

KIRKBY MALZEARD, LAVERTON AND DALLOWGILL PARISH COUNCIL

MINUTES OF THE 'KIRKBY MALZEARD AND DISTRICT COMMUNITY ASSOCIATION' COMMITTEE MEETING HELD ON 17 JANUARY 2019 IN THE SCHOOL-ROOM OF THE METHODIST CHAPEL, KIRKBY MALZEARD.

The meeting commenced at 7.00pm

Committee members present: Cllr Peter Saxon (Chair), Cllr Jane Aksut, Cllr Alan Brownlee, Cllr Howard Mountain, Cllr Geoffrey Berry, John Collins (Mechanics Institute Village Hall), Marlon Johnson (Highside Playing Fields Association), Ruth Verity (Kirkby Malzeard Methodist Chapel), Hilary Cookson (St Andrew's Church) and Sam Carson (Kirkby Malzeard Pre-School).

The meeting was also attended by Andy Ryland of Community First Yorkshire and three members of the public.

1. Welcome and Apologies for absence.

The Chair welcomed everyone to the meeting. Apologies were accepted from Anne Watt (School) with Cllr Aksut representing the School on her behalf for the purpose of this meeting.

2. Approve the Minutes of the previous meeting.

The Minutes of the meeting held on December 19, 2018 were approved and signed as such by the Chair.

3. Advice from Andy Ryland of Community First Yorkshire on forming a Community Association.

Mr Ryland was invited to the meeting by the Committee in order to provide general advice about the creation of Community Associations and in particular what form of CA might be most suitable for this community. Having referred to the Minutes of the previous meeting where the Aims of the CA had been agreed he suggested that a 'Charitable Incorporated Organisation' might be the most suitable in our circumstances. This is a relatively new form of legal entity designed

for non-profit organisations such as Community Associations. The main benefit is that it has limited liability so that its trustees will not have to contribute in the event of financial loss, which may not be the case with existing organisations such as the MIVH and HPFA. Such benefits are already available to limited companies and whilst a charity can be formed as a company, it must be registered with both Companies House and the Charity Commission. In contrast, a CIO only needs to register with the Charity Commission.

The suggestion is therefore that a CA would be created as a CIO and the MIVH and HPFA would then transfer into it, with both groups providing Trustees. Local Organisations such as the School, Pre-School, Church, Chapel and Parish Council would also provide Trustees, and other organisations in the Parish, such as Women's Institute, Cricket Club etc would join as affiliated members, but without Trustee representation. It would be necessary at an early stage for both the MIVH and HPFA to ensure that nothing within their existing Constitutions prevented them from transferring their assets to the new CA. By following this procedure, it should prevent any issues arising in the future with legacies from Wills to MIVH or HPFA being lost. Mr Ryland confirmed that Community First Yorkshire would be able to assist with drawing up the Constitution of the CA once it had been agreed that this was the best procedure, that there were no issues preventing it and the matter had been formally approved by the full Council.

A general discussion followed involving all members of the Committee and members of the public. During this discussion it was established that the CIO may need to an 'Association' model if the CA was to have subscribing Members in the manner in which the MIVH currently has but further consideration of the benefit of having such a structure would be needed. It also became apparent that creating a CIO which satisfied the Charity Commissioners may not be a particularly speedy process and that it was unlikely to be in place in time to organise the Tour de Yorkshire event in May. The recent unsuccessful application for a Lottery grant by MIVH was discussed and Andy Ryland advised that whilst an application from a CA representing a larger group of organisations had a greater chance of being approved it would still be necessary to show that the community as a whole supported it and some work to obtain the views of residents would be beneficial.

In order to progress the creation of a CA it was agreed that before the next Committee meeting is held an informal 'Working Group' meeting comprising representatives from MIVH, HPFA, CFY and the Parish Council would be useful to investigate existing Constitution issues and ensure no fundamental problems

existed. It would also give the opportunity for MIVH and HPFA trustees to be informally consulted to confirm that they are supportive of the proposals. HPFA did request that the long term aims of a CA be further clarified and this will also be discussed. It was also agreed that a flow-chart of the step by step process in creating the CA would be useful.

The above points will be reported back by the Chair of the Committee to the Parish Council at its meeting on January 28. Mr Ryland was thanked for the contribution which he made to the meeting.

4. Upgrading of Kirkby Malzeard Area Guide website to coincide with launch of CA.

This matter was deferred to the next Committee meeting due to time constraints.

5. Date of next meeting.

A provisional date for the informal Working Group meeting was arranged for 7pm, Thursday March 7 at the Highside Pavilion. The date for the next Committee meeting will be decided following that meeting.

The meeting ended at 8.15pm.

Dated 27.01.2019

The Minutes were taken by Cllr Mountain in the absence of the Parish Clerk.

PARISH CLERK Jen Hurford, Holmes Cottage, High Walk, Kirkby Malzeard HG4 3RY (Postal enquiries only). Tel: 01765 650363 Email: clerk.kmldpc@outlook.com Agendas and Minutes, along with General Privacy Notice, are also available on the Parish Council website www.kmldpc.btck.co.uk Facebook: Kmldpc Parish Council