

**To:** Finance Resources and Customer Services Policy Board

**On:** 28 March 2018

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**Report by:** Director of Finance and Resources

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**Heading:** Sundry Trusts Winding-Up and Dissolution

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**1. Summary**

- 1.1 On 11 August 2010 the General Management and Finance Policy Board agreed to constitute three new funds for charitable purposes. This was to allow the Council to release monies given to the local authority over the years in the form of bequests and endowment funds whose purposes had become out of date and was not capable of straightforward use.
- 1.2** The three new charities were the Paisley Burgh Citizens Fund, the Renfrew Burgh Citizens Fund and the Renfrewshire Council Citizens Fund.
- 1.3 The funds held by the three new charities have been exhausted and accordingly it is proposed to wind up and dissolve the three charities.
- 1.4 Application has been made to the Office of the Scottish Charity Regulator (OSCR) and its consent has been given for this proposal. This report sets out the formal resolution the Board as the present trustees of the three charities requires to agree to put into effect the winding up and dissolution.
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## **2. Recommendations**

2.1 The Board is asked to approve the following resolution :

“The Renfrewshire Council as the present trustees for the following funds registered with the Office of the Scottish Charity Regulator do hereby determine and resolve for the purposes of Section 16 (2) (c) of the Charities and Trustee Investment ( Scotland) Act 2005 that the funds be wound up and dissolved –

Paisley Burgh Citizens Fund (SC042037)

Renfrew Burgh Citizens Fund (SC042035) and

Renfrewshire Council Citizens Fund (SC042036).”

2.2 The Board is asked to delegate authority to the Director of Finance and Resources to take all necessary action in connection with finalising the winding –up and dissolution process.

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## **3. Background**

3.1 On 11 August 2010 the General Management and Finance Policy Board agreed to constitute three new funds for charitable purposes. This was to allow the Council to release monies given to the local authority over the years in the form of bequests and endowment funds whose purposes had become out of date and not capable of straightforward use.

3.2 The three new charities were the Paisley Burgh Citizens Fund, the Renfrew Burgh Citizens Fund and the Renfrewshire Council Citizens Fund.

3.3 The sums were subsequently transferred from the old charities into the three new charities. The sums available for distribution were approximately Paisley Burgh Fund - £40,600, Renfrew Burgh Fund - £31,300 and Renfrewshire Council Fund - £52,600.

3.4 These funds have now been disbursed by Local Area Committees generally in the form of grants in response to applications meeting the charities purposes. The funds held by the three new charities have now been exhausted and accordingly it is proposed to wind up and dissolve the three charities.

- 3.5 In terms of the process to wind up a charity, the initial step is for an application to be made to the Office of the Scottish Charity Regulator (OSCR) who must approve the proposal prior to any formal winding-up decision being taken by the charities trustees. OSCR has provided consent to the proposal.
- 3.6 This report sets out the formal resolution the Board as the present trustees of the three charities requires to agree to put into effect the winding up and dissolution.

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## Implications of the Report

1. **Financial** – the funds initially transferred to the charitable trusts have been expended in line with the charities objectives.
2. **HR & Organisational Development** - None
3. **Community/Council Planning** – None
4. **Legal** – The action recommended in the report is in accordance with the relevant legislation – the Charities and Trustee Investment (Scotland) Act 2005
5. **Property/Assets** – None
6. **Information Technology** – None
7. **Equality & Human Rights** - The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report which relate to the completion of a legal process.
8. **Health & Safety** – None
9. **Procurement** – None

- 10. **Risk – None**
  - 11. **Privacy Impact - None**
  - 12. **CoSLA Policy Position – None**
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#### **List of Background Papers**

- (a) Background Papers :  
Application for Consent to wind up and dissolve the three charities to OSCR dated 27 December 2017; Letters of Consent from OSCR dated 29 December 2017

The foregoing background papers will be retained within Finance & Resources for inspection by the public for the prescribed period of four years from the date of the meeting. The contact officer within the service is Graham Barrowman,  
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