

GUILDRY AND MORTIFICATION FUNDS SUB COMMITTEE

1 September 2016

ABERDEEN, 1 September 2016. Minute of Meeting of the GUILDRY AND MORTIFICATION FUNDS SUB COMMITTEE. Present:- Councillor Finlayson, Master of Mortifications, Chairperson; and Councillor George Adam, the Lord Provost; and Mr Colin G Taylor, Lord Dean of Guild.

The agenda and reports associated with this minute can be found at:-
<http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=419&MIId=4189&Ver=4>

Please note that if any changes are made to this minute at the point of approval, these will be outlined in the subsequent minute and this document will not be retrospectively altered.

MINUTE OF PREVIOUS MEETING

1. The Sub Committee had before it the minute of its previous meeting of 21 April 2016.

The Sub Committee resolved:
to approve the minute.

LORD DEAN OF GUILD REPORT

2. The Sub Committee had before it a paper by the Lord Dean which updated the Sub Committee on various ongoing projects.

The Lord Dean advised that item 4 – Lands of Torry should be removed as the Burgesses had no interests in the Lands of Torry.

The Sub Committee resolved:
to note the paper.

At this juncture the Chairperson intimated that the next two items of business be brought forward and that the Review of Allowances be considered immediately thereafter.

MATTER OF URGENCY

The Chairperson intimated that he had directed in terms of Section

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50(B)(4)(b) of the Local Government (Scotland) Act 1973, that the following item of business be considered as a matter of urgency to enable a decision to be taken without delay.

GOVERNANCE REVIEW - GUILDRY TRUST DEED - CG/16/116

3. The Sub Committee had before it a report by the Interim Director of Corporate Governance which provided an update on progress in the preparation of a revised constitution for the Guildry and recommended that an application be made to the Office of the Scottish Charity Regulator (OSCR) seeking the adoption of the revised constitution which was appended to the report.

The Sub Committee was advised that the intention was to broaden the scope of the constitution to free up funding allowed by the Trust which would need to be approved by OSCR.

With reference to Appendix B to the report, the Sub Committee was advised that under current regulations spending was limited (a) to Trust purposes only; and (b) to interest earned on capital only which limited the financial assistance available. The ability to spend both capital and interest was being pursued and the Sub Committee was advised that such spending would continue to need approval by Council as a safeguard and that the requirement to reflect the Trust's purpose would be maintained.

The report recommended:

- (a) that an application to reorganise the Guildry by the adoption of a new constitution be submitted to OSCR; and
- (b) that officers be instructed to continue to work with OSCR on the reorganisation of the charitable trusts.

The Sub Committee resolved:

- (i) to approve the recommendations contained within the report; and
- (ii) to thank officers for their work to date.

MATTER OF URGENCY

The Chairperson intimated that he had directed in terms of Section 50(B)(4)(b) of the Local Government (Scotland) Act 1973, that the following item of business be considered as a matter of urgency to enable a decision to be taken without delay.

TRUST FUNDS - CG/16/115

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4. The Sub Committee had before it a report by the Interim Director of Corporate Governance which provided a breakdown of funds held by trusts managed by Aberdeen City Council and guidelines on the use of such funds.

Ms Catriona Gilmour, Accountant, advised that the Bridge of Don and Bridge of Dee trusts had been updated for the 'Advancement of Heritage' to allow funds to be used in the maintenance of the historic bridges and surrounding areas under current OSCR regulations. OSCR's approval was being sought to amalgamate the two trusts.

Reference was made to the wider governance review being undertaken which included a review of all trusts supported by the Council. Some fifty trust funds had been reviewed and where applicable, transferred or amalgamated into other trusts.

The report recommended:

that the Sub Committee note the content of the report.

The Sub Committee resolved:

- (i) to approve the recommendation; and
- (ii) to thank officers for their work to date.

REVIEW OF ALLOWANCES

5. The Sub Committee had before it a paper by the Head of Finance which (a) provided information concerning (1) the amount of allowances paid from the Guildry fund to Burgesses of Guild, widows and widowers of Burgesses and children of Burgesses from 1995 to 2015; and (2) the number of people receiving allowances for the same period; and (b) proposed that the allowances be increased by either 3% or 5% rounded up to the nearest £10, backdated for 2016/17.

The Sub Committee resolved:

to recommend to Council that the following increases (5%) in annual allowances be approved backdated from 1 May 2016:-

Guildry Fund Allowance	Present Allowance	Proposed Allowance
Burgesses	£1,950	£2,050
Widows / Widowers of Burgesses	£1,950	£2,050
Children of Burgesses	£1,815	£1,905

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6. The Sub Committee discussed the possibility of a permanent display for the Burgesses as part of the Mither Kirk project.

The Sub Committee was advised that Guildry funds would not be available to fund a display board due to the constitution, however Mr Alan Thomson, Solicitor, advised that he would check the OSCR website to see whether any other funding option could be made available under the current constitution.

The Chairperson advised that he would arrange a meeting between Councillor Boulton and the Lord Dean to follow up on the matter.

The Sub Committee resolved:

to note the information provided.

DATE OF NEXT MEETING

7. The Sub Committee noted that the next scheduled meeting would be held on 1 March 2017.

- **ANDREW FINLAYSON, Master of Mortifications, Chairperson.**