

Fernaig Community Trust

Draft Minutes of Meeting 14th November 2023, Achmore Hall

Present: Colin McAndrew, Duncan Gibson, Colin Parsons and Lizzie Bird

	<i>Action</i>									
<p>1. Welcome</p> <p>Colin McAndrew welcomed everyone to the meeting.</p> <p>Apologies – Neil MacRae, Georgie Grimson, Roddy McPherson</p>										
<p>2. Minutes of Meeting October 2023</p> <p>The draft minutes of 10 October were proposed by Duncan, seconded by Colin McA, and agreed.</p>										
<p>3. Matters arising</p> <p>a) Re shed from Joe’s Sheds. Colin P had accessed possibility of grant funding towards the shed from Awards for All Fund. He had submitted application and received a call asking for more information on shed specification. The call was positive, but we will receive an answer in November. The shed order will be put on hold until we hear whether application has been successful or not.</p> <p>b) Colin P reported on contact with FLS and future meeting to discuss the Concordat. Meeting will be arranged in the New Year</p> <p>c) Lizzie asked Duncan about the lock on the filing cabinet. Still ongoing but there is a possibility that the CC have access to another cabinet with a lock. Await confirmation and Lizzie asked CP to ask Jacky whether two filing cabinets could be put in hall.</p>	<p><i>Colin P</i></p> <p><i>Colin P</i></p> <p><i>Duncan</i></p> <p><i>Colin P</i></p>									
<p>4. Finance</p> <p>Colin McA presented Georgie’s accounts for September/October as she was unable to attend the meeting.</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%;">Income</td> <td style="width: 20%; text-align: right;">£210</td> <td style="width: 60%;">(Allotment Rents)</td> </tr> <tr> <td>Expenditure</td> <td style="text-align: right;">£ 0</td> <td></td> </tr> <tr> <td>Balance</td> <td style="text-align: right;">£9,240.00</td> <td></td> </tr> </table> <p>All allotment rents have now been paid.</p> <p>Georgie had asked OSCR about how long we need to retain paperwork and the answer was 6 years.</p>	Income	£210	(Allotment Rents)	Expenditure	£ 0		Balance	£9,240.00		
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<p>5. Office Update</p> <p>Colin McA reported that there had been no contact from our Solicitors or FLS so the matter is ongoing.</p>	
<p>6. Website</p> <p>Colin P now has sub-administrator password for the S&A site. With the update from the old to new Spanglefish site some of our Minutes of meetings in 2023 are missing. Lizzie will send CP minutes from June onwards.</p> <p>Colin McA asked about proposed Trust email (from June meeting). CP to check various details.</p> <p>It was agreed that more updated photos would be good on the site and suggested that Callum Bulloch be contacted to see if he could help.</p>	<p><i>Lizzie</i></p> <p><i>Colin P</i></p>
<p>7. Land Issues</p> <p>Colin McA raised issues regarding recent storm damage and a discussion followed about what the Trust had in place to deal with damage such as fallen trees and flooding. It was agreed that we should have emergency planning, and this should be included in next year's Action Plan.</p> <p>Colin P asked who had chain saw tickets and will investigate a chain saw course that the Trust could possibly offer.</p>	<p><i>All</i></p> <p><i>Colin P</i></p>
<p>8. AGM – December</p> <p>Colin P raised issues about the forthcoming AGM and appointing directors and according to the Mem and Arts not following the rules as they are written which are that we should have 6 directors with 3 standing down in rotation at each AGM. We have been running with 8 directors over quite a few years with 3 standing down each AGM on rotation. The only time this did not happen was during lockdown and was carried over to the next AGM. Lizzie said that changes had been made in the past to 13 directors which then changed to 8 or 9 but would have to check old AGM minutes. Colin P repeated the Mem and Arts as above and added "As a director you are legally responsible for running the company. You may be fined, prosecuted or disqualified if you do not meet your responsibilities as a director" The Companies House website says: "As a director of a limited company you must...follow the company's rules, shown in its Articles of Association". The penalty for breaching this is disqualification from being a company director. Disqualification is for up to 15 years and you can't then be a director of any company registered in the UK, or be involved in forming, marketing or running a company.'</p> <p>Colin P also questioned Directors retiring by rotation, eligible re-election. He stated that if further (new) nominations are received then retiring directors are automatically barred from standing.</p>	

<p>Colin McA could not accept this as a fair or honourable outcome, and we need to check for a ruling on this.</p> <p>As this matter needs to be investigated further Colin McA said we should postpone the AGM until 9th January 2024. Lizzie will check past minutes and CP will seek any further advice.</p>	<p>Lizzie Colin P</p>
<p>9. AOB – Duncan left the meeting at 8.50pm</p> <p>a) Footpaths Lizzie had been approached by two members involved in the Footpath group who were interested in becoming a Footpaths sub-committee of the Trust. Lizzie had said she would raise at this meeting.</p> <p>The Trust had already taken a view that the footpath group was out with its remit</p> <p>Following a discussion including concerns about the Trust's public liability involving any work out with the Trust's land, it was agreed that to clarify exactly what the remit of the proposed sub-committee would be. This should be submitted to the Board and Colin P agreed to do this and Lizzie gave him a template document to reference.</p> <p>b) Hay Field Colin P would like to re-apply for lease on Hay Field and was asked to put this in writing to the Board.</p>	

Date of next meeting: Tuesday 12 December, Achmore Hall, 7.30pm

Meeting closed at 9.15 pm