

REPORT TO: THE MORAY COUNCIL ON 2 JULY 2008

SUBJECT: THE MORAY FLOOD RELIEF FUND : ASSUMPTION OF TRUSTEE

BY: CHIEF LEGAL OFFICER

1. REASON FOR REPORT

- 1.1 To appoint a Councillor as a Trustee of The Moray Flood Relief Fund to replace the late Councillor Bisset.
- 1.2 To agree to the legal and administrative arrangements required to achieve 1.1 above.
- 1.2 This report is submitted to the Council in terms of Section 22 of the Council's Administrative Scheme relating to the management and investment of funds.

2. RECOMMENDATION

- 2.1 **That the Council agree to appoint a Councillor as a Trustee in place of the late Councillor Bisset.**
- 2.2 **To authorise the Chief Legal Officer to prepare a Deed of Resignation and Assumption to formally achieve the resignation of the outgoing Trustees and the assumption of the new Trustees.**

3. BACKGROUND

- 3.1 The Moray Flood Relief Fund was established in July 1997. Its primary purpose is to relieve distress caused by flood disasters in Moray.
- 3.2 The current Trustees of the Fund are Councillors Divers, Ross, Paul, Shand and the late Councillor Bisset.
- 3.3 The Fund officially closed to applications on 30 September, 2003 and at The Moray Council's meeting on Wednesday, 14 September, 2005 (para. 19 refers) the Council agreed to transfer the balance of the funds in the Moray Flood Relief Fund to The Moray Council to administer as an ongoing Trust Fund.
- 3.4 At the date of writing this report the Fund currently stands at £24,024.

4. SUMMARY OF IMPLICATIONS

(a) Corporate Development Plan/Community Plan/Service Improvement Plan

There are no implications.

(b) Policy and Legal

There are no implications.

(c) Resources (Financial, Risks, Staffing and Property)

The Trust Fund has funds of £24,024 which will be held by the Council to be administered as an on going Trust Fund should there be a further flood event.

(d) Consultations

This Report has been prepared in consultation with the Chief Executive; the Head of Financial Services; the Chief Housing Officer and the Trustees of the Moray Flood Relief Fund.

5. CONCLUSION

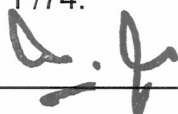
5.1 That the Council considers the recommendations set out in Section 2 of the Report in regard to the appointment of a new Trustee to the Moray Flood Relief Fund from The Moray Council Councillors and for the necessary legal work to be undertaken to achieve the assumption of the new Trustees and the resignation of those outgoing Trustees.

Author of Report: Kathryn Macpherson, Senior Solicitor.

Background Papers: File.

Ref: F/74.

Signature: _____



Designation: Chief Legal Officer

Name: Roderick D. Burns