



The Lymington Community Association

New Street Lymington SO41 9BQ

Tel: 01590 672337

Registered Charity 301880

chair@lymingtoncommunity.com

8th August 2019

Dear Member

Special General Meeting – Thursday 5th September 2019 at 6.00pm

Enclosed is a copy of The Notice which was posted on the noticeboard at the Lymington Community Centre on Tuesday 6th August 2019, in accordance with point 9.3 of the Constitution. At the SGM your Board will be seeking your support for important proposals in connection with the future of our Lymington Community Association.

All members must ensure that they have renewed their membership which is due on the 1st September 2019 to be entitled to vote at the Special General Meeting.

Two separate meetings are being held:

1. Thursday 5th September 2019 – SGM to vote on resolutions related to the governing document and incorporation of the LCA.
2. Date to be announced – resolution to authorise a possible sale of a small part of the car park.

At the SGM there will be two resolutions:

1. Alterations to the Governing Documents

The 1948 conveyance provides that any sale requires the approval of two thirds of the people present and voting at a meeting of **all the inhabitants of Lymington over the age of 18 years**. This raises two problems: the first is that the current membership of the Association is not restricted to Lymington so not all members would have a vote; and second, if the meeting were open to all inhabitants, it would be impossible to verify that everyone attending the meeting is eligible to do so.

The trustees therefore propose that the governing document be amended so that only members of the Association are entitled to vote on the transfer of assets or a sale of Association land. The Charity Commission has agreed to this amendment.

2. Change to a Charitable Incorporated Organisation (CIO)

Charity Commission guidance recommends that charities, such as the Lymington Community Association, move to a corporate structure. The trustees are therefore seeking members' approval to become a CIO, which is the option supported by our solicitors.

The Lymington Community Association is an unincorporated Charity, so the Board of Trustees are personally and financially liable for any debts. In 2013, the new structure of Charitable Incorporated Organisations became available, enabling charities to conduct business in their own name without the trustees being liable. As a CIO, the LCA would remain a charity and its objectives would not change.

Incorporation via a company limited by guarantee has also been considered but on balance the trustees have concluded that a CIO structure is preferable.

A Question and Answer sheet on the CIO is enclosed. If you have other questions, please speak to one of the trustees or email chair@lymingtoncommunity.com

Please do come to the Special General Meeting at Priestlands School, North Street, Pennington, SO41 8FZ on Thursday 5th September at 6pm, registration from 5.30pm and support your Board to ensure the future of the Centre. We encourage all members to car share for the meeting as parking is limited.

Our solicitor will be present, and the trustees will be happy to take questions. All the information about the meeting can be found at <https://lymingtoncommunity.com> and printed copies are available at Reception.

Yours faithfully

The Trustees of Lymington Community Association

Bob Blatchford (Chair)

Caite Healey (Treasurer)

Vanessa Galbraith

Lucie Lewis MBE

Caroline O'Callaghan

Anna Rostand

Judy Ruffell

Peter Wagstaffe

Enc.