

Community Trust Update 1

January 2005

The Isle of Luing Community Trust

Most of the Luing community will be aware of the proposal to form an Isle of Luing Community Trust. The Community Council set the wheels in motion about two years ago, and progress has not been rapid. But at last the goal is in sight, and this news-sheet is intended to give everyone on the island a better idea of the proposed Trust and what it will do.

The news-sheet is being sent out now in the expectation that the formal creation of the Trust can take place in the New Year. We had all hoped to be up and running by now, but we must get it right before we form the Trust, so we are being patient. We hope you will read this with interest and feel the wait will have been worthwhile. We also hope we will whet your appetite for taking part in the venture ahead. For if it succeeds, it should be the most important step forward for Luing that has happened for long time. Please read on....

Why a Community Trust?

We are not the first island community to take this path and set up a Community Trust. The example of Gigha is well known, but Luing's situation is different – we do not have the problem of an absentee landowner, we do have as the main landowner a farming enterprise which is now part of the island's heritage, as well as the owners of the old quarry sites, the many house owners and some land owned by public bodies such as the Council. However there is more to the community and its successful future than land-ownership issues, and the purpose of a Community Trust is to enable the community to run a democratic, not-for-profit and non-political structure for the common benefit of the whole community.

So why not simply use the existing Community Council? There are several reasons. The community councils were created by the government – and equally could be disbanded by them in the future; put simply, the community does not 'own' the community council, it is simply the lowermost branch of government with correspondingly limited powers to raise money for the community. Secondly, the community council does not have the power to apply for and be granted charitable status; such status is important for the award of grants from the multitude of grant-awarding bodies such as the Heritage Lottery Fund.

By achieving charitable status, then, the Trust can apply for grants for all sorts of projects for the public benefit. However it must be able to demonstrate to the grant-awarding bodies that it is competent to manage such projects. The risks of undertaking projects are well-known at all levels, from the massive failures of government computer projects to the failure of some small charities to cover their costs. For this reason, it is very important that the whole community demonstrates commitment to the Trust, and that people in the community are ready to make personal commitments to take on the various roles within the Trust and do the work involved. That work is the work needed to promote a sustainable long-term future for a small island community.

Which leads us to the type of Trust being proposed. This will be a *company limited by guarantee* with charitable status, in which individuals become members of the charitable company by investing a small sum of, say, £1. This represents their ongoing risk should there be problems. Any surpluses made on the company's activities must be re-invested for community benefit.

So that is why the proposal is for a Community Trust Company, limited by guarantee.

Who are the interim directors?

You may well ask who is driving this avowedly democratic project when no elections have taken place! The problem for any new organisation getting itself off the ground is how to reach the first General Meeting! In this case, the two existing organisations with the keenest initial interest in the Trust, that is, the Community Council and the Luing History Group, each put forward two *interim directors* to form the group that would get the Trust up and running with the aid of our 'mentor', Simon Breasley.

The Community Council nominated Alastair Fleming and John Robertson, while the Luìng History Group nominated Derek Bannister and Jane MacLachlan. These four, with Simon, have formed an interim management committee to bring the project to its Inaugural General Meeting.

Constitutional Problems

All organisations need to have clear purposes and a clear structure to deliver these, but for a trust they have to be exactly right. Once a Trust Deed exists, it is very difficult to change the purposes or the structure. So the interim directors have put the creation of our constitution into the hands of an Oban solicitor, who in turn is making use of a specialist firm in Edinburgh. The draft has been sent to the Inland Revenue for approval as meeting the requirements for charitable status. All this is a slow process, and is the main reason why so little seems to have been happening this year. However we hope this process is nearly complete, and once we have the final draft a copy will be made available for all to read, probably at the shop. Watch out for the notice!

Going for Grants

Several grant applications have already been made, and the main one, to the Heritage Lottery Fund, has already been successful to the tune of £191,400. We await the outcome of our applications to Highlands & Islands Enterprise (HIE) and the Scottish Land Fund, and also to the Scottish Aggregates Levy Fund. Other grant applications are being considered.

With all such grant applications, the bidder has to demonstrate their own contribution to the project, and rules apply as to the proportion of the total costs that this must be. Our contribution is made up, not of actual cash, but of contributions in kind, including the voluntary work done in creating and delivering the projects, costed as if they had been done commercially. We also hope to attract donations large and small from well-wishers.

Each project the Trust undertakes may be the subject of separate grant applications. The grants applied for so far cover mainly the first project to set up a Heritage Centre or Museum, with some related aspects such as signboards for sites around the island, and improved sea-defences at Cullipool where the museum building is proposed. Future grant applications may be for projects such as the restoration of the old watermill at Achafolla, but it is up to the community to guide the Trust for future directions.

The aims and objectives of the Trust

The purposes of the Trust – its aims and objectives – have been a topic of intense discussion. Legally they are called the Objects of the Trust, and must fall within one or more of the few categories available for the award of charitable status. These are education, religion, community benefit and the relief of poverty. A Community Trust of this type would not itself have religious objectives and relief of poverty is not seen as an issue here, but clearly education and community benefit are involved.

