

Ellingham Community Trust

Minutes: 4th June 2014

Ellingham Village Hall

Present: Gustav MacLeod, Robert Stuart, George Unwin, Heather Cairns, Stanley Calvert.

Apologies for Absence: Christopher Watson

Approval of Minutes: Minutes of 7th May (previously circulated) were approved and signed.

Matters Arising (not dealt with below): With regard to indemnity insurance SC reported that the policy does cover negligence, breach of trust and breach of duty but only if there is a legal liability to pay. The insurance policy does therefore provide the necessary cover for the Trust.

Treasurers Report: Bank balance: £61,798.98. Transactions: £125.37 for energy monitors.

Demands from HMRC for submission of accounts and payment of corporation tax for the period up to May 2013 received – CW has spoken with HMRC and they have withdrawn the request. CW and GM have submitted a form to HMRC describing the Trust's activities as a charity and they now require a return in May 2015 for the period ending May 2014.

Accounts and reports submitted to the Charity Commission. It had been assumed that Sintons had submitted these documents but examination of the Charity Commission site showed the Trust to be in contravention of our obligations. CW advised that matters are now up to date.

Companies House – first return rejected because the date of the accounts was wrong. This was corrected by the volunteer accountant and resubmitted. This submission was rejected by Companies House because the Company House registration number was omitted. This was corrected and the accounts resubmitted. Although the accounts and reports were accepted a charge of £375 has been incurred for late submission of correct accounts. CW has submitted an appeal against the charge citing the Trust's obvious efforts to submit accounts on time, the voluntary nature of accounting advice and the delays and lack of assistance from Sintons. As yet no decision received.

CW and GM have met informally with a potential professional accountant who is willing to provide the Trust with accounting advice in dealing with HMRC and Companies House.

Action: CW will take this forward with assistance of additional Trustee support.

Invoices sent to Clerk by Sintons – these were for costs incurred when advice sought (a) regarding Ethical Partnerships and (b) in relation to trading. SC stated that he felt these costs need not have been incurred as he gave advice on these matters. CM and HC stated that SC had raised issues which the Trustees felt should be clarified by Sintons. GM noted that Blue Energy will pay for £250 legal costs per annum. **Action: GM will pass invoices to CW for payment.**

Green Energy Schemes: Biomass boiler will be installed in July, once school closes for summer holidays. Ethical Partnerships has instructed their solicitor, Samuel Phillips, to write up the agreement between School/Trust. Company supplying and installing boiler requires deposit before proceeding. GM advised that School Governors will write letter of intent on Friday 6th June, as drafted by Trust, in order that Trust can pay deposit (amount to be confirmed) into School bank account, with deposit to be paid as soon as installation date is confirmed. HC, GU, RS, GM all agreed to deposit being paid to school; CW had informed GU that it was regrettable that legal agreement not yet in place – all present agreed but GU noted that every haste is being made to get this completed. SC raised concerns that if large deposit to be paid there was a considerable risk that the school did not agree or was unable to repay the deposit leading to the Trust being accountable to the Parishioners of Ellingham. It was agreed that Trustees should be informed of sum to be paid as deposit as soon as confirmation received: any objection to sum should be raised by Trustee(s).

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HC noted that she felt somewhat uncomfortable that as yet none of the Trust's money has been effectively spent so will be pleased to hear when this project has been completed. GU noted that it was important to move ahead with this in order to ensure installation of boiler during summer holidays.

Decisions/Action: *SC amend draft letter of intent for School Governors. GM pass to school.*

Deposit amount to be advised to Trustees who should raise objection if not in agreement with paying this sum.

Deposit then to be paid to school when school returns letter of intent to Trust.

GU chase up Samuel Philips for completion of legal agreement.

Energy monitors – GU, RS and SC reported that monitors were easy to use and proved interesting – eg spotlights found to use a large amount of electricity. The monitors will be passed on to other parishioners in Brownieside/Chathill/Ellingham.

HC noted that if larger green energy schemes cannot go ahead it may be worth considering helping parishioners to install photovoltaics. GM suggested this could be discussed at a later date.

LED Scheme: Order form prepared. This needs to be circulated to parishioners. GU noted that it may be helpful to have samples of the type of bulbs available so that people choose the correct ones for their homes. Once forms received back CW can liaise with LED Hut on price of LED lamps.

Action: *CW ensure order form distributed via Trustees to all households in parish.*

Broadband Meeting: GM noted that he had suggested to PNE Wind, company looking at wind farm development at East Ditchburn (extension of Middlemoor/Wandylaw) that if they have community funds they might look at supporting improved broadband. However the proposed development has already hit a problem with MoD. It is unlikely that planning permission will be applied for at least 12 months.

On 28th May meeting was held with NE Director of BT (Simon Robeson) and representatives from South Charlton and Eglington Parish Councils and Ellingham Community Trust together with interested parishioners. BT very unhelpful however GM will continue to pursue the matter on behalf of Trustees. Aidan Ruff (Ellingham Hall) had been in attendance and BT representative went to look at Mr Ruff's broadband set-up which includes BT lines and satellite combined.

Action: *GM to email A Ruff regarding outcome of his meeting with S Robeson (BT)*

Changes with Blue Energy/Wandylaw: Teresa Hall has been made redundant. GM noted that at present it is not known who the new contact within the company will be. He further noted that Blue Energy will pay administration costs for the Trust of £1800 per annum.

Dates of next meetings: Wednesday 9th July and Wednesday 10th September at 7pm in Ellingham Village Hall

Minutes prepared by: Elspeth Gilliland

Ellingham Community Trust

ADDENDUM TO MINUTES OF 4TH JUNE 2014

G Macleod emailed Trustees 16.06.14 to confirm the following:

Deposit amount for boiler is £11,730.00, ie 30% of the total cost and installation of the boiler at £39,100.

Arrangements being made to pay money to school account.

Eco Energy are due to install the boiler on 22nd July. It will take about 10 days to two weeks. Meanwhile, Samuel Phillips (solicitors) are drawing up the agreement between the school and Community Trust.

S Calvert emailed G Macleod 16.06.14 stating that he did not agree to payment of the deposit. This was his personal objection and not one agreed by the Trustees. Other Trust members who agreed with payment of the deposit were HC, BS and CW. CW was sorry that the legal agreement was not in place, as were the other Trustees but every haste is being made to get it completed.

GU had spoken with Samuel Philips before final decision taken to pay deposit. They agreed the risk in paying deposit without legal agreement was low and noted that agreement could be in place within 3 weeks. Paying the deposit ensures that the possibility of installing the boiler will take place during the summer holidays and not be delayed until Easter 2015.

GU also noted that he spoke to SC about going ahead to pay the deposit. SC said that he would be writing to the Charities Commission. It has to be noted that SC is not in agreement that Ellingham School is a village school and therefore could not see why it is having Community Funds to support it.

Note prepared by E Gilliland
25.06.14

It has to be noted that SC is not in agreement that Ellingham School is a village school and could not see why it is having Community Funds being used to support it.