

Minutes ECC AGM 2024

Present: Ian Brown, Bru Moorhouse, Sue Robins, Sandra Tonagh, Calum Gillies, A.Halt Gardiner, Donald Macnab, John Maciver, Bob Paul, Linda Ridsdell-Smith, Helen S Danter, Kenny Mackinnon, Roddy Macfarlane, Billy Shanks, Karen Pettit, Mary Mackenzie, John Macrae, David Salt, Tommy Mackinnon, Mary-Ann Mackenzie, John McKay, Jacky McKay, Sandra Wilson, Phil Ashhurst, Peggie Macfarlane, Joe Kalaher, Andrew Prendergast, Louise Ker, Stuart Whatley, Chris Whatley, Alec Macfarlane, Catherine Macfarlane, Dolina Mackaskill, Alistair Danter, Sara Twaddle, Sandra Wilson (Registration list annex ?)

Apologies: Kelly Mckay, James McKay, Issy Nelson, Davy Nelson, Steve Twaddle

1. Minutes of '23 AGM – approved, proposed Sandra Wilson, seconded Chris Whatley

2. Matters arising:

2.1 Constitution change, as reported in '23 AGM a request have been received to expand the geography + change the name of ECC to include the entire Skeabost & District Community Council in order to accommodate potential future funding from the Muirhall windfarm development Glen Ullinish. ECC Directors have taken the decision not to pursue the change as ECC has an existing portfolio of projects that would have to be taken on by the new body with the likely effect of skewing demand to the ECC area. The Board offered support to the CC to set up a new organisation that would cover the non ECC geography of the CC area + proposed that any future funding for the area should be divided on a percentage split based on the 2022 household census.

2.2 Community Slipway update - Potential Community slip way, options/ feasibility report included in annex 1. Meeting noted that at Present ECC has a significant workload with the shop and other projects, this will take all its current capacity + has taken the decision that a separate organisation made up of interested users should take responsibility to move the project forward. ECC is happy to support with advice on funding applications + once a budget confirmed consider supporting some of the costs, but it is not able to be the lead this work.

- **3. Finance report + approval of accounts + list of grant allocations** – Annual accounts present + approved – see annex 2. At the end of the 2023 accounting period ECC took the decision to change Accountants from Donald Rankin to Campbell Stuart Maclennan (CSM). The Board felt that with a growing number of high value / complex projects additional accountancy support and advice is required particularly in relation to management of VAT , individual project budget management and an organisational restructuring that will create a Trading arm under the parent body of the ECC. Part of the new arrangement will mean that CSM will attend + present annual accounts to the AGM in future.

- **4. Administration + Compliance update + current funding availability** – full report attached in annex 3
- **5. ACTIVITY Reports**

5.1 Shop – work completed

- Asbestos survey to support demolition consent
- Purchase of frontage land from Highland Council
- Planning approval + warrant for demolition received, cost approx. £48k
- 50% funding received from THC Community Development Fund
- Demolition to take place in next couple of months
- Site to be cleared for redevelopment in 2025-6

Work for 2025

- Proceed to planning for whole development
- Estimated cost to full planning £ 30,000
- Seek match funding for at least 50%
- Progress with Phase 1 shop + associated accommodation
- Other phases to follow subject to funding and business case
- Options will be to amend / vary design in future

Discussion points

Demolition vs rehabilitation – Based on professional report ECC Board took decision to demolish.

5.2 Village Centre – work completed

- Design for village green improvements approved
- Parking & drop off area – 6 places
- Separate path + gate to school grounds
- Seating & picnic area included in design
- Move bus stop + signs
- Artwork, landscape + tree planning included in design
- Cost approx. £35k match funding being support

5.3 Edinbane Links Path – work completed

‘Paths for all’ funded a redesign to reduce overall width to 2m for 1.6 km route from Edinbane shop to campsite, including a pedestrian crossing at the campsite. Land owner negotiation ongoing, agreement with 3 / 5 outstanding land owners completed. Current cost estimate + £ 1 million

Discussion points

- Would it have been more appropriate to work on a FP from Campsite to church as Campsite to shop already has a footpath? Paths for All criteria require clear destination for cycle / footpaths campsite to shop fulfils this criteria, footpath only from Campsite to church does not
- Signage required at Fanks Road end where Karen's track users are parking with potential to block lorry access
- Old road 'south side' of main road Fanks road end – Arnisort has some drainage requirements + encroaching vegetation requires cutting back.
- Current Village Maintenance budget includes Main Edinbane village + Karen's Track, meeting noted that there are other requirements that should be considered in annual budget exercise.

