the annual audit fee and provide more formalised constitutional arrangements for each of the Trusts.

3.2 In addition, it was proposed at Council that two Trusts (Tillicoultry Old Age Pensioners Outing and the Old Folks Welfare Fund) transfer to Tillicoultry, Coalsnaughton and Devonside Community Council, the legal competency of this proposal to be confirmed as work progressed.

3.3 Council was updated on progress and next steps at its meeting on the 9th March 2017, including confirmation of the nominated Independent Trust Members. Since then, work has focussed on the preparation/ amendment of constitutions for submission to the Trusts' Governing Body (Office of the Scottish Charity Regulator). This work is now nearing completion.

3.4 Legal checks have also confirmed the competency of the additional proposal in respect of the two Tillicoultry Trusts. Therefore, additionally, Council is now formally requested to support the transfer as detailed in paragraph 3.2. Once this authority is in

place, the Council will submit paperwork to OSCR for approval.

3.5 Subject to OSCR's approval, appropriate transfers and appointments will then take place.

5.0 Conclusions

5.1 This report requests formal approval to transfer two Tillicoultry Charitable Trusts to the Tillicoultry, Coalsnaughton and Devonside Community Council.

6.0 Sustainability Implications

6.1. N/A

7.0 Resource Implications

7.1 *Financial Details*

7.2 Accountancy has been consulted and has agreed the financial implications as set out in the report.

7.3 *Staffing* – the financial impact of planned savings not being delivered in respect of the managed contraction in the workforce is detailed within the report.

8.0 Exempt Reports

8.1 Is this report exempt? No

9.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Council Policies**(Please detail)

Budget Strategy

10.0 Equalities Impact

10.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations? N/A

11.0 Legality

11.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. **Yes**

12.0 Appendices

None

13.0 Background Papers


13.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Council Minute June 2015
Charitable Trusts March 2017

Author(s)

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Approved by

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