



## 1. What is a Community Trust?

Community Trusts or Community Development trusts are commonly community organisations which:

- Are owned and managed by Trust members from the local community, (in our case, the community of Dalgety Bay, Hillend and Fordell Gardens)
- Aim to achieve the sustainable regeneration of their communities and address a range of economic, social, environmental and cultural issues within them
- Are independent but seek to work in partnership with other public, private and third sector organisations including Community Councils and other Community groups as appropriate
- Aim to reduce dependency on grant support, ultimately by generating income through sustainable community development enterprise and the ownership of assets. All trading surpluses are principally reinvested in the organisation or the community.

## 2. Are there other Trusts like us in Scotland?

Yes! There are many. With Development Trust Association Scotland (DTAS) itself having over 200 members (January 2014)

## 3. Is there anywhere where Trusts can go for advice?

The Trust has had help from a number of sources to help us get set up properly. Importantly we have had fantastic help from DTAS to help us ensure we are properly set up and constituted. The Articles of Association we are formed around use DTAS standard model. Our aim is to become a full member of DTAS in due course which will mean we are able to use the full resources of DTAS including its solicitors and specialist advisors.

#### 4. Tell me more about DTAS?

DTAS, Development Trust Association Scotland - is a charitable membership organisation and support network for community development trusts. It has a membership of over 200 community-based groups spread across rural and urban Scotland that are leading the development of their own local areas. DTAS promotes best practice for community development trusts and supports its members to become more financially and operationally robust. It also promotes the community-led development and community development trusts with policymakers and funders, as well as supporting the establishment of new trusts. DTAS staff have a deep knowledge of all things 'Trust' and they can offer us advice and other assistance as and when we need it. Website [www.dtascot.org.uk](http://www.dtascot.org.uk)

#### 5. What does our Trust stand for?

Here is our Value system i.e. What we stand for and how we strive to operate?

##### **Mission Statement:**

“To reinvest in Dalgety Bay by revitalising the town centre, address concerns raised by residents and create bespoke spaces for the whole community to come together again, promote pride of place, good citizenship and a nurturing and caring spirit”

##### **Our Values:**

- Sharing social and economic opportunities
- Encouraging self-sufficiency and empowerment
- Supporting environmental sustainability
- Providing equal opportunities for all in our community

##### **..... and in all our Trust activities, we will:**

- *Act with integrity.....do what we say we are going to do*
- *Act with mutual respect.....internally and externally*
- *Offer mutual support.....share knowledge and ideas*
- *Maintain open communications.....allow criticism but ensure it is constructive*

#### 6. What does the Trust do to ensure equal opportunities?

Providing equal opportunities for all in our community is one of the core values of the Trust. It is enshrined in our governing Memorandum of Association and is a key requirement of the Codes of Conduct for our Directors and our Members. The Trust is committed to being

inclusive in everything we do, a place where everyone feels valued, where we respect each other and behave in a constructive, civilised and responsible manner at all times. In delivering on our commitments to our members and the wider community we want to ensure everyone has an equal opportunity to contribute to and benefit from our activities.

**7. What is the difference between a Community Trust and a Community Council?**

A Community 'Trust' is a 'company', listed at Companies House and able to receive and distribute funds according to its Articles of Association and its 'Objects'. It is a private limited company owned by its 'members' who vote for a Board of Directors to run the company on their behalf.

Community 'Councils' are the most local tier of statutory representation in Scotland. They bridge the gap between local authorities and communities and help to make public bodies aware of the opinions and needs of the communities they represent. They are made up of Councillors who are elected from the whole community. Many Community Councils, and this is certainly the case with our own very active Dalgety Bay & Hillend Community Council, also involve themselves in a wide range of other activities including, organising community events, setting up sub-groups, undertaking projects and more.

Our aim is to work very closely with our Community Council towards a common aim while being mindful of our different responsibilities.

**8. Is the Trust a charity or a company or both?**

The Trust is a Limited company but also can become a charity at a later date.

**9. Why is it not a charity?**

Currently the Trust is not a charity because it enables us to award grants to individuals as well as to groups, and it is also currently much more tax efficient. These issues may change in the future and we can decide then if we think it would be more beneficial to become a charity

**10. Can it become a charity?**

Yes! The Trust's objectives and articles are set up to enable a switch to become a charity if decided at a later date.

**11. Who runs the Community Trust?**

The Community Trust is run by a board of directors on behalf of its Members.

**12. Who are the Directors?**

Directors are elected on to the Trust by the Members. Information about the current directors can be found [here](#).

**13. What does being a Director mean?**

It means you are responsible for the running of the company according to the Trust's articles, and other legal duties

**14. Can anyone be a Director?**

Anyone can stand for election as long as they are full member of the Trust.

**15. Are Directors appointed or elected and by whom?**

Both. Elected directors are elected by the members, and the co-opted Directors are elected by the elected Directors. On the Board there will be a maximum of **11** Directors and out of this number a maximum of **3** co-opted Directors. There must be a minimum number of **5** directors and the majority must be elected member directors and not co-opted directors.