5.4 Housing – summary of development to date in annex 4

Current Situation

1. Housing Needs assessment survey under way, results to be shared with community and THC
2. THC Funded master planning process will seek to consult with the local community on housing options (tenures and burdens) + clarify status of former SLL planning application.
3. THC have offered to sell all or part of the land purchased from SLL to ECC, **no decision** has been made on this offer.
4. **There are no house building proposals** currently beyond the original SL20/02804/FUL as shown in the Master Planning TOR document on ECC's website [Housing | Edinbane Community Company](#)

Summary

1. ECC's interest is in affordable housing to ensure that the community continues to thrive and can sustain a primary school.
2. All processes / procedures must include community consultation + reporting.
3. ECC believe that to ensure the optimal outcome for appropriate housing within the parameters and character of the existing village it is best to work with all relevant partners.
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Housing Needs assessment research – initial headline draft findings

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Discussion

There was significant discussion around this issue. Concerns were raised about:

- potential for the SLL land that is next to THC's land to be used for a large number of houses; if development takes place on one it will happen on the other
- the possibility of other sites being more suited to the development of affordable housing
- threats to the village from disproportionate development
- potential for the views of the community to be ignored in the planning process.

The next stage is development of the Masterplan. This will be discussed with the community at a further event, with an independent facilitator.

Housing needs assessment survey – draft initial results

50 responses from permanent residents from a potential of 150 households / 11 non resident responses / 5 Business responses

Permanent residents' sentiments:

- 43/50 agreed more affordable housing is required
- 30 / 50 agreed that locals are having to leave the area due to lack of suitable housing
- 40 / 50 agreed that more family housing is required
- 31/50 disagree with people from outwith the area taking priority
- Preference of Housing type split between affordable rent, affordable purchase and self build. Affordable rent being highest + self build lowest

Business sentiments:

- 4 businesses report problems with recruitment due to lack of housing
- All 5 businesses have lost staff due to a lack of accommodation
- All 5 have current staff with a housing requirement
- Between the 5 businesses 12 houses are required
- 3 businesses believe that they will lose staff if housing cannot be provided

Housing Survey respondent draw winner – Davy Nelson, Upper Edinbane

6. Directors status

Standing down following the AGM – J Kalaher + Phil Ashhurst – Meeting noted thanks to both for their contributions

Roddy Macfarlane will continue to be the Community Council rep on ECC

Vacancies for 2 new Directors exist, attendees with an interest in taking up a position invited to speak with Chair – Sara Twaddle.

Annex 1 Community Slipway update

Community forum at the Jan '23 AGM covering 2022 agreed that ECC should carry out an initial options appraisal for a community slip way following a petition prepared by a couple of local young people – see minutes on website

The matter of a petition raised + supported by local residents for the construction of a slip way was raised. It was agreed that the next steps could be a feasibility study for which ECC could consider covering costs. ACTION Cean Tay and Mark Branon asked to meet with Alistair Danter (Administrator)

This is a community project for the benefit of the local community NOT a marine for the tourism industry as it would appear is being reported – see email Graham Walker.

Area reviewed – shore line of Loch Greshornish between the campsite and Arnisort Common Grazings. Initial survey looked at 3 access routes and 3 shoreline sites. One Access route discarded as it would not have complied with planning regs in terms of site lines onto the main road and the route was down the side of a burn, in addition it conflicted with local community sentiments. Of the 3 potential sites one emerged as having the most potential – historically this had been a slipway over shingle used in the past. A generic design has been produced that can be adapted once a decision has been made on the site + access routes.

Land Owner discussions

- Arnisort Common grazings committee, happy in principle subject to legal agreements with a proposal that uses the historic slipway location + reported local sentiments on access as stated above
- Arnisort Estate landowner, happy in principle subject to legal agreements with a proposal that uses the historic slipway location + that the development was a community initiative and not a commercial development
- Crofter with Apportionment on Common Grazings next to Arnisort church, happy in principle subject to legal agreements with a proposal that uses the historic slipway location + access over the apportionment
- Campsite happy in principle subject to legal agreements with a proposal that uses the historic slipway location with access over campsite ground. The business does not wish the slipway to be linked with their own development
- Crown Estates have agreed support in principle if all parties in agreement to the project. CE would issue a licence in perpetuity or for as long as the infrastructure is in place, this would cost £150 p.a
- Edinbane Estate are checking if their seabed rights run as far as the proposed sites, the feeling is that they probably do not.

