



**SAVE OLD SCHOOL:  
Group Meeting in the Rose & Crown, Ivinghoe,  
7<sup>th</sup> November 2011 at 8.00pm**

**PRESENT:**

Carol Tarrant	Sue Nicholls
Joley Brindle	Tessa Smith
Liz Raba	Moira Heggarty
John Walls	Bob Corn
Sandie Emmerson	Sarah Allwood
Anne Eastwood	Jonathan Dawson

**APOLOGIES:** Jane Custance  
Les Laing  
Alex and Owen Wynne  
Lukas McCormack  
Martin McCormack  
Sylvia Simmonds  
Jeannette Wallis

Carol welcomed everyone to the meeting – particularly Sarah (from Community Impact Bucks), and Jonathan (solicitor) – which had been called to further discuss proposals in connection with the Old School Building in the centre of Ivinghoe, and its possible future for the community.

**1.0 Document Submissions:** Carol reported that the deadlines for Village SOS BIG Lottery (20<sup>th</sup> October), Silverdreams BIG Lottery (28<sup>th</sup> October), and the Community Asset Transfer application (31<sup>st</sup> October) had all been met – documents submitted on time.

**2.0 Legal Advice:** Jonathan was introduced to the Group by Carol – and Jonathan gave a brief overview of his own history, and involvement with Community Groups such as ours. He suggested that it was very important for us to have a Constitution in place – and his initial feeling was that we couldn't be established as a Charity due to the nature of the businesses proposed within the Old School. If the Group is to be a Charity, it will need to be very strict in its operation – evidently there are 13 heads of charity which need to be addressed; we might do well to look at becoming a CIC (Community Interest Company) which is still a 'not-for-private-profit' organisation – we could still attract funding agencies, and we could offer shares for sale to socially aware shareholders, although there is a cap on the share level; Jonathan's initial advice was to set up as a CIC – is Charity status important? – although he noted that some funding agencies will only give to registered Charities.

CIC status is a new phenomena, and traditionalists could be suspicious of our motives. It would not be essential to be 'incorporated' – we are at the moment an 'unincorporated body'. The danger is that liabilities could accrue, although trustees could be covered by insurance; some organisations will only deal with an 'incorporated body'; we could become a Company limited by Guarantee, also be a Trust.

A Trust can be a Charity in our circumstances if it formed an ‘umbrella’ organisation for the building – with sub-lets to the three businesses proposed – and we would need to ensure that leases to the businesses allowed for occasional use directly for the Community.

Jonathan summarised: if Charity status is important to us then paperwork submitted to the Charity Commission would need to reflect this. If we were to become a CIC – Trust members would all be directors; if it is not important to be a Charity – Jonathan thought we should set up a CIC as a Company limited by Guarantee. If we are not a Charity, we would not attract tax relief as a Charity – although we could attract Rate Relief. If we are a Charity we would need to submit returns to the Charity Commission, similar to submitting returns to Companies House if we are a Company. Also – do we wish to have a Democratic process in the creation and election of Trustees/

Jonathan recommended that we should go for a rent-free 25 year lease – some ‘grant-aiders’ won’t look at giving a grant if a lease was for less than 15 years; he felt that we might not acquire the building in a fully refurbished condition as we have asked for; and that we might be given insurance in the building (although Jonathan felt that we might have better insurance control if we arranged it ourselves) – although individuals should arrange not to have personal liability if we become a CIC.

Our Landlord should not have the ability to break the lease, and we would normally not have rights to ‘deal’ with the building – but we would normally be able to sub-let spaces within the building, subject to the Landlord normally wishing to inspect the sub-leases. The Lease should be within the Landlord and Tenant Act 1954 and Jonathan repeated that it should be for 25 years. The County may ask for the building to be used for specific purposes only, and specify that it should not create a noise nuisance, no alcohol, etc. Rate relief should be available for the ‘Community Hub’, also ‘Small Business Rate Relief’.

Setting up a Company demands a one-off fee of £40 at Companies House – although if a CIC then the fee is £55; there would be a Land Registry of £50, and allow a figure of £300 for Local Authority searches.

As a Community Body, we would need to do Health & Safety Risk Assessments, Fire Safety Assessments, we would need to have Child Protection Policies – and we would have an obligation to ensure that sub-tenants comply with all appropriate legislation. The District Council is the Licensing Authority for an Entertainments License, also we would need to comply with conditions laid down by a Phonographic Performing License, and the Performing Rights Society. Bucks CC and Community Impact Bucks will have model documents for us to download and use, in respect of Inequalities, Crime Prevention and Economic Issues.

**3.0 Legal Costs:** Jonathan suggested that if we wished to use his services in the setting up of the Community Hub, his charges might be broadly as follows: £100 per hour, but for specific elements – say £400 for setting up the Company (or Charity); around £500 - £1,000 for lease negotiations. Sarah suggested contacting

Stephanie Moffet at Aylesbury Vale District Council – who might be able to direct us to grant funding to help with these fees.

- 4.0 School Concert:** Moira handed around a request for Old School memories – to go towards a proposed School Concert. October 2011 is the date for initial submission
- 5.0 Rural Affairs Event:** Carol reminded the meeting of the Community Impact Bucks / Rural Affairs Event taking place on 25<sup>th</sup> November 2011, to receive information on Localism, National Policy Review, etc.; Carol, Bob and Sandie are going along – one other ticket is available – times are 9.30am to 3.00pm – let Carol know if someone wants to go along.
- 6.0 Planning Authority Advice:** Bob reported that he had liaised with Planning Officer Mark Aughterlony at Aylesbury Vale District Council – and support for the proposal ‘in such a fine building’ had been voiced, subject to detailed discussions; Mr.Aughterlony had suggested that no change of use application might be necessary, since recent uses in the building had been for Community use – as is now proposed.
- 7.0 Planning Ahead:** With the Community Asset Transfer application (31<sup>st</sup> October) having been met, a steering group team needs to analyse the eleven further questions (which have been circulated to the group) in the Part 2 submission expected by Christmas to complete our application. A brief discussion as to how to proceed ‘until and if’ we receive the go ahead from BCC to proceed further, decided that separating the 6 questions partly addressed already from those 5 unaddressed in order to research then now was a sensible move. Immediate investigation of the 5 areas of research needed found that questions 1, 6 and 7 could be supported by Community Impact Bucks in-house documents, as could question 11 which cover Risk Assessment.
- 8.0 Any Other Business:** Noted that an additional completed Questionnaire had been given in – that a meeting had been held with Bharti Quinn at Bucks County Council (who has written giving guidance) – and that the Plunkett Foundation have written.
- 9.0 Next Meeting:** 14<sup>th</sup> November 2011 at 8.00pm, Rose & Crown, Ivinghoe.