**16. What does being a Co-opted Director mean?**

A co-opted Director is a Director who has been voted onto the board by the Member Directors. Co-opted directors have all the same legal responsibilities as Member Directors and the same voting rights apart from when co-opting another Director. In compliance with the Articles of Association, the Trust shall endeavour to ensure that at any given time, one individual nominated by Dalgety Bay & Hillend Community Council and one individual nominated by Dalgety Bay Community Woodlands Group are co-opted directors.

A co-opted director does not have to be a member. Co-option is on the basis that they have specialist skills/experience that will assist the Board in carrying out its objectives. They may be co-opted for a specific task/length of time, after which they either stand down at the next AGM, or choose to resign prior to the AGM

**17. What does being a 'member' of the Trust mean?**

A member is a part-owner of the company, who can attend all General meetings, as well as the AGM, and are entitled to receive notification of such meetings. They are entitled to exercise their right to vote on any motion put before them for consideration at the meeting. (Members can also petition for a general meeting to be called if they so wish.) Members elect Directors.

**18. Does it cost anything to become a Member?**

No, membership is free. You might hear some folk saying that membership costs £1. This is not true. The £1 is your 'limit of liability'. In some Trusts, people are asked to pay their £1 at the same time as becoming a member. Your £1 would only be required if the company went bust and the liquidators asked you for it. 'Membership' and 'Liability' are two different things. Your Membership is free. Your Liability is £1.

**19. Does anyone on the Trust get paid?**

No. We will place contracts for services with external companies or specialist advisers for which we would expect to pay but this is different than any one on the Trust getting paid. We may in future, once our projects are up and running, decide that we need to take on employees, but this is some time away. Directors do not receive any payments. They are entitled to receive certain (very minimal) out of pocket expenses, but nothing of this sort has been claimed by any Directors so far. Directors cannot receive payment for carrying out their duties as a director. No benefit (whether in money or in kind) shall be given by the Trust to any Director

**20. What sort of activities might a Trust get involved with?**

Put simply, anything which complies with the Company objects set out in the Articles, so this can be a very long list! We have identified our three headline projects:

- **A new civic square** in the centre of our town adjacent to the Parish Church, Louie Brown's public house and the existing community centre. The aim is to create a fantastic facility that can host outdoor community events and gatherings for years to come right at the heart of our community
- **A new accessible, pedestrian/cycle route to the coast from the town centre** of approximately 1.5km linking with the established Fife coastal path
- **A new multi-functional Community Hub** replacing the existing community buildings with modern, fit for the future facilities to serve the community for years to come.

We also want to retain the flexibility to support many different individuals and groups, so it is not easy to summarise them here in a sentence or two. However, all our grant assistance activities will fit our 'Objects'.

**21. With whom does the Trust communicate?**

First and foremost, we communicate regularly with our Members, our wider community and the public. We also communicate regularly with our funders, the Community Council, Fife Council and our elected representatives and several other local groups. We also have an active media presence to promote the aims of the Trust.

We communicate with Members and the wider public in different ways (i.e. website, social media, direct mail etc.); we manage information including hundreds of documents; we set budgets; we manage income and expenditure; we hold meetings; we make decisions (sometimes difficult decisions); we debate funding and grant issues; we negotiate with

potential new Funders; we liaise with public bodies; we speak with other Trusts to share ideas; .....and many more activities besides.

**22. What are the ‘Memorandum of Association or Articles of Association’ .....often shortened to the ‘Articles’?**

These are the rules which govern the company and with which Members and Directors must comply. As a registered company, the Companies Act 2006 states that we must have Articles of Association. Most companies use standard (‘model’) articles - but these can be changed as long as the company doesn’t break the law, and Members and Directors have to agree on them. Dalgety Community Trust has already gone through a long period of formal discussion and debate to help form our current Articles of Association. They are the rock upon which the company makes all decisions.

**23. What does the word ‘Objects’ mean?**

The ‘Objects’ are simply the objectives of the company. Dalgety Community Trust has a number of broad Objects which define our purpose, and these are:

- The advancement of community development (including urban and rural regeneration) principally within the community.
- The advancement of citizenship.
- The advancement of environmental protection or improvement.
- The provision of recreational facilities, or the organisation of recreational activities, with the object of improving the conditions of life for the persons for whom the facilities or activities are primarily intended.
- The advancement of the arts, heritage, culture or science.
- The relief of those in need by reason of age, ill-health, disability, financial hardship or other disadvantage.

Our Memorandum of Association showing these Objects is available [here](#)

**24. Who else does the Trust liaise with?**

Just about everyone you can think of who will help us meet our objectives e.g. Community Council, Community Groups, individuals in the community, elected officials, accountants, lawyers, other professionals, Fife Council, , industry bodies (DTAS), other Trusts.....and more.





