

LYNTON AND LYNMOUTH COMMUNITY ESTATE CIO

ANNUAL REPORT 20th November 2018

History of the charity.

The charity was born as a result of the deliberations and public consultations of the 'Town Hall Viability Working Group' in 2013. This group was set up as an advisory group to Lynton and Lynmouth Town Council to look at the options to secure the future of the Grade 2 listed building. This became essential following the review process of the 'agency' agreement between North Devon District Council and L<C. The review process was taken in the light of government 'austerity' measures reducing funding and cost cutting orders for all councils. Financial support from NDDC through the agency was withdrawn meaning the full cost of running the Town Hall had to be met by L<C. In the financial year 2011-2012 these running costs were £46,559 with an additional £17,678 for repairs and decorations. The total cost equated to £64,137 or £1,233 every week. Generated income from rentals was £12,983, contribution from the agency (NDDC) £22,71, L<C contributed £28,383 and the rest (£15,575) were taken from reserves. An unsustainable financial burden for the Town Council.

Many ideas and recommendations were produced but the keynote was to set up a Charitable Incorporated Organisation to assume 'ownership' of the Town Hall. This would reduce the business rate burden by an automatic 80% saving around £8,000 per year and allow applications to be made towards the maintenance and improvement of this historic building. An application was made in 2015 but rejected by the Charities Commission because the trustees were not independent enough from the Town Council and if the CIO failed the Town Hall would have to remain in charity land rather than reverting to the Town Council.

Further meetings were held and the public consulted resulting in a new application being made in 2017. The aim of the proposed CIO was to take lease ownership of the Town Hall with a board of trustees independent of the Town Council.

This application was successful with the Lynton and Lynmouth Community estate CIO entering the register on November 3rd 2017.

The CIO is a foundation model and only registered trustees can vote. It can move to an association model whereby trustees and members vote.

Objects of the CIO.

To further or benefit the residents of Lynton and Lynmouth and neighbourhood and surrounding rural communities, without discrimination of sex, sexual orientation, race or of political, religious or other opinions by associating together the said residents and local authorities, voluntary and other organisations in a common effort to advance education and to provide facilities in the interests of social welfare for recreation and leisure time occupation with the objective of improving conditions of life for the residents. In furtherance of these objectives but not otherwise, the trustees shall have power:

To establish or secure the establishment of a community centre and maintain and manage or cooperate with any statutory authority in the maintenance and management of such a centre for activities promoted by the charity in furtherance to the above objects.

To conserve, preserve and improve for the public benefit the Grade 2 listed Town Hall in Lynton (gifted to the local community by the Victorian benefactor George Newnes) as a building of historic interest.

Purpose.

The stated purpose of the charity is to lease the Town Hall from Lynton and Lynmouth Town Council to improve viability of this historic building and improve use and activities provided for the public.

The charity has focussed this year on negotiating a lease with L<C. This has been achieved but with significant delays in this process from the legal advisers at the District Council.

The charity has established a group of 9 trustees who have met who have conducted meetings 17/11/17, 6/12/17, 6/2/18, 22/3/18, 17/4/18, 3/10/18 and 19/11/18.

The details of the lease are agreed and an operational plan for future running of the Town Hall presented to Council. A 'facilities' agreement will be required between Council and Charity so that L<C continue the day to day running of the building. Clear water will need to be established with this service agreement between the Council and the Charity to protect both parties and legal advice will be sought to confirm this.

A condition report has been commissioned by L<C on behalf of the charity and completed in March 2018 by PWH chartered surveyors.

The charity has been working up plans to open the Town Hall to the public with detail of the architecture and history of the building and the characters involved. Plans for this information to be imparted via mobile phones are being

investigated. A small booklet produced for previous fundraising efforts will be reprinted and sold.

Plans for 'membership' of the CIO are being developed with the aim of opening membership in the spring of 2019.

The aspiration is to sign the lease, facilities agreement and take 'ownership of the Town Hall at the end of the financial year in April 2019.

Responsibilities.

