

**MINUTES OF THE GALLEYWOOD HERITAGE CENTRE PROJECT  
COMMITTEE MEETING  
HELD ON MONDAY 25 JUNE at 10.00 am  
AT THE KEENE HALL, WATCHOUSE ROAD, GALLEYWOOD**

**PRESENT**                    **Councillor John Turkentine (Deputy Chairman)**  
Councillor Neville Paul, Councillor Roy Van Tromp  
Councillor Bob Villa.  
Advisers Mr Hugh Arnold, Mr Ken Edwards

**IN ATTENDANCE** Mrs Nicola Caton, Assistant Clerk to the Council

1. **APOLOGIES FOR ABSENCE** – Councillor Mrs Janette Potter and Adviser Mr Ted Hawkins
2. **MINUTES OF THE MEETING HELD ON 4 JUNE 2007 AND ANY MATTERS ARISING** The minutes were amended,(p4 paragraph 2 'A Business Rate is *not* payable by a Parish Council', annotated and agreed and signed in the absence of the Chairman by Councillor John Turkentine.  
**2.1 MATTERS ARISING – Chelmsford Scout Council – Ex Council Depot Galleywood Common – Letter dated 18 May 2007** It was reported that a letter had been drafted to the Chelmsford Scout Council stating support in principle to the possibility of considering a sub-lease subject to CBC approval, lease agreement and signature. *Action: Letter of acknowledgement to be sent by Clerk.*
3. **CORRESPONDENCE** None  
*It was agreed by the Committee that Agenda Item 5 would be addressed prior to item 4*
5. **LEASE** The Meeting held on 14 June 2007 at the Civic Centre CBC offices with Sue De Val – Legal and democratic Services Manager, Corporate Services was summarised as follows:  
It was reported that Councillor Mrs Janette Potter had outlined the present Committee situation with regard to the BLF application. Acknowledgement of the First Stage Application has been received from BLF, however any notification of a successful decision would not be forthcoming until the end of August. The Committee was informed that CBC had been made aware that if the BLF fund was unsuccessful that the GHC Project would still want to sign the lease based on an alternative proposal; which could be supported by other source funding on a phased basis. It was requested as to whether the lease detail could reflect both options. Plan A (BLF Funding) would require a minimum 20 year lease without a breakpoint. Plan B (phased approach) would require a five year break point. Sue De Val reported that the lease terms should be simple and positive and that a point of surrender could be negotiated should funding become difficult to sustain. Sue De Val requested a copy of the proposed Business Plan.

It was agreed that it was the intention of GPC to transfer the lease onto a Charitable Trust.

The draft head of terms were discussed by item -

**Nature of Agreement** A comprehensive definition of Full Repairing and Insuring lease was discussed. GPC asked for the Landlord and Tenant Act 1954 (section 24-28) be included as the Heritage Centre would be a Community based activity unlike the Commercial nature of the Nursery located near the site. *Action: Sue De Val to review this clause and report*  
It was recorded that GPC would be required to apply for extension to the lease within the 24<sup>th</sup> year of the terms of the lease, which could be refused on statutory grounds.

**Demise** It was agreed that CBC re-measure specified areas on the plan and report.

**Term** Sue De Val indicated that she had no problem with the 25 year period specified.

**Rent** It was reported that rent would be payable for the first three years at a 'peppercorn' £1 per annum.

**Rent Review** Accepted.

**Additional Rent** GPC requested the CBC definition of 'commercial activities' in order to ascertain what functions the centre could incorporate that would enable the site to be sustainable, ie hire of meeting rooms, fund raising events. Sue De Val believed that the activities of sub letting of the sheds and tea rooms would be on a commercial basis. GPC queried the proposal to share (50%) in the profits of any commercial activity but that this share would apply to total accounts not individual activities. This clause would however have to be reviewed as it might not be acceptable to the establishment of a Charitable Trust

**Alienation** – Subletting to other parties. Sue De Val stated that she could not agree to a sub lease clause, however transfer of lease to a Charitable Trust was acceptable. In order to raise money to cover running costs of the premises GPC stated that some commercial activities were essential. Sue De Val to refer

**Outgoings** - CBC to assess the current rateable value of the site specifying the number of sheds and buildings. On completion GPC to discuss obtaining a reduction in due course. It was noted that a Charitable rate of relief will have to apply prior to any assignment.

