

CITY OF EDINBURGH COUNCIL (LEITH LINKS AND SURPLUS FIRE FUND) ACT 2014

EXPLANATORY NOTES

THE ACT

3. The first recorded rules of the game of golf were created in 1744, by the golfers playing at Leith Links. In order to commemorate this event, the Leith Rules Golf Society (the “Society”) wishes to erect a statue on Leith Links of John Rattray, a leading golfer at the Links at that time.
4. Section 22 of the Schedule to the City of Edinburgh District Council Order Confirmation Act 1991 (the “1991 Act”) prohibits the construction of buildings on Leith Links other than buildings falling into certain specified categories. The list of permitted categories does not include monuments or statues.
5. The Act amends section 22 of the Schedule to the 1991 Act to create an exception in respect of that particular statue, but otherwise leaves the existing building restrictions in place. While the Act removes the current statutory obstacle to the construction of the statue, the Act does not itself authorise its construction. The Council granted planning permission in respect of the statue on 18 April 2013.
6. The Act also makes provision in respect of the Surplus Fire Fund (the “Fund”), which is a registered Scottish Charity (Charity number SC018967). It was originally established after a series of fires in the High Street in Edinburgh in 1824, and was transferred to the Edinburgh Corporation (now the City of Edinburgh Council) by section 71 of the Schedule to the Edinburgh Corporation Order Confirmation Act 1927 (“the 1927 Act”). The Council is the sole trustee of the Fund. The charitable purposes for which the Fund assets may currently be applied are set out in section 41 of the Schedule to the 1991 Act, being essentially the same purposes as were set out in section 572 of the Schedule to the Edinburgh Corporation Order Confirmation Act 1967 (“the 1967 Act”), and are as follows:
 - the relief of any persons suffering injury, or of the dependents of persons who have lost their lives or have suffered serious injury, in or in connection with fires within the district; and
 - making awards or grants to persons who have rendered meritorious service in connection with fires within the district.
7. The Act will:
 - amend the purposes for which the Fund can be applied in order to make those purposes more flexible;
 - transfer the property, rights, interests and liabilities of the Fund to a well-administered and active charitable body – the Edinburgh Voluntary Organisations Trust (“EVOT”) (charity number SC031561), with the assets to be held in a restricted fund and subject to the same amended purposes; and

These notes relate to the City of Edinburgh Council (Leith Links and Surplus Fire Fund) Act 2014 (asp 7) which received Royal Assent on 27 March 2014

- thereafter dissolve the Fund.