

STRUAN COMMUNITY TRUST

Minutes of Meeting

Chairperson

Donald G Beaton
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Vice Chairperson

Mr J MacKinnon
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Secretary

Alison M Munro
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Treasurer

Mr Brian Morris
Eabost House
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Date: 31st May 2010

Time: 7.30pm

Venue: Struan Primary School

Present: Donald Beaton, John MacKinnon, Christine MacLennan, Marion MacAskill,
Brian Morris, Alison Munro, Duncan MacKinnon

Apologies for Absence: Mr John MacKinnon put forward his apologies to the Secretary as he would be late in attending the meeting.

1. Welcome

Meeting opened in the first instance by Mr Donald Beaton who welcomed everyone.

Mr Beaton made a special welcome to the meeting to Mr Duncan MacKinnon on his break from University.

Mr D Mackinnon informed the meeting that he will be in Struan for a number of months so will be available to attend meetings.

2. Minutes

Minutes from meeting of 29th April 2010 were put forward to the Trustees for approval.

Minutes proposed by Mrs M MacAskill and seconded by Miss C MacLennan and signed accordingly.

Miss C MacLennan made reference to our Deed of Trust, that minutes should also be signed by the Chairperson. Mr Beaton cordially signed the minutes.

3. Matters Arising

a) MacLeod & MacCullum

Mr Beaton informed the Trust that he had received a further note of fees from MacLeod & MacCullum.

The letter received, outlined the amount our file had been fee'd for by their Law Accountant in respect of the work carried out for the period from January 2009 to 18th March 2010.

He had calculated that the fee payable on the basis of normal charge-out rate and fee for the period after 31st December 2009 amounted to £1,440.00 which excludes Mr Douglas Graham's charge for travelling time to attend various meetings in Struan but in view of all the circumstances he has proposed a restricted fee payable of £1000. Plus Vat.

The Trust felt that these fees must be an error.

Mrs M MacAskill put forward a copy of the original Estimate of Fees & Outlays from MacLeod & MacCullum which amounted to £1500.00 plus Vat (£1725.00), Fees to be divided between Edinbane & Struan.

Mr Morris advised that we have already been invoiced and paid fees of £875.00 inclusive of Vat.

It was felt that Mr Morris should contact MacLeod & MacCullum to confirm that this was the situation and clarify if there are any extra fees due to pay.

It was agreed that the difference in amount already paid and outstanding should be paid if validated.

Mrs A Munro is to check files handed to her by Miss E MacKinnon (Steering Group Secretary) at the time of the handover to see if there are any other references to fees or estimates.

Action: BM & AM

b) Tax

Mr Morris addressed the meeting on the matter of Tax.

Further to his communication with Miss Campbell he has now received correspondence from HMRC (Her Majesty's Revenue & Customs).

The information that he has received is encouraging.

No Capital Gains Tax would be applicable on the money held by the Trust.

There might be changes in the emergency Budget, but tax would only be applicable on the income generated from the interest of the amount held in Trust. The tax on income could be as much as 50%.

Mr Morris has a meeting on the 1st of June 2010 with Mr Donald Rankin, who hopefully will have further information.

Mr Morris required a copy of the Trust Deeds to take to this meeting. Mrs Munro (Secretary) handed a copy of the Deeds to Mr Morris

It is still undecided if the Trust are to engage Mr Rankin to represent them.

Action: BM

c) Community Merge

Mr Duncan MacKinnon enquired about the proposed merger of Community Councils.

The other members of the Trust informed him that it was still in the proposal stage and that a Ward Forum meeting is to be held in June 2010 (Date not available).

4. Correspondence

a) Vattenfall

Mr D Beaton has been contacted by Elaine Greig (Vattenfall's Project Manager), about the proposed celebrations.

Ms Greig informed Mr Beaton that Joanne Hutchinson (Vattenfall Communications Officer) will be in contact with him in due course. It is proposed that each household in the Struan Community will receive an invitation to a celebration in The Skye Gathering Hall, Portree in the near future. Plans are still in progress.

He informed Ms Greig that the Trust is holding their AGM on the 28th of June 2010 in the Struan Primary School at 7.30pm and that any representative from Vattenfall would be welcome.

Mr Beaton also told Ms Greig that as of yet, the Trust have not received or signed the Agreement.

