

**THE MORAY COUNCIL**  
**MINUTE OF MEETING OF THE EDUCATIONAL SERVICES GENERAL**  
**PURPOSES SUB-COMMITTEE**

**WEDNESDAY 9 JUNE 2010**

**COUNCIL OFFICE, ELGIN**

**PRESENT**

Councillors J Hamilton (Chair), J Divers, G Coull, A McKay, J Russell, M Shand, I Young and Mrs S MacLennan.

**APOLOGIES**

Apologies for absence were intimated on behalf of Ms F Wardhaugh.

**IN ATTENDANCE**

The Director of Educational Services, the Head of Educational Resource Services, Mrs D Brands, the Principal Accountant, and Mr S Hoath, Solicitor (Litigation & Licensing), Mrs Jean-Anne Goodbrand, Administrative Officer and Mrs S Kennedy, Committee Services Officer, Clerk to the Meeting.

**1. DECLARATION OF GROUP DECISIONS**

In terms of the relevant Standing Order 20 and the Councillor's Code of Conduct the meeting noted that there were no declarations from Group Leaders or spokespersons in regard to any prior decisions taken on how Members will vote on any item on the agenda.

**2. EXEMPT INFORMATION**

The Meeting agreed, in terms of Section 50A (4) and (5) of the Local Government (Scotland) Act 1973, as amended, that the public and media representatives be excluded from the Meeting during consideration of the items of business appearing at the relevant paragraph of this Minute as specified below so as to avoid disclosure of exempt information of the class described in the appropriate paragraph of Part I of Schedule 7A of the Act.

**Para No of Minute**

**Para No of Schedule 7A**

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### **3. MORAY & NAIRN EDUCATIONAL TRUST: APPLICATIONS 2009/10 (PARA 9)**

There was submitted a report by the Director of Educational Services providing the Sub-Committee with information and seeking a decision on how payments from the Trust and applications to the Moray & Nairn Educational Trust for the financial year 2009/2010 will be dealt with.

Following consideration the Sub-Committee, in its capacity as Governors of the Trust, noted the information contained in Appendix 3 of the report and agreed the awards to be made for applications in the financial year 2009/2010 as detailed in the report.

### **4. MORAY AND NAIRN EDUCATIONAL TRUST PROPOSALS FOR RE-ORGANISATION (PARA 9)**

There was submitted a report by the Director of Educational Services providing the Sub-Committee with information and seeking approval for a Trust re-organisation and the issue of instructions to legal advisors to proceed as necessary.

Mr S Hoath, Solicitor, Litigation & Licensing briefed the meeting on the current position with regard to the proposals for the legal review of the Trust Scheme and outlined what the broad proposals would be to reach a more modern and easy to manage system and sought guidance from Elected Members as Governors of the Trust on how they wished to proceed.

Following consideration the Chair advised that he was broadly in agreement with the proposals/recommendations subject to the scheme being monitored and some changes being made to the proposals.

Thereafter, the Sub Committee, as Governors of the Trust agreed:

- (1) to note the proposals for application for re-organisation with the Office of the Scottish Charity Regulator (OSCR);
- (2) to approve the issue of instructions to legal advisers to proceed with the above as necessary;
- (3) to delegate authority to the Chief Legal Officer in consultation with the Chair and Depute Chair of the Sub-Committee to make any amendments to the proposals recommended by both the external legal adviser and/or Officer of the Scottish Charity Regulator (OSCR) and agreed by the Chief Legal Officer as necessary in order to secure OSCR approval for the proposals;
- (4) that with regard to the residency qualification that this should be the address of the applicant at the time of application;

- (5) that with regard to school prizes it was agreed that this should be discontinued;
- (6) that with regard to University/Further Education Bursaries it should be at any University/place of further education/institute of learning;
- (7) that any advertising of Trusts would be done in future through the Website and circulars; and
- (8) that with regard to Educational Trips that Mr S Hoath, Solicitor, Mr A Farquhar, Head of Educational Resource Services in liaison with Head Teachers would look at appropriate cut off/closure dates for the submission of applications.