

Minutes of the 9th Annual General Meeting of Westway Trust (a company limited by guarantee) held at Bevington Primary School, Bevington Road, London W10 5TW on Wednesday 14 November 2016 at 7.00 p.m.

Present:

Trustees

Alan Brown (Chair), Cllr Anne Cyron, , Cynthia Dize, Mike Jones, Cllr Monica Press, Angela Spence, Sheraine Williams, and Chris Williamson.

In attendance (Executive Team): Angela McConville (CEO), Mark Lockhart (Company Secretary), Alex Russell, Graeme Thornes and Stephen Wren. Jeanette Davidson (incoming trustee as observer).

Representatives of Member Organisations:

Isabella Niven, ACAVA

Tom Fitch, CASH

Nicolas Holliman, Corner Nine Arts Project

Faurisiya Bawe, Dadihiye Somali Development Organisation

Mohamed Benrahma, Dalgarno Supplementary School

Alfonso Santana, Echoes of Spain 1936-39 Project

Maggie Tyler, Gloucester Court Reminiscence Group

Roger Roberts, Golborne Forum

Mary Fotheringham, Kensington & Chelsea Mental Health Association (MIND)

Angela Spence, Kensington & Chelsea Social Council

Dee Dainton, Lancaster West Children's Community Network

Tracey Louis Fernand, Octavia Housing & Care

Ruth Morrison, Pepper Pot Day Centre

Linda Ogbuehi, Response Community Projects

Piers Thompson, Silchester Residents' Association

Yvette Williams, St Helens' Church

Huey Walker, Venture Community Association

Geof Branch, West 11 Housing Co-operative

Penny Snowball, Women's Pioneer Housing Residents' Association

Pepe Francis, Ebony Steel Band Trust

Action

1. CHAIR'S WELCOME AND INTRODUCTION

The Chair welcomed Member Organisations, Trustees, staff and members of the community to Westway Trust's 2016 AGM. He thanked Bevington Primary School for their permission to use the hall. As members of the community were filming the meeting, the Chair asked if anyone objected to being filmed; there were no objections. The filmers were asked to direct their cameras towards the front of the hall only.

2. CHAIR'S OPENING REMARKS

The Chair referred to the 2015 AGM which had brought the Trust face to face with the deep frustration and sadness from some members of the community. He said that over the past year the Trust had worked in-depth with individuals, interest groups. Member Organisations and representatives of Westway 23 to better understand past problems and how to move forward more positively.

He went on to outline the extensive work programme over the past year to better understand what is perceived to have wrong in the past and address the concerns raised. Notable progress has been made in enhancing diversity and local representation on the Trust's Board, increasing the range of cultural activities organised with the community, and reaching a partnership agreement with the North Kensington Stables Community Interest Company.

3. APOLOGIES FOR ABSENCE

Apologies for absence were reported from:

Trustees: Karen Bendell, Fiona Ramsay, Cllr Malcolm Spalding and Chris Ward

Member Organisations:

Chelsea and Westminster Swimming Club

Gate Theatre

Open Age

Westway Community Transport

Latymer Christian Centre

HELP Community Counselling & Support

4. MINUTES OF THE 8TH ANNUAL GENERAL MEETING HELD ON 23 NOVEMBER 2015

By way of background, the Chair reported that following the questions raised last year over the 2014 minutes, a working party of members and Trustees - comprising Tom Fitch, Maggie Tyler, Eddie Adams, Robina Rose, Alan Brown and Cynthia Dize - had been brought together to look at the minutes and the governance issues raised at the 2015 AGM. This group had agreed that the minutes of 2014 provided an accurate record of the discussions and voting at the meeting in 2014, although there was some discomfort over the impact of the changes made to the constitution at that meeting.

The Membership was asked to approve the minutes of the 2015 AGM. At this point some issues and queries were raised:

- 1) Eve Wedderburn said the section on Westway Stables was not comprehensive or accurate and that the record should be updated to reflect some key points of the discussion. [She provided a note of the points raised, and this is available to view on the Westway Trust website alongside the minutes of the 2015 AGM].
- 2) One attendee stated that given the controversy around the 2014 minutes it would have been helpful to re-circulate them with the Agenda in 2016.
- 3) Several attendees pointed out that it was misleading and unhelpful to refer to Flyover in the minutes as Flyover Café.
- 4) One attendee took issue with the following phrase in the minutes, stating that it was inaccurate: 'Limited opportunity was given for the Chair to invite a response from other trustees or the Executive'.
- 5) A question was raised over an omission in the 2015 minutes over the designation of property surpluses (and whether they should be recorded in the accounts as restricted or unrestricted funds). It was noted that this is in fact already covered in the minutes.
- 6) Maggie Tyler challenged the assertion that the working party looking at constitutional issues had come to an agreement; she felt that Member Organisations had not been informed consistently about the planned changes. Cynthia Dize stated that the group had agreed that the minutes were an accurate record of the meeting, but that some Member Organisations did not feel they had been sufficiently consulted over the

revised Articles of Association which led to the revised governance structure. However, others felt that there remained some outstanding matters of contention to be resolved on the constitution. Angela McConville reported that in her discussions with the Membership during 2016, there had been widespread support for the modernisation of the Trust's constitution. With respect to the Special Resolution which effected the adoption of the new Articles of Association in 2014, it was confirmed that 17 out of 21 votes were cast in favour with four abstentions.

