

MINUTES OF THE FIRST MEETING OF THE WIVENHOE AND DISTRICT
SPORTING FACILITIES TRUST HELD ON THURSDAY 16 DECEMBER AT 8PM
NOVEMBER 1995

In attendance:

Peter Hill; Geoff Langsdon; Richard Perry;
Harry Welsh; Dave Whymark; Andrew Nightingale;
Kevin Hall; Sue Langsdon

Apologies: John Seymour; Chris Barlow

1. Appointment of Trustees

It was agreed that the meeting would constitute the formation of the Wivenhoe and District Sporting Facilities Trust. Sue Langsdon would act as Minutes Secretary.

2. It was agreed that there should be 9 Trustees, and that the following should be appointed as Trustees:

a). Co-Opted" Trustees

Peter Hill; Geoff Langsdon; Harry Welsh; and Dave Whymark

b). Nominative Trustee

Kevin Hall; for Wivenhoe Town Council

c). Ex-officio Trustees

Chris Barlow; as Finance Director of Wivenhoe Town FC
Andrew Nightingale; as the delegated representative of
the Registrar and Secretary of University of Essex
The Chairman of WTFC; (to be appointed shortly)

This left one vacancy to be filled by a non-WTFC member to retain the balance agreed previously with Colchester Borough Council - i.e. the majority of Trustees to be non-WTFC members. Richard Perry was very willing to become a Trustee, but as a Committee member of WTFC this would upset the balance referred to.

3. Election of Officers

It was agreed that Peter Hill be elected as Chairman; and that Geoff Langsdon be elected as Deputy Chairman. A Treasurer would need to be appointed in due course.

4. Acknowledgements

The Chairman, Peter Hill, said that this was an historic moment, representing a significant milestone in the project to secure the future of WTFC and to develop the Broad Lane site. The Chairman asked for the minutes of the meeting to record acknowledgement of the considerable efforts of Geoff Langsdon, without which nothing would have been possible. Mr Langsdon paid tribute to Harry Welsh and Dave Whymark for their

support.

5. It was agreed that the minutes should record that the financial contributions of the following had made possible the securing of the Broad Lane site:

Peter Hill; Geoff Langsdon; Richard Perry; Harry Welsh; Dave Whymark; Wivenhoe Town Council. The contributions of these were lodged with Greenwood, Page and Ward, Solicitors.

Lawrie Marston; John Seymour; University of Essex; Vic Williamson. The contributions of these were shortly to be lodged.

6. Trust Objectives

The Trust Objectives were tabled, and agreed subject to minor amendment (see Annex 1).

7. Trust Deed

The Draft Trust Deed was tabled. This was the model Deed provided by the Charity Commissioners, with minor adaptations. It was important for the Deed to be as close as possible to the model in order to facilitate an application for charitable status. There was some discussion on the draft Deed.

8. There were 2 Action Points from this discussion:

- Para V: Geoff Langsdon to clarify the position of Trustees if a financial interest in WTFC were held (e.g. as a shareholder in a new LTD CO)
- Para Y: Peter Hill/Geoff Langsdon to arrange transfer of insurances to joint names of the Trust and the Borough Council; and to market test for a more favourable quotation.

The Trustees would consider the Trust Deed and discuss any points arising at the next meeting.

9. Draft Lease

Geoff Langsdon reported on the draft lease. Discussions had been held with Oliver Peacock of Greenwood, Page and Ward, who were the solicitors acting for the Trust. This was a fairly standard lease form. The leasehold period was for 99 years and the lease cost was £5,000 a year, for 3 years. After this the lease cost would be uprated by the RPI. The Trustees would be held jointly and severally liable for the lease cost (and for any other expenses arising from the lease). There was no break clause for the Trustees in the draft. Oliver Peacock would be writing to the Borough on this and other more minor points.

10. Mr Welsh referred to the requirement in the lease to publish details of the facilities and tariffs. He was

concerned that this might lead to the Borough expecting the main pitch being available to all and sundry. Action Point: Mr Langsdon would ensure that this was clarified.

11. Mr Whymark was concerned about the requirement to carry out repairs on the Borough's direction. It was not known, but thought unlikely that the Borough would inspect the premises to establish the current state of repair. It was agreed that it would be prudent to take photographs of the site to record the condition at the time of taking the lease. Action Point: The Trustees to ensure photos were taken.

12. Business Plan

A draft development/business plan had been produced by Peter Hill and Geoff Langsdon, and this had been discussed in a meeting with Keith Nicholson of the Borough. Mr Nicholson had advised that the Plan should be a 10 year plan, which should be explicit about long term ambitions (e.g. acquisition of adjacent land, sports hall).

13. Mr Nicholson had indicated that there could be £50,000 grant aid available from the Borough next year (96/7), and considerably more 2 years on (which might incorporate monies for land acquisition). This could mean, with National Lottery money, that there was a possibility of £1 million of investment in the foreseeable future.

14. Mr Langsdon introduced the Plan. The draft plan was broken down into phases. The proposed first phase would be the development of a floodlit "Multi-games" area. This would be sufficient for 4 tennis courts; but also for 5-a-side football, mini hockey, netball, volleyball, outdoor basketball. Mr Nicholson had advised that the capital cost was approximately £80,000. This would demonstrate commitment to widen sports activity at Broad lane and also remedy the location problems of the Wivenhoe Tennis Club.

15. After discussion it was agreed that a revised draft plan would be circulated before the next meeting - Action Point: Mr Langsdon. It would be necessary to incorporate fully the essential refurbishment and repair of existing facilities (including repair of the sewage system), and known future requirements of the ICIS League. It was agreed that discussions were needed with Wivenhoe Youth FC on a range of issues, and this would be considered at the next meeting.

16. AOB

Mr Langsdon reported that a revised Heads of Agreement for the transaction with Mr Watts had now been agreed and was for the respective parties' solicitors to deal with. It was unlikely that the transaction would be completed before the New Year.

17. The transfer of the Liquor Licence was in hand. Richard Perry had agreed to be the licence holder. Oliver Peacock would be handling this including the need for a Protection Order at the time of transfer.

18. The precise terms of the arrangement between WTFC and the Trust was for consideration. This may be in terms of a Licence over a long term, reviewed annually, or something more simple. The requirements of the ICIS League for security of tenure may dictate the exact terms.

19. It was agreed that a Publicity launch would be needed when the transaction was completed. This would be considered further at the next meeting.

20. Date and Time of Next Meeting

It was agreed that the next meeting would be held at Toad Hall on Monday 11 December at 8pm. The meeting closed at 10.20pm.

A handwritten signature in black ink, appearing to be 'R. H. H.', written in a cursive style.

11.12.95