

Minute of a Management Meeting
Of Shetland Community Benefit Fund Limited

Held at the offices of VAS, Harbour Street, Lerwick on
25 August 2019

Present: C Bunyan (chair), A Macdonald, L Odie, A Sutherland, A Wenger, A Brown, K Pottinger, J Daly, J Garrick

In attendance: W Moreland, I Walterson, A Laurenson

1. Apologies: Hubert Hunter, Ewan Balfour, Neville Martin

2. Directors

Resignations: A Ockendon

Nominations for new directors: None

Note observers from community councils. No new observers were in attendance. Observers were encouraged to take an active part in the meeting but were reminded that should there be any decisions that required a vote then only directors could vote.

£1 member's annual fee. As the treasurer was not present the collection of outstanding fees was held in abeyance until the next meeting.

3. Minute of 17th July 2019:

Proposed L Odie seconded A Sutherland

4. Matters arising not covered by agenda: All matters covered under agenda items.

5. Chair's report:

a) A letter dated 16 August 2019 from the ASCC had been circulated by email prior to this meeting and a copy was available at the meeting.

The contents of the letter were discussed with I Walterson, Vice Chair of the ASCC. Each point raised by the ASCC was answered and where necessary further questions were asked. In summary I Walterson advised the meeting that the ASCC was trying to be supportive of SCBF Ltd.

The offer to display SCBF Ltd minutes alongside those of the ASCC was acknowledged but declined as this would be on the main website of the Shetland Islands Council. It was felt that SCBF Ltd should remain independent of the SIC. This being the case an independent website was discussed with the general view that this should be a professionally constructed site and work should be carried out in the future. In the meantime a simple website could be constructed and used to display SCBF Ltd minutes and agenda.

b) Bank account: £325 from Aero Generators had been deposited in the SCBF Ltd bank account.

All remaining items of the Chair's report would be included under agenda items 6 and 7

7. VEWF LLP

The Chair reported on telephone conversations, meetings and email exchanges with SSE up to and including 28 August 2019.

The changes made by SSE were observed. There was a wish to avoid the words 'construction' and 'disturbance' when describing payments in the Heads of Terms. They are replaced by the words 'preliminary' and 'advance'.

Paragraph 7 allows SCBF Ltd to engage the services Harper Macleod Solicitors and RSM Accountants subject to the conditions of paragraph 7.

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Paragraph 13 second sentence becomes redundant.

Paragraph 17 is noted as being in addition to paragraph 7 and as a result will need to be quantified.

The discussion moved on with a director noting the proposed delay in signing the Heads of Terms and the possibility of the agreement being changed.

Acceptance of the draft Heads of Terms was then proposed as follows and subject to the following conditions.

It is agreed that SCBF Ltd accept the draft Heads of Terms presented to this meeting and with agreed alterations as follows : -

Paragraph 6 second sentence should read – There will be four annual payments the first to be released within 28 days of major civil construction work expected 1 May 2020.

(The change to paragraph 6 reflects the wording used by SSE in their email dated 28 August 2019.)

Paragraph 7 delete the word disturbance.

Paragraph 13 delete second sentence.

PROPOSED: J Daly SECONDED: L Odie

There was no counter proposal.

Voting in favour of the proposal 6 directors. Against – none. Abstaining – one director.

At this stage in the meeting the proposer J Daly declared a possible conflict of interest. As a result the proposal was restated as detailed above.

PROPOSED: A Brown SECONDED: L Odie

There was no counter proposal.

Voting in favour of the proposal 7 directors. Against – none. Abstaining – one director.

7. MEETING WITH PEEL ENERGY

An account of the meeting was provided. The conclusion was that the outcome of the meeting was generally positive. Peel Energy had some issues with the early draft of the Viking Energy Heads of Terms but took account of a more recent draft with a view to this being the basis of a future agreement.

Peel Energy were keen to show a proactive stance and were committed to a long term project. Peel Energy also indicated consideration to using local construction companies as well as supporting apprenticeships.

Peel Energy saw SCBF Ltd as their preferred option but if not they would pursue their own community benefit scheme.

PEEL ENERGY (YELL). SCBF Ltd would like to be involved in some form. This was a matter for the future.

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8. OTHER COMMERCIAL DEVELOPMENTS

Energy Isles. As yet there was no communication.

9. CONSIDER REVIEW SCBF LTD RULES

The sub committee had not yet met due to other commitments by members. A meeting is to be arranged.

10. SCBF OBJECTIVE CONSULTATION

The views of Community Council's had been circulated prior to the meeting. This matter will be subject to future discussion.

AGENDA ITEMS 11 AND 12 (a) to be discussed at future meetings.

DATE OF NEXT MEETING 24 September 2019.