This is the draft as sent to the solicitor for consideration:

The objects of the Trust are principally for education, research and conservation, and for the advancement of the community of the Isle of Luìng and its adjacent mainly uninhabited islands (hereinafter referred to as the 'Isle of Luìng'), being:

to maintain, restore, enhance, interpret and promote the natural and human heritage, and to make provision for the collection, archiving and display of material related to the Isle of Luìng for the benefit of the community and the wider public;

to promote the advancement of the community of the Isle of Luìng, to ensure that its richness may be sustained and enhanced in perpetuity.

We will no doubt find these objects have to be amended to fit the requirements of charitable status, but note that they have been written in very broad terms, sufficient we hope to encompass whatever directions the Trust might wish to take in the future, especially in the area of advancing the community of Luìng. We may not, for example, use terms such as 'economic benefit', as that would fall outside

charitable status! However it should be obvious that many possible projects that would fit within these objects would also be of economic benefit to the community.

A home for our island heritage

One of the first inspirations for the formation of a Trust came from the Luing History Group, who were frustrated by the lack of any permanent facility to store and display their ever-increasing collection of material. After each annual exhibition, another bed had to be found under which the display could be stored for posterity – clearly highly unsatisfactory!

The first big project for the Trust, and the one for which the Lottery Fund grant has been awarded, is to build and fit out a heritage centre or museum. What's in a name? Well there have been problems in the past with both terms on the part of some grant-awarding bodies – what we know is that we want a building to put it all in, conserve it and display it! We'll call it what we have to if it enables a grant! However at a later stage, there is much to be gained by going for official 'museum' status, which requires high standards to be met. Some members of the History Group have looked at similar and very impressive projects elsewhere in Scotland. And that standard is what we aspire to.

The museum would cover all aspects of the past of Luing and its surrounding islands. Given that slate quarrying history is the focus of the museum on Seil, it will not be the prime focus on Luing, where quarrying will be just one aspect of the long and varied past of the island to be displayed and interpreted.

Negotiations for a suitable site in Cullipool village are well advanced. Once the Trust is established, formal plans will be prepared, planning permissions applied for, and hopefully within a year or so the building will exist. Draft plans include in addition to display areas provision for a tea-room, office accommodation, storage, and a family history research area.

A welcome for visitors

Every summer, Luing is visited by a constant stream of walkers, cyclists and touring cars. There is at present little visible acknowledgement of the community's welcome to these people, or help for their exploration of our island in the short time they may be here. The proposal is to set up discreet signs to guide the visitors, and interpretation boards at selected sites. In addition, the casual tourist arriving at North Cuan is given little information to tempt him or her to make the crossing to Luing.

There are grants available specifically for these purposes. In addition there are opportunities for further tourist-related enterprises on the island which would be more viable if visitor numbers were more reliable. But that would be beyond the Trust's remit to deliver, and would depend on individuals to set up their own businesses.

Facing the ocean

The beach at Cullipool is a popular place for family relaxation on a warm summer's day. It may not compete with Bondi Beach (heaven forbid!), but it is ours, and we share it willingly with visitors and holidaymakers. But in winter it can be very different, and the storm at New Year in 1999 took a serious slice away from the bank above the beach, as well as causing property damage. With dire predictions of the effects of global warming, the continued existence of the beach does depend on sensible management of coastal erosion. The Council have some responsibilities in this matter, especially as it is a conservation village under threat, but the official policy is managed retreat in the face of coastal erosion, not the maintenance of the existing coastline.

It is not a case of building expensive storm barriers, but of reinforcing the sea-edge of the loose shale waste on which most of Cullipool is built. About 30 metres of such remedial protection is in place already, but another 150 metres has still to be done. The intention is to achieve this using blocks from the old quarry workings, the purchase of which should be one of the first achievements of the Trust once formed.

Similar erosional problems exist at Toberonochy, where the situation is more complex, and elsewhere around the coast of the island. In the future the Trust may be able to offer help towards solutions to some of these.

Your say in the island's future

When the draft constitution documents are ready and approved (hopefully by the New Year), notices will be put up advertising the Inaugural General Meeting. We cannot at this stage give a date, but we hope it will be before the end of February.

At that meeting you will be invited to become members of the Trust Company by subscribing £1. There will be definitions of who can become a member of the company, but we expect this be at least all those on the electoral roll for Luing.

The meeting will be chaired until elections have taken place by an invited outside chairman. At this point all the interim directors will have stood down, and YOU, yes YOU, will be asked to nominate up to seven directors of the new company who will have the powers and carry the responsibilities for the legal operation of the company. In addition there will be a management committee (we hear the groans, but we must have one!) with the usual officers and ordinary members, at least one of whom must represent the younger generation on the island, below official voting age. In all we will need up to 15 people to fill all these posts – there can be overlap between directors and management committee, but the less overlap the better. Please be prepared to stand – proposals may be made at the meeting, and elections held as necessary.

Any questions?

No doubt some of you, having read all this, will have queries. This is still a project under development, and we do not claim to have thought of every possible problem. Please do read the draft constitution documents when they are available.

If you do have a query or comment which you wish to put to the interim management committee, please send it in writing to Simon Breasley at Bardrishaig, who will collate them and put them to a meeting of the interim directors. The closing date for receiving these will be published when the notice of the Inaugural General Meeting is published. The interim directors will then hold their final meeting at which these will be considered and responses made if needed.