



To:

- Community Cllr Scott Veters (Chair)
- Community Cllr Iain MacLean (Vice Chair)
- Community Cllr Hayley Bangs
- Community Cllr Iain Bowles
- Community Cllr Norman MacDonald
- Community Cllr Colin MacFarlane
- Community Cllr Caroline Munro
- Community Cllr Shona Paterson
- Community Cllr Russell Smith
- Councillor Michael Baird
- Councillor Marianne Hutchison
- Councillor Hugh Morrison

At the September meeting of Creich Community Council (CCC), in the AOCB section of the meeting, a letter was referred to which made accusations against Kyle of Sutherland Development Trust (KOSDT). The KoSDT Manager, David Watson, was asked to comment but as the details in the letter had not been shared with KOSDT, David could only comment on what was said – there appeared to be an issue with a change to the Memorandum & Articles involving the removal of postcodes which David explained had actually occurred in 2014 but had not been registered by OSCR. This administrative error was discovered during our annual audit earlier this year.

When the draft minutes of the September meeting were made public, they contained a number of further extracts from the letter and included language which suggested that something underhand was going on. This is regrettable as CCC has now allowed itself to become the means by which these accusations have been made.

Had CCC approached the Trust on receipt of this letter, which the CCC Chair stated it had in its possession for 1 or 2 months prior to the September meeting, it would have found out that:

- The postcodes were removed from the KoSDT Memorandum of Association more than a decade ago. As stated earlier, although these changes were fully approved, there appears to have been an administrative error regarding the registration of the updated document dating back to 2014 and it is now not possible to be certain whether this was a mistake made by the Trust or elsewhere. In any case it was a recommendation at the time that the postcodes be removed as they did not accurately reflect community council boundaries. KoSDT are currently working with VGS and OSCR to correct this registration error from 2014.
- The numbering changes were part of a tidying up exercise and nothing more, with no impact on how the Trust operates.
- The reference to ‘a new clause’ (clause 94) was mischievous. This clause, also dating back to 2014, appears in the standard model of M&As of many organisations. For example, it can be found in the Governing Documents of Lairg & District Learning Centre (clause 76), Kyle of

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Sutherland Fisheries Trust (clause 76) and also the Kyle of Sutherland Hub (clause 76). The insinuation that it is a sinister attempt to allow the Trust to overlook personal interest when conducting its business is misguided, especially as the clause itself indicates that any such change can only be affected after agreement at an ordinary or general meeting.

Had Creich Community Council on receipt of this letter approached the Trust in a spirit of openness it could have had the above explanation and been able, if it still considered it its business, to respond to the writer with the facts. However, an even better response from CCC could have been to write back indicating that matters regarding the Memorandum & Articles of another organisation, KOSDT, is not the business of CCC and should be taken up with the Trust itself.

Even so, at its last meeting CCC approved the minutes in which these accusations have been given prominence, amplifying the anonymous complainer's harmful message, and it denied the Trust's Manager and Chairman the opportunity to rebut the allegations.

As a result, the board of directors of Kyle of Sutherland Development Trust requests that this item (item 19 Correspondence - KoSDT on pages 12- 13) be removed from the CCC minutes on the basis that it unduly damages the Trust's reputation, that this letter be read out in full and minuted at its next meeting and a formal apology be issued by CCC.

Both Creich Community Council and Kyle of Sutherland Development Trust exist to work in the interests of our community. We look forward to welcoming a member of CCC onto the board of the Trust and hope that will lead to greater mutual understanding, pointing the way as to how we can all work better for the good of our communities in the Kyle of Sutherland.

Yours

Pete Campbell, on behalf of the KoSDT Board and Management

KoSDT Board:

Pete Campbell (Chair) - Invershin
Dr Marc Foggin - Ardgay
Silvia Muras Sanmartin - Dounie
Professor Neil Simco -Bonar Bridge
Marion Turner - Ardgay
Andy Wright - Strathcarron
Betty Wright - Strathcarron