All responsibility lies with the trustees whose details have recently been updated on the Charities Commission website. Charity number 1175561. There are currently no funds in the charity accounts and no income has been earned. £4,000 had been earmarked by Lynton and Lynmouth Town Council to allow the charity to fund legal advice for lease and facilities agreements but this has been held back due to the delay producing the lease. Budgets must be set by Council so deferment of funds transferrable to the CIO has taken place until more concrete plans are agreed.

Trustees have been made aware and have agreed to:

Act in the charities best interest.

Manage any future resources responsibly.

Act with care and skill and due diligence, asking for advice whenever appropriate.

Have due regard for the rules and regulations of the Charities Commission.

Financial review.

Because of the delay in producing a lease and ongoing work on a service level agreement no funds are currently placed in the charity account. As a board the trustees cannot see why the charity will not be up and running within the next 12 months.

Achievements and performance.

The charity is establishing itself and the terms under which it will operate and cooperate with the Town Council. It is anticipated that this work will be completed in the next 6 months and this will be a significant achievement.

Structure, Governance and management.

The constitution was published and is restated as a CIO, foundation model.

Trustees have been recruited from the local community as volunteers from the public meetings they have attended. They are appointed for a period of 2 years from the point of their adoption.

Signed by the trustees of Lynton and Lynmouth Community estate CIO.
This statement confirms the undersigned trustees are not disqualified from
acting as a trustee

DR JOHN FRANKISH
Brackenrigg, Station Hill, Lynton. EX356LB

MRS HEIDI BAKER
Ridge View, Scoresdown, Lynton. EX356LJ

MR KIRK DYER
1 Bakers Court, Lynton. EX356EW

MR STEVEN ANDREW PUGSLEY
West Lyn Farm, West Lyn, Barbrook, Lynton. EX356LD

MR ALEX SPICE
Primrose Cottage, West Lyn, Barbrook, Lynton EX356LD

Mr HUGH CHARLES STOCKHILL
The Forge, Lynbridge Road, Lynton. EX356BD

MR ANDREW WILLIAMS
25 Lee Road, Lynton. EX356BP

Mr MATTHEW CHARLES WAKEHAM
Mannacott Farm, Martinhoe, Parracombe, Barnstaple. EX314QS

MR ANTHONY JOHN VICKERY.
Church Cottage, Countisbury, Lynton. EX356NE

LYNTON AND LYNMOUTH COMMUNITY ESTATE C.I.O.
REGISTERED CHARITY NUMBER : 1175561

Annual Report November 20th 2019

History of the Charity.

The Charity has been trying to move forward since the annual report from November 2018. Key meetings of the Trustees 23.1.19 and 11/3/19 have outline the Charity position on a lease purchase of Lynton and Lynmouth Town Hall. Ongoing anxieties and legal positioning in connection with the requirements of VAT registration and working relationships with the Lynton and Lynmouth Town Hall have not progressed well.

Objects of the CIO

No change from 2018 report

Purpose of the CIO

No changes from 2018 report

Responsibilities

No changes from 2018 report

Financial Review

1 event has taken place in the Town Hall under joint organisation between the Town Clerk and the Trustees. This event on Saturday 9/3/19 made a small profit of £53 which in deposited in the charity account held at Santander. This event represents the entire financial activity of the CIO.

Achievements and Performance

The CIO offered to lease the Town Hall on a 'short term' 7 year lease then renting accommodation back to the Town Council. The Town Council under a full repairing rental agreement would be responsible for the day to day upkeep, running and maintenance of the buildings. This agreement would stipulate that in the event of the CIO being unable to fulfil its duties the lease would be forfeit and ownership of the buildings revert to the L<C.

The CIO believed this would allow an automatic rate relief of 80% saving £8,000 per annum on charges.

The Town Council were open to this possibility but were concerned about the legal concerns and the VAT position. It was clear that the VAT rules may

prevent the rate relief from improving the financial position once VAT was charged by the Town Council for any services.

The public meeting to elect further trustees and open a membership of the CIO was deferred until clarification of the Town Hall situation was clarified.

Further progress was hampered by the lack of expertise and manpower to develop the proposal taking these issues into account.

Further meetings of the Trustees and contacts with the Town Clerk and Finance Officer of Lynton and Lynmouth Town Council through the year failed to progress this.