**25. Where does the money come from?**

The Trust is currently grant funded, however, over time we are aiming to be more self-sufficient once our projects are up and running as sustainable businesses.

**26. Can we spend grant money on anything we like?**

Yes and No!!! It all depends where the funding has come from. Some funds have certain stipulations attached and if we do not uphold our part of the negotiated Terms, then we can lose the money. These agreements and relationships with the funders can last for many years. They want to know that any grant funding is being spent wisely and with due regard, both to the terms agreed in the grant and to our own 'Objects'.

**27. What sort of thing has the Trust spent money on to date?**

It's early days, but the money we have received so far has been used to help set up the Trust and also pay for the work we have done to engage the local community in participating in the projects we have outlined. As we go forward the grants, we receive will be put towards designing and planning our projects and ultimately in completing the projects on the ground. In addition, we will be reserving some of our grant funding to distribute to groups and individuals who can demonstrate need and real community wide benefit in what they are planning to achieve. We will be publishing our application process and funding criteria for community grants in the near future.

**28. What are the checks and balances on managing the money?**

There is a rigorous financial control system to ensure directors are aware of, and authorise all company expenditure, prior to any contractual commitments. There are also a range of checks and balances that should ensure the money is effectively managed according to law. These include: preparation of annual accounts by qualified accountants, use of a suitably qualified bookkeeper on the Trust itself, production of monthly and/or quarterly management accounts and bank reconciliations for directors' scrutiny and approval, public release of annual accounts to members for their scrutiny and approval at the AGM.

**29. What happens if a Director has a conflict of interest (which includes non-financial dealings) in something being discussed?**

If a director has any possible conflict of interest in a discussion, they are asked to leave the room until the discussion is finished. They cannot vote on any issue in which they have a conflict of interest.

### **30. How do Members find out what's going on?**

There are a range of ways in which Members can find out what is happening. Your Board of Directors have made 'communications' a top priority and we are/will be communicating in the following ways:

- Our own website
- Through social media (Facebook)
- Question & Answer document (updated as new questions come in)
- Chairperson's email bulletins (probably quarterly, maybe more frequent)
- Open Evenings (probably bi-annually or as Directors agree is appropriate)
- The Diary articles and inserts)
- Through regular updates at public meetings of the Community Council
- Appearance at community events
- Via direct email through the Secretary [secretary@dalgetycommunitytrust.co.uk](mailto:secretary@dalgetycommunitytrust.co.uk)

### **31. How many meetings does the Trust have?**

The Trust is obligated by law to have one Annual General Meeting a year. However, the Board of directors meet monthly.

### **32. Can anyone come to the meetings?**

All members can come to any 'general' meetings. However, only Directors and those who have been invited may attend board meetings. Anyone invited to a directors' meeting has no vote.

### **33. Why does the Trust need to have most meetings in private?**

The Trust and its directors are committed to a policy of openness and transparency. Nevertheless, we have to recognise that the Trust is in the business of receiving funding, paying out grants to the community and discussing the details of commercial arrangements/contracts with third parties. We must be conscious that some of the details of these must remain private. All of our business at board meetings is formally recorded by the Company Secretary and we are happy to make minutes available on request to members with suitable redactions for confidentiality reasons.

### **34. How are decisions made by the Board of directors at their meetings?**

Questions are decided by a majority of votes. The chairperson has a casting vote in the event of a hung vote. There must be a minimum of 5 directors present for the meeting to be a quorum and the majority of directors' present must be member directors.

**35. How can I, as a Member, make my voice heard?**

You can call, email or write letters to any of your Directors at any time. At our occasional open evenings, you can also come and chat with us informally. If you have ideas for anything to do with the Trust and our Objects then please do let us know. The more ideas the better. We will be guided by our members in what we do and the way we act.

**36. Can the Trust own land and property?**

Yes

**37. Why might owning land be important for the community?**

Owning land can help give longevity to any current and future projects and can be a valuable asset which empowers the local community. In community ownership, land can be protected so that it can only be used for community benefit. Land purchase can be a serious and expensive undertaking and the Trust will only purchase land where there is a specific aim for its use.....e.g. for building a Community Hub, or a Civic Square. We will also consider buying land to preserve or protect it for community use or benefit or ultimately whatever is the Community's preference.

**38. You have already bought land previously owned by the community council?**

Yes, we have agreed to transfer land in the town centre between Louie Brown's and the Parish Church from the Community Council to the Trust. The Community Council has also agreed to transfer the community owned woodlands (Crow Wood, Hopeward Wood and Bathing House Wood) to the Trust. The rational for transferring this land to the Trust is so that in the case of the Town centre Land, the land can be invested in and developed for community benefit and use and for the woodlands, so that they can be protected and enhanced as a community amenity for generations to come.



**39. Is there additional help available in purchasing land?**

Yes there are various places where additional funding can be sought such as The Scottish Land Fund

**THAT'S IT FOR NOW BUT MORE QUESTIONS WILL BE ADDED TO THIS LIST AS THEY  
APPEAR**