

## Comments received so far on some of the points raised in the member's response in the June 2013 Bulletin.

1. *" I was interested to read the Letter to the Editor in the March Bulletin with the rather contrived defence for the library, nevertheless it is a serious issue to be set against the other activities of the Society, and counter arguments can be found".*

Comment: Few would surely regard the earlier published concerns as 'contrived'? The BSS Collection represents a sundial-related resource which is more freely available to members than the same works would be in the national libraries. The books and other material - a few of which are rare - may be handled and examined whether for research or not without the need for any proof of academic status. Indeed the availability of such access is a major benefit of Society Membership, it is a significant reason for joining the Society rather than relying on the Internet and, from what can be judged so far, a large majority of members appear to feel the library is an important asset.

2. *"The writers mention that the library features in the Objects of the Society in the constitution ....However, the very existence of the library is entirely optional.... In other words, these activities are not mandatory and are at the discretion of the Society and without prejudice to any other activities that may arise".*

Comment: Actually, the original letter did not say that the BSS library 'features in the Objects of the Society'. It only said that it is 'supported by the Objects of the Society'. The fact that the concept of a library was envisaged in the 1992 Constitution reflects the desire of the Society's founders to establish such a library and emphasises its importance as a key goal right from the time of the establishment of the Society. This has of course been heavily underscored by the number of gifts of books that BSS has since received from members and from members' estates.

3. *"The writers have stressed the charitable benefit, but because the Charity Commission is not directly represented on our Council, it has no role in our management and it is for the Society to decide how best to create public benefit".*

Comment: The Commission is indeed not directly represented on the Council - and it cannot be. However it does have a major role in the running of the Society. The Council is by law subservient to the Commission. Like any charity, the BSS Council is required by the Commission to adhere to Charity Law, to Charity Guidance and to Best Practice. This isn't simply to decide how best to create public benefit, it is (amongst many other requirements) how to ensure that we demonstrate sufficient public benefit in each of our activities. Neither the Trustees nor the membership can vote to cease to be a Charity, yet should the Society fail to demonstrate 'sufficient' Public Benefit at any time it immediately ceases to become charitable with all the consequences that that would bring. The law on Public Benefit is shortly to be updated and actions that could reduce the level of it, at this time especially, need very careful consideration.

Comment: The comments made by [the complaining member] appear to show a misunderstanding of charity governance. It is not about minimising the cost of all parts of the charity's activities - or even that all activities should make a profit. It is about all aspects of the charity's activities contributing sufficiently to the benefit of the public.

4. *"For the visits to the library, the writers point out that "the Council itself (including the complaining member) have until recently met at the library annually...". However, the writers omit to say that Council members were obliged to visit the library to hold Council meetings!"*

Comment: The statement was only made to underscore the fact that it was simply not true that no one had visited the collection in ten years. Visiting is visiting regardless of how that might be arranged! There has never been any aspect of compulsion in Council attendance. Council Members always voted to visit the library well before each of their meetings there and most if not all looked forward to meeting up there. Indeed many stayed on afterwards to look through the collection and to see the changes and additions that had been made since their last visit.

5. *"Accessibility by the general public is not easy, for examples our website mentions the library, but goes on to say that a print version of the catalogue is available to members only, and must show formal personal ID to be checked against the current BSS membership list when visiting the library".*

Comment: Bromley House Library is one of 30 independent libraries in the UK and it currently charges £80 a year per person/family for public membership. Free access to BSS Members is therefore an exceptional bargain and an exceptional public benefit in the Commission's eyes. Entry procedures for BSS members are actually easy and very similar to those for

the library's public members. The entry procedure is not significantly different to that operated by any private library that holds rare works on a variety of topics.

6. *"The cost of the library is quoted as £150 a year (Newsletter 0 61. September 2011), and whilst this is not a huge sum, one of my concerns is that the money could well be spent elsewhere".*

Comment: It will surprise many that the future of the prestigious BSS library might come to hinge on a belief that £150pa could be better spent elsewhere when that sum gives all BSS members free access to all of the library's content not just the BSS Collection. The ability of any BSS Member to see, touch and read rare works on dialling and related subjects - and even all the other unconnected works held by the library - makes this small sum very, very worthwhile. Not only that but for that sum the BSS collection is maintained, insured and secured in near ideal conditions. This annual sum should be compared with the £500pa or more that BSS spends on archiving and the £800 or more spent annually on independent examination of its accounts. £150 for an academic collection that encourages membership and which covers full librarian and insurance services is very good value indeed. For that also to be in a building with its own meridian line is amazing.

Comment: Even to contemplate the break up of a collection of gifts and bequests such as this just to save £150pa sends an extraordinary message to the membership about the permanence of society 'ideals'. The Society has accepted and currently still does accept, collections of dial images (slides as well as photographs) which have been meticulously formed over many years. These provide a valuable record of changes in the condition of dials in the UK as well as enhancing the Society's Register. Is the Council soon to dispose of these collections too? After all they together cost more to maintain than the library. Why should anyone now gift or bequeath anything to the Society?

7. *If the library was to be closed, then disposing of the books will have to be handled carefully, but let us not put the cart before the horse. To summarise, the best argument for retaining the library is to use the 'intellectual' approach as if we need the library to keep up with our national learned institutions. At a more mundane level, it is just a means of (expensively) storing the books that we own. The public benefit element can be discounted because the numbers involved are utterly insignificant compared with the major benefits we achieve elsewhere".*

Comment: The Society currently has an extraordinarily excessive level of reserves; enough, in fact, to fund the library at its present rate for over 500 years! It just does not need the capital that would accrue from liquidation of the library - whether or not that would be legally possible given the way in which bequests and gifts have been made to it on the understanding of near-perpetual availability to members. The library already figures highly as an incentive to membership and not just for its 'intellectual' aspect. Not only that but it is incorrect to suggest that Public Benefit can be discounted. That comment is a little misleading on the matter of the need for Public Benefit in charities. Public Benefit has to be apparent and available in everything the charity does, whether or not it is ever taken up by the public. The test of a sufficiency of Public Benefit is made on its availability not on its take up. A bit like the case for a reference library really.

Comment: The BSS library is largely a library of individual collections which chart the ascendancy of BSS under the chairmanship of Chris Daniel. Indeed its very existence with its eclectic mix of gnomonic books and documents was one of the reasons why our application for affiliation to the RAS was accepted. They much liked the way in which a wide variety of dialling related material was collected together, something which is not the case in academic collections like that of the RAS. It is this that makes the BSS library both unique and a real attraction to those contemplating joining the Society. The library most certainly should be retained and dare one suggest, even be expanded.

Comment: The [complaining member's] implied advocacy of dismantling the BSS Library is certainly something to be most vigorously resisted but in an odd way he has possibly helped the society by drawing attention to the fact that any Council of elected trustees can, by a single vote amongst themselves, make a dramatic change to any of the charity's assets or practices. This of course is possible even though a huge majority of the membership might be opposed. Simple consideration shows that with the present seven members of Council, dispersal of the library could be effected on the whim of only four trustees! Indeed, in a worse case scenario where only the constitutionally minimum-sized Council of four trustees might exist, such a dramatic change could be effected with the vote of only two trustees and the Chairman's casting vote. That is surely wholly unacceptable and as a part of their review, the present Council must take steps to enact a 'rule for the conduct of their business' that ensures that a two thirds majority of the membership in a postal vote must approve any dramatic change to any established society practice or asset like the library.