

**Lydiard Park Trust Meeting**  
**8<sup>th</sup> February 2017, 13.30 - 15.30 CR 1**

**Attendees:** John Gilbert (Chair), Cllr David Renard, Cllr Garry Perkins Richard Bell, Adrian Arnold, Rob Richards, Kehinde Awojobi, Jim Catton, Sarah Finch-Crisp, Mike Bowden, Daniel Rose, Kevin Fisher & Per-Axel Warenjso.

**Apologies:** Nil

Item	Minutes	Action
1.	<p><b>Introductions</b>            Introductions were made</p>	
2.	<p><b><u>Current SBC Assessment of the transaction</u></b></p> <p>SBC stated their position that following further work between officers of the council and the Trust representatives, that based on the Business Case presented by the LPHT requiring a minimum of £4.94M funding, officers would not be seeking authorisation from Cabinet and Council to proceed with completing the Business Transfer Agreement and Lease for the following reasons:</p> <ul style="list-style-type: none"> <li>• It would be unlawful for SBC to enter into the transaction as it would not be fulfilling its statutory duties under:               <ul style="list-style-type: none"> <li>○ Best Value legislation.</li> <li>○ Best Consideration legislation.</li> <li>○ State Aid legislation</li> </ul> </li> <li>• Commercially, it would not be in SBC interests as the cost of borrowing to SBC for the £4.94M funding requirement in the LPHT bid would be between £300k to £400k p.a. This amount is not currently budgeted for so would cause a significant on-going pressure for the SBC Revenue Budget.</li> <li>• That the changes requested to continue with this bid are now so far away from the original application, that it would be at serious risk of challenge.</li> </ul> <p>The breakdown of the £160k in the Revenue Budget paper was explained.</p> <p>That SBC can reclaim dilapidations from Chartridge.</p> <p>The Trust responded that they:</p> <ul style="list-style-type: none"> <li>• Did not totally agree with the legal advice provided but provided no technical legal assessment of the relevant legislation</li> <li>• Did not agree to the SBC assertion on Chartridge dilapidations.</li> <li>• Their assumption was that SBC needed to increase the offer from £850K.</li> <li>• Concerns as to why had it taken SBC 6 months to detail the legal advice?</li> <li>• The SBC Surveyors had agreed to the works required, with SBC not providing their figures for the works.</li> <li>• Considered that if SBC only spent £850K on the works this would cause an increase year on year to the requirement.</li> <li>• They felt that the minutes of the 3<sup>rd</sup> November were not a true reflection of the meeting.</li> <li>• That SBC adhere to the Trust red lines as previously agreed.</li> </ul>	

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	<p>Reluctant acceptance was given by the Trust however, that although there was still a difference of opinion on the reasons why, but that Lydiard House and Park would remain in the running of SBC.</p> <p>It was agreed by both parties that the formal bidding process in place since February, 2016 has now ended.</p>	
<b>3.</b>	<p><b><u>Next Steps – Working Together</u></b></p> <p>Agreement was made that SBC &amp; LPHT would work together moving forward in two areas, with SBC gaining from the expertise of LPHT Members:</p> <ul style="list-style-type: none"> <li>• The Works including scope and timescales.</li> <li>• Future management of the House and Park.</li> </ul> <p>SBC assured that the red lines agreed to would be adhered to.</p>	
<b>4.</b>	<p><b><u>Impact of Local elections</u></b></p> <p>LPHT advised that they have been contacted by the local Labour Group for an update on the current position.</p> <p>LPHT posed the question could the position change on legal advice post May?</p> <p>The Trust also raised that as volunteers they had incurred significant fees and for SBC to be aware of this.</p> <p>SBC advised that there would be no change to legal advice.</p>	
<b>5.</b>	<p><b><u>Next Steps</u></b></p> <p>The minutes are to be produced by COP 12<sup>th</sup> Feb.</p> <p>A Joint Comms message will be agreed and released.</p> <p>Future meetings will be set up to discuss the:</p> <ul style="list-style-type: none"> <li>• Programme of works.</li> <li>• Future Management</li> </ul>	<p><b>JC</b>  <b>SBC / LPHT</b></p> <p><b>RR</b>  <b>RB</b></p>