The following was agreed:

- It was agreed to have the video recording of last year's AGM transcribed to provide a comprehensive record. AR
- Robina Rose requested that a copy of the script that the Chair had been following during this meeting be shared. The Chair agreed to do this. AR
- Angela McConville offered to hold another public meeting in the near future where the Trust can again discuss with the Member Organisations and others the revised governance structure and take questions in more detail. AR

Niles Hailstone said that a glaring omission from the 2015 minutes was a record of those who had made a vote of no confidence in Angela McConville, the Executive team and the Board of Trustees. In Mr Hailstones' view this was the most important thing that happened at the AGM. Angela McConville was asked if she agreed that this had taken place and she confirmed that it had happened. Niles Hailstones described the Trust as institutionally racist and Alan Brown said he has previously spoken to him and written to him asking him to bring forward evidence; none has been received.

Niles Hailstones reiterated the vote of no confidence – echoed by some others in the room – in Angela McConville and in those that still remain on the Board from the previous year, noting the turnover on the Board. He said this was no reflection on the newcomers nor on Alan Brown who he has found constructive in his dealings with him. Alan Brown pointed out that only Members have a vote at the AGM and said the Trust does not have its employees judged in the court of public opinion, nor does it accept protest votes.

Eve Wedderburn said the complaints procedure was very unclear and insufficient. She said it needs to be addressed. She stated that in her opinion a complaint to the Chair had not been adequately dealt with. She felt there should be provision within the policy for an independent adjudicator. Toby Laurent Belson agreed and said it was not a proper procedure. Alex Russell commented that the Trust was developing a clearer policy and this would be available shortly. AR

The following questions arose relating to claims of institutional racism. Several attendees accused the Trust of institutionally racist practices. Alan Brown repeated that he has previously asked Niles Hailstones for evidence to support these assertions to allow this to be investigated, but none has been forthcoming. Tim Burke said that under the provisions of the Equality Act 2010, all claims must be investigated, regardless of whether there is any evidence provided. Along with Niles Hailstones and other attendees, he berated the Trust's management for not being sufficiently au fait with the law in this regard. Mark Lockhart said the Trust was not a "public body" as defined by the Act and was not bound by the additional duties of public bodies, but nonetheless the Trust would want to address issues if they are raised. Tim Burke said he was bringing a claim of racial discrimination against the Trust and was serving a pre-action notice on the Trust; he handed an envelope to the Chair. [Since the meeting Mr Burke has apologised and withdrawn the claim made at the meeting. He has asked that this should not be taken any further.]

5. RESULTS OF THE TRUSTEE ELECTION

Alan Brown thanked Cynthia Dize for her nine years’ service as a Trustee. Her long residence in the area and understanding of local issues had been a great benefit to the Trust, and her contribution to the Board and its committees had been greatly valued. The Chair wished to convey his personal gratitude and to thank her on behalf of the Board for all she has done for the Trust.

The Company Secretary reported that to fill the single vacancy for an elected Trustee on the Board created by the retirement of Cynthia Dize, an election by the Member Organisations had been held. Jeanette Davidson was nominated by West London Bowling Club. As the only nominee, Ms Davidson had been duly elected as a Trustee for a three-year term. Alan Brown welcomed Ms Davidson to the Board and the AGM.

6. ORDINARY RESOLUTION

The following resolution was proposed by Cynthia Dize and seconded by Mary Fotheringham:

To receive the Trustees’ Annual Report & Accounts and Auditors’ Report for the year ended 31 March 2016

The resolution was carried and the voting was as follows:
For 17 (plus 5 proxies held by the Chair)
Against 1
Abstentions 5

7. ORDINARY RESOLUTION

The following resolution was proposed by Cynthia Dize and seconded by Mike Jones:

To re-appoint Kingston Smith LLP, Devonshire House, 60 Goswell Road, London, EC1M 7AD, as the Trust’s auditors and authorise the trustees to fix their remuneration.

The resolution was carried and the voting was as follows:
For 16 (plus 5 proxies held by the Chair)
Against 0
Abstentions 7

The formal business was closed, and the meeting was opened up to question and answers.