

EAST AYRSHIRE COUNCIL

COUNCIL MEETING – 8 OCTOBER 2009

APPOINTMENT TO THE BOARD OF DIRECTORS OF CATRINE COMMUNITY TRUST

Report by the Depute Chief Executive/Executive Director of Corporate Support

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to invite Council to consider the appointment of an Elected Member to the Board of Directors of Catrine Community Trust.

2. BACKGROUND

- 2.1 Catrine Community Trust was formed to benefit the community of Catrine.
- 2.2 The purpose of the Trust is to manage community land and associated assets for the benefit of the community and the public particularly the water courses and water storage facilities and surrounding areas (including stretches of the River Ayr) at Catrine. The Trust also provides, or assists in providing, recreational facilities and/or organising recreational activities which will be available to members of the community and the public at large with the object of improving the conditions of life for the community.
- 2.3 The Trust is also responsible to advance (i) community development, including urban and rural regeneration (ii) the education of the community about its environment, culture, heritage and history and (iii) environmental protection or improvements including preservation and conservation of the natural environment, the promotion of sustainable development, the maintenance, improvement or provision of environmental amenities for the community and the preservation of buildings or sites of architectural, historic or other importance to the community.
- 2.4 The Trust has signed a formal partnership agreement with the Council (The catrine Environmental Heritage Partnership [CEHP] and this covers the promotion and management of the Catrine Environmental Heritage Project (CEHPr). The Mission Statement of CEHP is in part;
- “The Catrine Environmental Heritage Project aims to conserve and restore the Catrine Water Power System (which includes the weir, sluices, lades, reservoirs [or “voes”] and tunnels), and in so doing contribute to the environmental well-being and social and economic development of Catrine, providing for the long-term viability and vitality of the immediate and surrounding area....”*
- 2.5 The CEHP is managed by an Executive Committee comprising three appointees of EAC and three appointees of the Trust. There is also an Advisory Group which meets before Executive Committee meetings. The current Council appointees to the Executive Committee are:

Cllr J Roberts (Chair)
 Cllr N McGhee
 Cllr J Kelly

- 2.6** Catrine Community Trust (CCT), which operates as a company limited by guarantee with charitable status has recently updated its memorandum and Articles of Association in order to be able to comply with the Land Reform Act 2003. The new constitution [which was adopted by CCT in June 2009] gives the CCT the “Right to Buy” land and buildings within the Trust’s area of operation under the provisions of the Land Reform Act.
- 2.7** Scottish Government and OSCR have to approve the constitution of all Trusts who intend to operate and it is a Scottish Government requirement that an appointee of the Local Authority has a place on the Trust’s Board of Directors.
- 2.8** CCT is a very active local development trust and has advanced plans to develop a community enterprise that will generate income from hydro electricity, windmills and the sale of biofuels. This enterprise is being pursued in order to provide a revenue stream to;
- Maintain the Historic water system
 - Operate a related proposed Education and Visitor Centre
 - Fund employment and training problems
 - Support local groups
 - Fund and/or participate in regeneration and environmental improvement projects
- 2.9** CCT employs a full time “Powerdown Officer” whose remit is to coordinate the renewable energy and energy efficiency projects that are directly related to the CEHP. This post is funded until March 2011 by the Climate Challenge Fund. CCT also employs a part time officer who works on the “Catrine Memories Project”. This is funded by Historic Scotland.

3. REQUEST TO APPOINT AN ELECTED MEMBER FROM EAST AYRSHIRE COUNCIL AS A DIRECTOR ON THE TRUST

- 3.1** The memorandum and articles of association for Catrine Community Trust make provision for one Director to be appointed by the Local Authority. The Trust has invited the Council to consider an Elected Member to be appointed to this position.
- 3.2** Membership of the Company consist of Ordinary Members, Business Members, Associate Members and Junior Members. There are currently approximately 200 Members.
- 3.3** The Board of Directors comprises up to 12 individual persons elected as Directors by the Ordinary Members, 1 East Ayrshire Council appointee and up to 3 individual persons Co-opted so as to ensure a spread of skills and experience within the Board.

3.4 The Trust is directed and managed by the Board of Directors. The Board may exercise all such powers of the Trust and may on behalf of the Trust do all acts as may be exercised and done by the Trust, other than those required to be exercised or done by the Ordinary Members in a general meeting.

3.5 The Board of Directors meet as often as necessary to dispatch all business of the Trust specified in the Articles of Association. Scheduled meetings and held on the last Tuesday of each month commencing at 1900 hours, within the AM Brown Institute in Catrine.

4. POLICY/FINANCIAL/COMMUNITY PLANNING IMPLICATIONS –

4.1 None arising directly from this report.

5. LEGAL IMPLICATIONS

5.1 The Trust has confirmed that appropriate public liability/Directors and Officers Indemnity Insurance is in place and that such insurance is adequate and covers the extent of the relevant risks involved in members being appointed to the Trust.

6. RECOMMENDATIONS

6.1 It is recommended that the Council:

- (i) considers the appointment of an Elected Member to sit on the Board of Directors of Catrine Community Trust; and
- (ii) otherwise note the contents of the report.

Elizabeth Morton
Depute Chief Executive/
Executive Director of Corporate Support

JMcG/KS
20 August 2009

LIST OF BACKGROUND PAPERS

- 1. Email from the Project Officer dated 10 August 2009.
- 2. Letter from Company Secretary, Catrine Community Trust to Chief Executive dated 14 August 2009.

Any person wishing to inspect the background papers relative to this report should contact Julie McGarry, Administration Manager on telephone (01563) 576147. Any person wishing further information on this report should contact Bill Walkinshaw, Head of Democratic Services on telephone (01563) 576135.

Implementation Officer: Julie McGarry, Administration Manager