

Extraordinary Meeting Notes
Friends of Castle Green – Directors
7pm Thursday, 5th January, 2017, Castle Green Pavilion

Present: Amanda Attfield, Annabel Oxford, Paddy Nugent, Steve Cameron, Joy Harvey, Katie Bott, Lisa Richardson **Apologies:** Mark Hubbard

Agenda item	Key points	Action
Conflict of Interest	Katie Bott's husband is employed by the firm of solicitors used by Herefordshire Council.	
Update on CAT	Paddy reported Herefordshire Council's decision to approve the transfer of the Pavilion to FoCG on a 25 year lease at the peppercorn annual rental of £1 was now on the Council's website with some additional history in a background paper. Signing an agreement would commit us to the five year financial plan. Michelle Williams was our contact for now within the Council in place of Tony Featherstone.	
Legal & Financial	<p>There were a number of legal and financial questions to be addressed, as follows:</p> <ul style="list-style-type: none"> – What happens when the 25 year lease expires? – Where do we stand on subletting individual rooms – room rental versus subletting given the constraints stipulated? – A Service Agreement is mentioned. What will this cover & will this be in the contract? – Can we apply for the freehold now or at a later date? Can we extend the lease – further exploration of the merits of freehold v. leasehold needed? – Should the development plan for the Pavilion be put in to the Council before extending the lease or taking over the freehold? – How much repair work can we ask the Council to be responsible for before we take over the Pavilion? – What happens in the event we don't achieve any grant funding to cover the cost of the repairs identified in the condition survey? <p>It was agreed to contact those organisations we were aware of that had gone through the CAT process previously. It was noted that The Judge's Lodgings had also recently transferred but we had no immediate contacts with the organisation. Ask Tudorville, what they had done at this stage. Contact Dinedor similarly.</p> <p>As an asset, even as a leaseholder, the Pavilion would have to be accounted for properly and Steve would research the financial reporting implications.</p>	<p>Amanda Katie</p> <p>Steve</p>
Condition Survey	<p>The maintenance, repairs & renewals in the Condition Survey amounted to some £234K, with the expenditure plotted over five years. Some of the 2016 items had been done but it was agreed that all of those listed should be actioned by the Council before the lease was signed plus those flagged as Health & Safety problems. There were the following questions to be addressed:</p> <ul style="list-style-type: none"> – Which of the 2017 items would be actioned before the CAT would be entered into? – Given that we were looking at the wider picture, how often would we need to have a Condition Survey done? 	

<p>Operations</p>	<ul style="list-style-type: none"> - Re the wider vision for developing the building and environs, how would leaseholder status impact that, and funding applications. What further decision/s by the Council would be needed? <p>The following operational questions were raised:</p> <ul style="list-style-type: none"> - What were the exact on-going annual maintenance costs (possibly £8k as mentioned in the report)? - When would the 2016 & 2017 items raised in the Condition Survey be actioned. Katie to chase the necessary urgent repairs with the Council. - What were the current contracts relating to the Pavilion and the terms and conditions of each. Will they novate these to the leaseholder, or not novate but end, or would the Council retain them? 	<p>Katie</p>
<p>Communication</p>	<p>We needed an official Council contact, and legal contact for this project.</p> <p>It was discussed that the Council's decision was a public decision, available on the Council's website. Members were a key group to keep informed. In the next Newsletter, we needed to mention that the CAT had been approved, giving the relevant link to the Council website, and that contractual (leasehold) discussions would now be progressed. Amanda to include in Words from the Chair and let Katie have asap.</p> <p>It was agreed that it made sense to not issue a press release until the leasehold arrangements were finalised.</p>	<p>Paddy</p> <p>Amanda</p>
<p>Legal</p>	<p>Herefordshire Council 's lawyers would now very likely develop a lease agreement for discussion with our lawyer but we needed to ensure that this was progressed and may need to follow this up regularly. We may need to request support from our local Councillor if progress was not being made.</p> <p>It was discussed that legal advice would be needed including consideration of the issues we'd raised (as outlined above). It may be possible to find advice "pro bono" but we had to accept that there may be a cost. We needed to make sure we did not incur unnecessary legal costs ahead of time, but it was accepted that any lawyer would want to familiarise themselves with the position. It was agreed to do some fact finding on legal advice based on organisations we knew had entered into CATs locally, and discuss again at the next meeting.</p> <p>Amanda: Contact Stan Gyford (New Leaf) & Francis Aldhouse Joy: Contact Elizabeth Perkins Annabel: Ask Dave Tristram (who will be at the next Directors' meeting) Katie: Contact the Nature Trust, Ledbury Rugby Club</p>	<p>Amanda Joy Annabel Katie</p>
<p>Date of Next Meeting</p>	<p>Thursday, 19th January, 2017 at 7pm at the Castle Green Pavilion, Hereford.</p>	