

EAST AYRSHIRE COUNCIL

CABINET - 18 JUNE 2008

MISS BESSIE C ROXBURGH BEQUEST - PROPOSAL FOR FUTURE ADMINISTRATION

Report by the Depute Chief Executive/Executive Director of Corporate Support

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to seek approval for amended administrative arrangements for the Miss Bessie C Roxburgh Bequest.

2. BACKGROUND

- 2.1 The statutory position in terms of Section 222(2) of the Local Government (Scotland) Act 1973, and the relative Order, was that all property held as part of the common good of a Burgh Council transferred to the District Council which was then required in administering that property to have regard to the interests of the inhabitants of the area to which the common good formerly related. Under the Local Government Etc (Scotland) Act 1994, common good was transferred by Section 15(4), and East Ayrshire Council shall have regard to the interests of the inhabitants of the area to which the common good related prior to May 1975.
- 2.2 The Bessie Roxburgh Bequest is properly part of the common good of this Council subject to the condition that the fund be applied in the interests of the people of Darvel. The fund can be applied for any legal purpose which the Council proposes, without further formality. In the absence of an appropriate project for the whole fund, the Council agreed to administer an informal trust and to make annual donations for purposes local to Darvel. To date, purposes local to Darvel have been taken to include donations to organisations such as Loudoun Musical Society, Darvel Guides, Darvel Horticultural Society, Darvel Community Council and Darvel Football Club.

3. ADMINISTRATION OF THE BEQUEST

- 3.1 For the purpose of managing the Bequest, on 24 October 1996, the Policy and Resources Committee remitted authority to the former Irvine Valley Local Committee, with its Elected Members being Trustees, to administer the Bequest. The Committee also established a Joint Advisory Committee comprising those Councillors and three representatives from Darvel and District Community Council to consider applications and make recommendations to the Trustees for approval.
- 3.2 This arrangement continued up until 2007 when the Council's decision-making structures were reviewed and subsequent development of community engagement to link with community planning structures led to the establishment of Local Community Planning Forums.

4. PROPOSAL FOR FUTURE ADMINISTRATION OF THE BEQUEST

- 4.1** There is now an opportunity to streamline the decision-making process of the Bequest, yet still maintain local community input.
- 4.2** The Miss Annie Smith Mair Bequest was initially administered in the same way as the Miss Bessie C Roxburgh Bequest. However, due to the sensitive nature of applications submitted and concerns about privacy, the arrangement fell. Responsibility for making awards from the Miss Annie Smith Mair Bequest currently lies with the Elected Members appointed by the Council as Trustees, who meet as a Trust, assisted by three community representatives appointed annually by Newmilns and Greenholm Community Council.
- 4.3** It is considered that the Miss Bessie C Roxburgh Bequest could henceforth be administered in the same way as the Miss Annie Smith Mair Bequest, whereby current members, Councillors Robert McDill, Provost Stephanie Young and Councillors Jim Buchanan, Gordon Cree and Alan Brown meet as a Trust and with appropriate input from three community representatives appointed by Darvel and District Community Council, consider applications and make awards in accordance with established guidelines, the decision of the Trustees i.e. Councillors Robert McDill, Provost Stephanie Young and Councillors Jim Buchanan, Gordon Cree and Alan Brown being final.

5. FINANCIAL/LEGAL/COMMUNITY PLANNING IMPLICATIONS - Nil.

6. RECOMMENDATIONS

- 6.1** It is recommended that Cabinet:-
- (i) approve the future administration of the Miss Bessie C Roxburgh Bequest as proposed in paragraph 4 above and that these arrangements commence from 27 June 2008; and
 - (ii) otherwise note the report.

Elizabeth Morton
Depute Chief Executive/Executive Director of Corporate Support

11 June 2008
GH/SC

LIST OF BACKGROUND PAPERS

1. Policy and Resources Committee report dated 24 October 1996.

Implementation Officer: Gillian Hamilton, Administrative Officer.