

# HUNGERFORD TOWN COUNCIL

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**MINUTES** of the **Extra Full Council Meeting** held on Monday 26<sup>th</sup> February 2018 at 7.00pm in the Library Building, Hungerford.

**Present:** Cllrs Knight, Simpson, Crane, Farrell, Winser, Small, Cusack, Downe and Brookman  
Also present: Peter Harries and Jo from “Friends of Hungerford Library”, Ian McCall (HTC’s surveyor) and Paul James (WBC Libraries)

1. **Apologies for absence** - These were noted from Cllr Hudson, Chicken and Benneyworth
2. **Declarations of interest** - Cllrs Knight & Cusack (Trustees of Hungerford Library & Community Trust)
3. **Library:**

**Consider quotes to replace the lighting in the library building** - This item was deferred awaiting the specification from WBC.

**Review Draft Lease and propose any amendments** - Cllr Small commented that the format was poor. He asked whether it was intended to be an overriding lease of the existing HTC office lease and expressed concern over the break clause and repairing obligations, and that we may end up with a dilapidations claim.

HTC need to instruct a solicitor to scrutinise the draft lease. One quote has already been received for £3,000 from David Thomas (CLM). Cllr Knight advised Julie Lloyd is acting for HL&CT so would have a conflict of interest. It was agreed by both HTC and WBC that the April 7th planned handover date is too soon and this will have to be delayed to give enough time for the lease to be agreed. Cllr Simpson thanked Paul James for his work over the past year.

It was suggested that HTC request the freehold of the library building. This has been suggested before and WBC was approached on this subject. Although WBC has only offered HTC a lease at this stage P James confirmed they are open to considering a freehold offer at a later date. Arguments against obtaining the freehold are the risk of the library service failing and HTC being left with a building that is in direct competition with the Town Hall. However obtaining the freehold would protect the building from development in the future. HTC are best placed to pursue this once they have the leasehold.

An external survey has identified problems; so the 5year break clause needs to be tightened. Cllr Small wishes to address the point of latent defects. The Clerk advised that amendments to the 5 year clause had been agreed in the Heads of Terms and also the office lease finishing had been agreed verbally and minuted. P James advised current legislation will not allow libraries to disappear. However HTC wish to have protection within the lease should the library service fail.

Peter Harries (trustee of HL&CT and chair of ‘the Friends’) said the groups he sits on are not aware of the current situation. Does the draft lease refer to either group? He was advised that the only relevant reference is that the library can be subleased. Cllr Small advised P Harries should approve the lease also.

**Action:** *Cllr Simpson proposed the office obtains quotes for independent legal advice on the lease, seconded by Cllr Winser, 2 abstentions (Cllrs Knight and Cusack), rest in favour.*

Peter Harris asked the question 'can the Clerk be expected to carry the extra work required on the library lease given the scale of work HTC now has to cover?'

The Clerk said would like to see this project through and could manage work successfully.

**Review Joint User Agreement and propose any amendments** - At present this is not yet a JUA but a list of items that WBC would like to see included. P James suggested either WBC progress it or a third party can.

**Action:** HTC to tell WBC what we want to add?

**Action:** *Cllr Small proposed a working party of himself, Cllrs Simpson and Knight, Peter Harries and the Clerk meets to consider amendments on the draft lease and JUA (separate from WBC) and also that a solicitors quote is sought for advice on the JUA, seconded by Cllr Simpson, all in favour.*

**Grant donation to the Hungerford Library and Community Trust** - £10K has been put aside in the HTC budget 2017-18 for the library and a vote on donating this to HL&CT, who will pay the library running costs, is required tonight. The operating costs of running the library are £18K. £8K will be raised. Cllr Knight circulated a table showing funding for the next 5 years which represents the total expenditure. From taking over the library the following savings totaling £12,850 will be made: - £5k office rent, £5850 WBC Library Charge, £2000 room hire charges. Even with HTC donating £10K this will still result in a saving of £2850 to HTC. After 5 years the HL&CT should be up and running and in 7-8 years self-funding.

**Action:** An under lease will be put in place between HTC and HL&CT and will be drawn up by Julie Lloyd. Insurance is included in the HL&CT budget but this is likely to be arranged by HTC and recharged to HL&CT.

**Action:** Ian McCall has some input to offer on the repairing clauses and will speak with Cllr Small.

**Action:** Add 'freehold' to next agenda.

P Harries pointed out WBC may be able to provide cheaper prices through economy of scale for some contracts and this should be considered.

*Cllr Crane proposed £10k from the 2017/18 HTC 'library' budget is donated to HL&CT, seconded by Cllr Small, 2 abstentions (Cllrs Knight and Cusack), all in favour.*

Meeting closed at 7.40pm.