Ball park design + costings currently available

- Volume of rock required =/- 5,000 m³ for slipway, rock armour, hard standing and access routes, this is split between sub – base , crusher run and armour standard aggregate at an average price of £32/ m³ from Sconser = £160,000
- Transport from Sconser £ 60,000
- Total ball park cost £ 220,000 for bought in
- Aggregate ‘won’ on site for same volume of rock £110,000 based on:

Establish Borrow pit	£25,000
Drill, blast, crush	£ 57,000
Reinstate borrow pit	£ 28,000
- It is currently not possible to give a ball park costing for the actual slip way as the design will vary depending on location

Work required to take forward

At Present ECC has a significant workload with the shop and other projects, this will take all it's current capacity + has taken the decision that a separate organisation made up of interested users should take responsibility to move the project forward. ECC is happy to support with advice on funding applications + once a budget confirmed consider supporting some of the costs, it is not able to be the lead figure.

1. Agree + clarify design + costings including decision regarding buying in stone or ‘winning’ on site to come up with a project budget that includes all professional fees on top of construction costs.
2. If Borrow pit option chosen planning consent will be required this can be included as part of the overall planning application for the actual slip way, it will include Environmental impact assessments, provisions for reinstatement et
3. Complete + agree planning application
4. As part of Planning process negotiate on environmental matters with SEPA
5. Negotiate Lease agreement with Crown Estates
6. Agree which access route to use
7. Negotiate lease / land deal with all relevant parties
8. Raise finance + Build
9. Agree organisational management.

Annex 2 Financial report

Income & Expenditure

Admin & General Exps

Administrator	£ 1,245.00
Accountant	£ 1,998.00
Legal Fees	£ 540.00
Insurance	£ 955.36
Hospitality	£ 3,328.09
Meetings / Office/ Admin	£ 2,340.00
IT & Website	£ 510.00
Subscriptions	£ 15.00
Finance costs	£ 33.25
TOTAL	£ 10,964.70

Development work:

Development worker	£ 11,941.41
Shop Legal & Professional Fees	£ 35,940.50
Footpath / cycleway construction	£ 9,290.70
Village Centre Development	£ 650.00
Village Maintenance	£ 8,893.80
TOTAL	£ 66,716.41

Expenditure Summary:

Grants	£ 34,627.00	31%
Development work	£ 66,716.44	59%
Admin & General	£ 10,964.70	10%
TOTAL	£ 112,308.14	

Covered by:

Windfarm Income	£ 85,178.18	RESERVES (At Nov'24):	
Grant for Karen'sTrack	£ 18,750.00	Current Cash Reserves	£ 194,747.46
Transfer from Reserves	£ 8,388.96	Current 'endowment'	£ 92,240.01
TOTAL	£ 112,312.14	TOTAL	£ 286,987.47

Grant award summary

Grant Awards + Leverage '23 / '24

Award	ECC Contribution	Other contribution	Total Costs	ECC %
Archie Maclean (Ed)	£ 4,000	£ 10,820	£ 14,820	27%
Catherine Macphee (Small Project Funding)	£ 485	£ 891	£ 1,376	35%
Davina McCluskie (CPD)	£ 2,069	£ 2,069	£ 5,007	41%
Edinbane Hall Annual grant	£ 6,000	£ 6,208	£ 12,208	49%
Edinbane Primary (Extra Curricular)	£ 3,080	£ 1,587	£ 4,667	66%
Edinbane Primary (P7 Trip)	£ 240	£ 75	£ 315	76%
Harris Home Furnishing (Bus Trg grant)	£ 804	£ 804	£ 1,608	50%
Isy Maclean (Ed)	£ 4,000	£ 10,999	£ 14,999	27%
Julie Whatley (CPD)	£ 199	£ 199	£ 315	50%
Niall Macphee (Ed)	£ 4,000	£ 4,300	£ 8,300	48%
PHS Girls Shinty	£ 1,000	£ 17,000	£ 18,000	6%
Portree Gaelic Choir	£ 500	£ 3,400	£ 3,900	13%
Sara Ouisdain	£ 4,000	£ 19,130	£ 23,130	17%
Shanks Plumbing (Apprentice)*	£ 4,000	£0	£ 4,000	100%
Health Homes (Research)	£ 250	£ 2,500	£ 2,750	9%
TOTAL	£ 34,627	£ 78.351	£ 122,978	31%