**Indemnity and Insurance** CBC confirmed that they were prepared in principle to include the site in their Buildings and Public Liability Insurance. This could be recovered from GPC by way of additional rent. *Action – Further clarification of costs and terms required.*

**Maintenance of the Premises** GPC queried the maintenance cost split of 50/50 with the Stables Nursery payable to CBC as Heritage Centre Visitors would be using the external car park. *Action Sue De Val to review the percentage use, review the plan, measuring correctly the dimensions and reissue.* It was suggested that negotiations into cost payment could be reviewed after a specified period of time.

**Alterations** CBC stated that absolute control over alterations must be retained by them. CBC were asked if they concurred with the proposed alterations as outlined in the feasibility study submitted to the BLF. Sue De Val stated that permission for these changes must be applied for. It was agreed that the following actions take place

- Possibility of one more meeting to address any questions raised
- Heads of Terms to be agreed
- Heads of Terms to be submitted to members and the Cabinet at the October meeting
- Planning and legal documents to be agreed between January and April 2008
- Lease to be signed by April 2008

On reviewing the points from the meeting dated 14 June 2007 the Committee proposed that a letter confirming actions to be taken and decisions made should be forwarded to CBC for concurrence. *Action: Clerk to send letter to CBC confirming points 1-8 from the leasing notes Issued by the working group meeting dated Monday 18 June 2007. Adviser H Arnold to Draft*

It was agreed that during the drafting of the Heads of Terms solicitors would be invited to advise. Adviser H Arnold confirmed that Messrs Wortley, Redmayne and Kershaw had agreed to be an early sponsor to the project. The initial restriction of advise would be in the review of the lease from CBC and the Trust and Charity Deed or constitution.

4. **PLAN B** The Committee agreed that in order to proceed a Business Plan was now essential. It was agreed that Executive Summaries should be pulled together covering both Plan A and Plan B. *Action: Councillor J Turkentine to obtain, on short term loan, a copy of the Hylands Park Business Plan and covering Executive Summary for members of the Committee to view. The Finance Working Group to review/compile all the BLF application figure work and report progress prior to next scheduled meeting.*

The Committee reported that the initial compilation of the two Business Plans should be completed by the relative working groups with a deadline for submission to CBC by end August 2007. *Action: Check deadline for submission of details for CBC October Cabinet Meeting.*

6. **LOTTERY SAMPLE FORM** It was reported that CBC had been given a copy of the form. *Action: Cllr J Turkentine to prepare an electronic copy for circulation to all members of the Committee.*
7. **EXHIBITION** – Subject to CBC authorisation to erect a separate marquee/gazebo, it was agreed that GPC attend the Galleywood Common Exhibition Event on 7 July 2007 which would provide an excellent PR opportunity for all GPC projects. *Action: Councillor J Turkentine to follow up request to erect the facility. Create PR Boards and obtain list of attendees to cover the event 10.00am – 4.00pm.*
8. **TIMES AND DATES OF INFORMAL MEETINGS AND COMMITTEE MEETINGS** The date of the next working party meeting was provisionally set for 7.30pm Tuesday 26 June 2007. The next meeting Committee Meeting was set for 10.00am Thursday 26 July 2007.

**9. ANY OTHER BUSINESS** The Committee agreed to review the Terms of Reference at the GPC Meeting on 2 July 2007. *Action: Clerk to table agenda item.*

There being no further business to be transacted  
The Chairman closed the meeting at 11.24am

<p>.....</p> <p>Signed, Chairman</p> <p>.....</p> <p>Dated</p>
--