Elaine Greig contacted Keith Renton (Head of Onshore) regarding this and he informed her that Vattenfall had in fact signed the Agreement earlier in the year, (No date available at present) and that the document had been returned to MacLeod & MacCullum.

Keith Renton (Head of Onshore for Vattenfall) contacted MacLeod & MacCullum and it appears that the document had been filed inadvertently by the solicitors on Mr Graham's retirement from the company. MacLeod & MacCullum have now posted the document to Mr D Beaton for the Trust members to sign. A date will be arranged for the signing of the Agreement when Mr Beaton receives said papers. Mr Morris questioned whether witnesses would be required for this but it would seem that this is not the case. Vattenfall & the Trust are, however happy to have a mock signing for PR. Mrs Munro advised that she had sent out a letter of thanks to Douglas Graham on his retirement.

Action: DB & AM

5. The Advancement of Education –Students.

At Miss C McLennan's request the above item was added to the Agenda. Miss MacLennan addressed the meeting by tabling the Deed of Trust. She wanted to point out that we, in fact might be misinterpreting the Deed. It may be that the Deed doesn't necessarily mean that each application has to be of benefit to the community as a whole, but could in fact mean that, it could benefit one member of the community.

The deeds state that **"The object of the Trust is to manage and administer the Trust Fund for the benefit of the Community.**

It also states "The Community" meaning **all those whose permanent or main address is in the Struan Community Council Area as defined by the Local Authority and whose names are included in the Electoral Register for that area.**

This, Miss MacLennan said, would have to include individuals requiring assistance to further their education whether it is in the form of books, tools, etc.

Trust members were in agreement with Miss MacLennan, that this could in fact be the case but not all members felt that it would be easily administered. Would this mean that all applicants, even those whose financial position does not really require this assistance, have to be considered and given funding? How will this be justified & recorded? Mrs Munro voiced her concerns with the information that the Trust had received from Miss Michelle Seviour from the SLCVO (Skye & Lochalsh for Voluntary Organisations) on the 27th of May regarding Individual Applications

.After lengthy debate Mr Beaton moved proceedings forward and will himself contact Vattenfall to ask what their interpretation of the Deed of Trust is before we can take this forward.

This will be put on the Agenda to be discussed at the next meeting

Action: DB

9 0' Clock - Coffee Break – Mr John MacKinnon joined the meeting and was informed of proceedings.

6. Application Form & Guidance Notes – Community Groups Application Form & Guidance Notes – Individuals

a) Group Application & Guidance Notes

Mr Beaton tabled the Group Application Form & Guidance Notes for the Trusts approval. Small adjustments were needed to section 7 & section 8. Mr Beaton will amend these. All Trust members agreed that they were happy with the document at present.

Action: DB

b) Application Forms & Guidance Notes Individuals.

Miss C MacLennan & Mrs M MacAskill tabled their draft Application Form & Guidance Notes for Individual applications that they have been working on.

In light of the discussion regarding students earlier in the meeting, most of the conversation regarding Individuals had in fact already been discussed.

It was decided that the Individual Form & Guidance Notes are in the early stages and will not be ready for the AGM.

Miss MacLennan & Mrs. MacAskill will continue working on these and also draft a Referee Form to be included with Individual Applications.

It was questioned whether Applications should be sent out to every resident in Struan.

Duncan MacKinnon suggested that Applications could be made available online and also be requested by contacting the Trust's Secretary by email or letter.

This was agreed and will be administered when the Forms are complete and ready for circulation.

Action: CM & MM

7. AGM

The Agenda for the AGM was discussed.

Mr Beaton said that this will include:

- a) Welcome
- b) Chairman's Report
- c) Treasurers Report
- d) Appointment of Auditors

It was felt that there was no requirement for the Secretary to make a report as, at this time, only one letter had been sent.

It was pointed out that a quorum of at least 15 members of the Community must be present in person for the AGM to be able to take place. If after 15 minutes there is not a quorum present the Chairperson must adjourn the meeting.

Mrs Munro will place an advertisement in the West Highland Free Press for the 10th of June 2010.

Action: AM

There being no further business, the Meeting closed at 10.10pm.

DATE OF NEXT MEETING

AGM: Monday AGM 28th June 2010. Struan Primary School at 7.30pm

Action: CM to book school