*Apprentice receives an annual salary

ANNEX 3 Admin + Compliance

- ECC as a Ltd Liab Co. + Charity is regulated + have to report to Co.s House UK and OSCR (Office of Scottish Charities)
- Financial reporting conforms to requirements of both organisations, annual accounts have been submitted + can be seen on line.
- Book keeping is carried out using Quickbooks which are linked with our current bank a/c and also our accountant.
- ECC works to an annual budget agreed by the Board every April with reports on income + expenditure provided at every meeting.
- At the end of the '23 accounting period ECC took the decision to change Accountants from Donald Rankin to Campbell Stuart Maclennan (CSM). The Board felt that with a growing number of high value / complex projects additional accountancy support and advice is required particularly in relation to management of VAT , individual project budget management and an organisational restructuring that will create a Trading arm under the parent body of the ECC. Part of the new arrangement will mean that CSM will attend + present annual accounts to the AGM in future.
- ECC has sought + received specialist in relation to VAT this will ensure that capital projects such as the shop should be able to recuperate almost all VAT related to the development.
- We have recently joined an organisation called DTAS – Development Trust Association Scotland which supports Development Trusts like ECC across Scotland + gives us access to advice on a range of matters from legal support for Governance + other matters to sectoral support for projects like community led affordable housing projects, carbon offset projects, community shops etc.
- With the help of DTAS we have reviewed matters related to Director liability As a Limited Liab Co with Charitable status Directors have limited liability provided that they are not negligent , reckless or dishonest + conform with accountability and reporting standards. In this sense the website, newsletters, periodic community consultation events and AGM are our key reporting mechanisms
- Given the high value + complexity of some on going projects like the shop, potentially housing we now have Directors liability insurance on top of public liability insurance that we have for the play park, any work related to footpaths and

cycle routes and building insurance related to the shop. Other liabilities that we have that require management & consideration are environmental, employment and insolvency considerations.

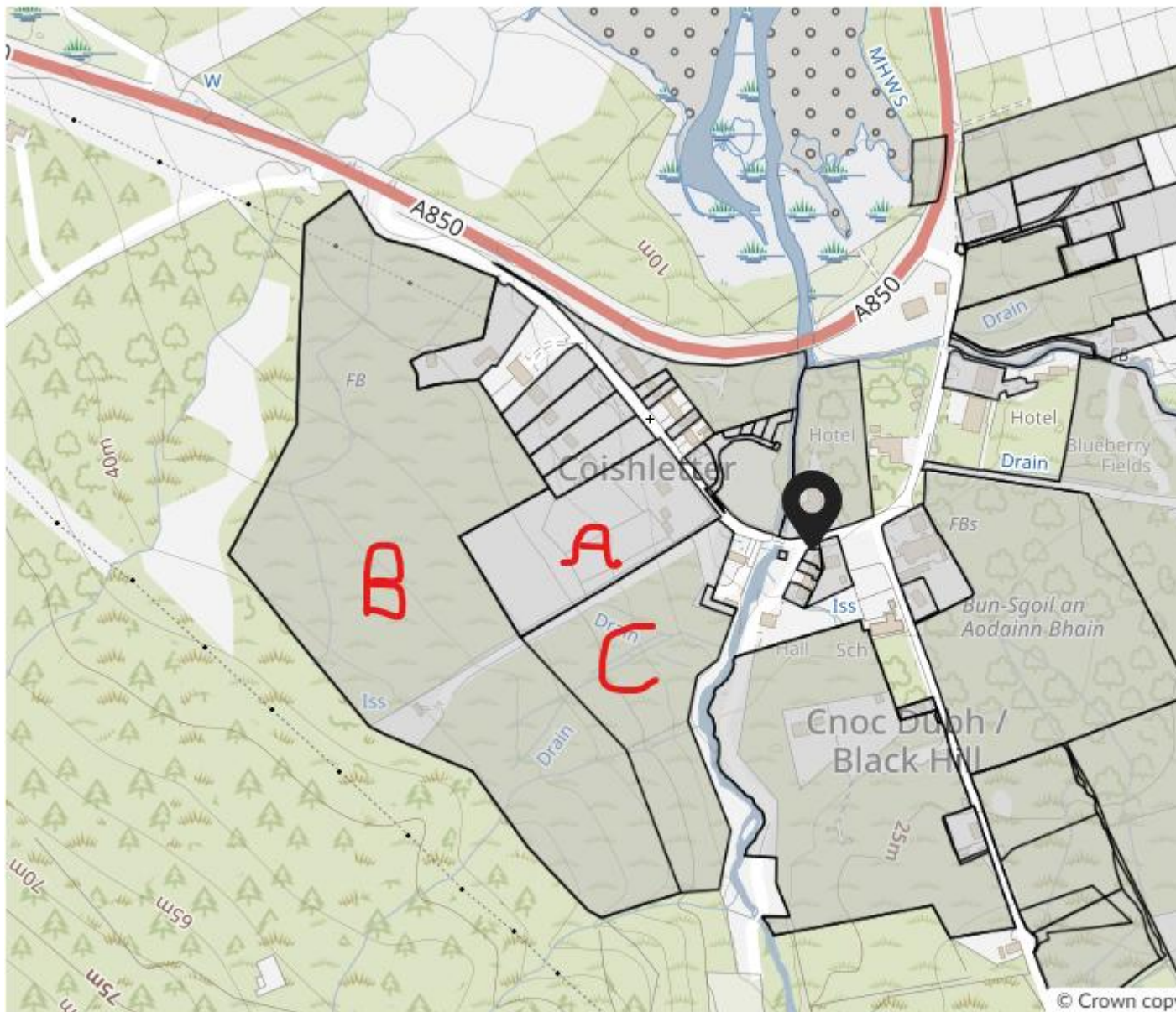
- ECC is in the process of agreeing bi annual drawdown of the Benefit fund from Vattenfall rather than the current annual basis. This followed negotiations between ourselves, Struan and Vattenfall. Both ECC and Struan have some large projects coming on stream + a larger sum of money on a 2 year basis is felt to be more helpful.
- My current job is to develop a management system that keeps the operational + management records in one place, ensure that Board meetings are fully documented + funding applications comply with our Objects as defined in the Mem and Arts – the mem + arts + original benefit fund agreement can be seen on the website

