

59583 Lauriston Castle Trust - Formal Appointment of Councillors as Trustees

Confirmation of whether CEC has ever formally appointed a Councillors as Trustees for Lauriston Castle Trust.

Copies of any minutes, decisions, or reports of such a committee (if it exists).

The Council's position remains the same as stated in responses '32440', '36387' and '49047' on our Disclosure Log. Namely there are no individual Councillors who have been appointed trustees of the Trust.

A detailed explanation of how CEC believes the Finance & Resources Committee satisfies Section 16(2).

The Council considers this to be a request for opinion rather than specific recorded information.

Confirmation of how CEC ensures the trust is administered separately from Council assets and interests.

The practical function of administering Lauriston Castle Trust is delegated, as the Council is entitled to do so, to the Finance and Resources Committee (FRC). This delegation means the FRC take decisions on the Council's behalf. Ultimately, the Council retains responsibility for discharge of trustee duties in an appropriate way that is in accordance with the law. The FRC does not constitute a separate entity, and the Council can at any time amend or rescind delegation.

Confirmation of whether legal advice has been sought on this matter, and if so, the date and general nature of that advice.

Legal advice has been received by the Council on this subject; however, the contents of that advice are legally privileged.

Confirmation of whether OSCR has been notified of the Council's governance arrangements for the trust.

The Council provides OSCR with the information it is required to under the Charities and Trustee Investment (Scotland) Act 2005. The Council has previously provided correspondence between OSCR and the Council in '50356' and '58827' on our Disclosure Log. '59124' also provides relevant information to this request.