

## **ASHBY PLACE RESIDENTS ASSOCIATION**

Meeting 1 March 2006

The Flookersbrook

Present: Peter Bradshaw, Terry and Val Cunningham, Peter and Mrs Cushing , Kirsten Dudley, John (Chair) and Fil Hawkins, Louise and Peter Strickland, Simon Sherriff, Richard Waugh

1. Apologies from: Jamie Baird, Jan Barrow, Louise Chan, John and Haf Davies-Humphreys, Alex Sharp, Helen Watts
2. Matters arising from the last meeting

John Hawkins reported on progress since the last meeting.

E-mail communication has been set up between most of the residents and this will be the main method of communication between the working parties. John can now link to all residents except Peter Bradshaw, Louise Chan and Christian Nielson.

Working party progress

Volunteers to work on the various aspects of the project have been obtained.

(a) Jamie Baird has agreed to try to find out who owns the road and is looking at the land registry. He is also going to investigate the specification of the road.

Val suggested that because of the Freedom of Information Act he should be able to access land registry data via the WWW without incurring large costs for solicitors etc.

(b) Peter Cushing has been looking into obtaining charitable status for the association and explained this later in the meeting.

(c) Simon Sheriff is investigating CCTV in Ashby Place.

(d) Alex Sharp is consulting estate agents for their view on the effect that improving Ashby Place may have on property valuations. He is also going to look into the overall architectural aspects of the project.

(e) Richard Waugh is looking into the financial aspects of the project including whether the project is financially viable.

A figure of £175 000 has been suggested as the amount that would be needed to cover repairing the road, security features and a contingency fund.

He thought that this amount of money could be raised but that there are different options to consider about the type of loan to take out.

He has also found examples where residents have set up similar projects.

Peter Cushing asked if there was a timescale for reporting back on these subjects. It was agreed that three months would be a suitable time and that the working parties should report back at the next meeting.

### 3. Committee

Administration of the association was discussed next.

At present John Hawkins is acting as Chair and Louise Strickland is acting as Secretary. It was decided that this was acceptable but that a treasurer was also needed. Peter Bradshaw was nominated and it was agreed that he should do this.

It was also thought that the account previously set up for the association should be transferred into the names of the Chair and Treasurer who would both be needed to sign cheques.

It was agreed that spending up to a limit of £250 could be made without consulting the membership of the association but amounts over this would need to be approved.

### 4. Charitable trusts

Peter Cushing explained the various aspects of becoming a charitable trust.

#### Advantages

- 1) We would be eligible for grants e.g. from the lottery heritage fund.
- 2) We would be registered with the charity commission and could receive help from them.

Richard asked if there were any financial benefits and it was thought that we would have tax advantages.

#### Disadvantages

- 1) More paperwork is necessary - we would need to have an annual report and audit of accounts, although a paid accountant would not be required.
- 2) We would have to show an income of £1000 per year i.e. £50 per household.
- 3) Trustees would have unlimited liability, but there would only be a slender chance of incurring liability as trustees would have to be grossly negligent to be considered liable.

To apply for status we would need to

- show an acceptable constitution
- be a non-profit organisation
- be for the public good
- have correct regulation
- have an elected committee with terms of office
- have a record of membership
- have an income of £1000
- submit annual reports and audit accounts
- allow public access

The last point may be in conflict with the provision of gates across Ashby Place.

A detailed application would need to be made to the charity commission (a 40-page document is involved) and we may need the services of a charity lawyer.

Peter Strickland asked what was the timescale for an application and Peter Cushing said it would take on average 10 weeks.

#### 5. Constitution

Simon suggested we may be able to get a model published charitable trust constitution.

Richard thought that it would be best to have a different constitution for the residents association and the charity trust and to keep these separate. Again there may be residents association constitutions already set up to use as templates. Richard also suggested talking to other residents associations.

Peter Cushing said he would be willing to help with drawing up a constitution. John said he would also help.

#### 6. Any other business

Under any other business the data protection act was raised as John was concerned that he had people's e-mail addresses *etc.* and Louise also has residents' details. It was agreed by the meeting that this was OK.

#### 7. Date and place for the next meeting

The date and place for the next meeting were provisionally set as 25 May 2006 at The Flookersbrook.

Louise Strickland  
Secretary, Ashby Place Residents Association  
14 March 2006