Summary of funding options

- Application forms are on the website along with reports of projects + individuals that have been funded are shown on the website.
- Areas of funding support include; tertiary education and trade / professional development course funding; Community development and small projects and Business training support which can either be through dedicated courses or the apprenticeship scheme which are available for individuals and businesses living within the ECC post code boundaries. It is also possible for organisations outwith the ECC post code boundary to apply for funding support provided that they can demonstrate an impact on individuals and the wider Edinbane community.
- In all cases it is best to make contact + discuss an application before submitting a completed form. Businesses applying for apprenticeship and training support must be viable year round enterprises ie not lifestyle or seasonal.

ANNEX 4 – Housing development history

Current Land ownership Coishletter information from Scottish land register



Ownership:

A Paul + Sandra Wislon

B Skye Luxury Lodges

C Highland Council

2015 – initial contact made with Skye Luxury Lodges (SLL) who were developing a housing plan for the site + whose obligation was to provide a % of the development as Affordable housing in conjunction with a local partner. ECC actions included:

- Seeking advice + support from Community Housing Trust (CHT) on management options AND contractual relationship (Mem of understanding) with SLL a private developer
- Implementation of a Housing needs assessment (see website results)
- Approached Land fund + secured funding to purchase 6 serviced plots from SLL (£120k)

2016 – 2021 – Protracted negotiations with SLL while at the same time SLL developed + submitted a planning application to the Highland Council (THC) – The basis of the proposal was agreed by Highland Council Planning, although **consent has not been formally issued due to legal matters to be resolved through the section 75 process**. The drawings can be found at 20/02804/FUL on the Highland Council planning portal. The actual planning application has never been presented for local consultation.

2023 – ECC AGM agreed to research options for a buyout under current right to buy legislation (Part 2 Land Reform (Scotland) Act 2003) due to lack of progress in negotiations with SLL and having to tell the Land fund that funding was unlikely to be used within Land Funds own annual budget time scales

2023 ECC AGM agrees petition to apply to Land Fund to apply for buyout funds for land covered by SLL planning application 20/02804/FUL (attached to AGM minutes)

2023 ECC reported delays to THC who proposed a purchase option using THC housing funds. THC elected members approved the valuation + purchase process. ECC Directors agreed a request to THC to proceed with purchase

2024 THC purchase completed, ECC re engaged with CHT in recognition of need to repeat 2015 Housing needs assessment + THC to request funding support for a Master plan for the development of the site, together with a management options appraisal including possibility of ECC purchasing part or all of the site from THC. Terms of Reference for Master Plan on ECC website.

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