



MINUTES OF THE HORMEAD VHMC MEETING HELD on 13th August 2013 at 7.30pm

Present:

Dave Baseley (Chairman)
Elizabeth Collery (Secretary)
Sheila Beetles (Bookings Secretary)

Matthew Reeves-Hairs
Mandy Irons
Jane Wright

Apologies : Elizabeth Pickup

Absent: John Kilby

1. Minutes of meeting 22nd July 2013 approved.

Eugene Duffy response

2. Dave Baseley (DB) explained that he had received a letter from Eugene Duffy (ED) at the weekend expressing deep concern about the lack of progress. There are obviously good reasons for not having started yet – i.e we have needed to spend some time trying to cut costs and establish alternative quotes - but we are nonetheless very sympathetic. He is particularly concerned about having the separate access road to the house and that there may be an impact on the value of the sale of the house if we do not get started soon.
3. DB spoke to Eugene Duffy on the phone to acknowledge receipt and tell him we had a meeting on Tuesday after which he thought he may be able to (subject to committee vote) discuss matters further and in more detail with him. ED is now away for 2 weeks. This topic to be revisited later in the meeting.

VAT

4. DB is very concerned that John Kilby (JK) has not started the registration process despite the vote at the last meeting and JK agreeing to do it. He had received an e mail from JK on 27/7/13 doubting the qualification of Stephen Fennell and being derogatory about Mark Ballamy whom DB said was a discreet, trustworthy man of huge integrity and well respected in his line of work. DB had used him as an intermediary and had no direct contact with Stephen Fennell himself so as to maintain independence. JK has called into question Mr Fennell's ability to give sound advice and DB takes exception to the comment that he had merely asked his friend to help. He is particularly annoyed by the tone of the e mail. He stressed that if JK were here he would say exactly the same.
5. DB did acknowledge in fairness to JK that he had paid Stephen Fennell the day after the last meeting as requested.
6. DB wants no more back pedaling on decisions we have already made from anyone. The decision on VAT is now in the public domain and people locally are beginning to ask WHY we haven't registered.
7. We agreed that we would ask either Peter Bracken or Stephen Fennell to apply to register us / opt to tax. Unfortunately there will be a fee for this. Peter Bracken's original quote was for

£250 – we do not know if this is still valid - and Stephen Fennell's for £510 which also includes any follow up action and includes some e mails Elizabeth Collery (EC) had with him this week.

8. EC explained that she had followed up the question of exempt income with Stephen Fennell following JK's e mail and Matthew Reeves-Hairs' (MR-H) question to JK about it (to which he had received no reply). Stephen Fennell had confirmed the following:

From what I have been told so far the HVHMC have decided to undertake a major building and refurbishment project to upgrade their current premises and make these improved facilities available to the local community for general hire and the intention is that these activities will be fully taxable given that an application to waive exemption (Option to tax) will be made on registering for Vat. Once all of the building & refurb work is done I'm assuming that the general activity undertaken at the premises will be that of providing facilities for functions etc and that the fund raising events will be incidental in comparison.

If that's the case then the overriding intention is to make fully taxable supplies and in doing so an entitlement to reclaim input tax incurred in full with no apportionment required exists. Once registered and when the business is in full swing then obviously you should monitor it's activity accordingly.

9. We discussed whom we should ask to register for us and agreed that it would be worth paying the extra for Stephen Fennell. Not that we have anything against Peter Bracken at all but EC in particular has found Mr Fennell to be efficient, clear and helpful and he offers the advantage that he comes to the issue and the VHMC with a completely clean slate and there is no question of him having any leanings towards or against anyone involved. We can trust his independence and we trust Mark Ballamy's judgement that he is extremely competent and the only person he uses on all VAT issues. VAT is such an important area for us that we agreed that it would be worth spending the extra money. EC offered to make up some of the shortfall with a one off donation (in lieu of fundraising as she cannot make the next two events) as she had used up some of Stephen Fennell's time this week. DB said that he would be minded to say we should pay for SF anyway.

ACTION : EC TO INSTRUCT STEPHEN FENNELLS TO REGISTER FOR VAT / OPT TO TAX (probably quite quickly as she thinks there are time limits involved).

10. Once we have registered this will obviously mean more work for the Treasurer who will have to deal with and account for the VAT. We shall probably need a bit more professional advice along the way too. DB informed the Committee that MR-H had offered to act as Treasurer for us. JK had been asked to do it by DB until someone else could be found: MR-H has now offered to undertake the role until such time as we can find a suitable long term replacement.

DECISION : We agreed MR-H should become acting treasurer with immediate effect. DB will inform JK and arrange for all the financial documentation to be handed over to MR-H as soon as possible.

The Build

11. MR-H reported that he had had a lengthy meeting with Rob Crump to establish with him what needs to be done next. The list is pretty onerous and is as follows (we later attributed tasks to committee members to action the most important of these):
- i) We need to employ a CDM to ensure everyone on site is competent and Health & Safety compliant. RC has recommended someone in Bishops Stortford but MR-H does not know the cost of this
 - ii) We need to contact UK Power Network to move the power feed. This will apparently cost £5000 though DB thought this might be on the high side. There is a long lead time for this work
ACTION : DB TO CONTACT UK POWER NETWORK
 - iii) We need to resubmit the conservation area consent as we need permission to demolish the existing building. There is an 8 week lead time for this
ACTION : EC TO LOOK INTO THIS / ASK CHRIS ROGERS IF HE CAN HELP US
 - iv) We need to drill another bore hole to enable us to make a final decision on the foundations. The quote we have for this is £1400 from Herts and Essex Site Investigation in Standon. We do not know the lead time but we must do this so that we can decide on the type of foundations as there are 2-3 different possibilities.
ACTION : MR-H TO ORGANISE THIS / SEE IF QUOTE STILL VALID AND WHETHER WE NEED TO GO THIS DEEP
 - v) We then need Thames Water's permission to build so close to the drains – but we need to know what foundations we are using first. There is a risk to the drains because of the site levels.
 - vi) We need to deal with Party Wall Consents. This only involves one property but is, DB commented, a very good reason for keeping the existing end portion of the building as this will minimize the risk.
 - vii) We must have an asbestos survey done which is a legal requirement and will cost us £1000-1500 although DB knows someone he could ask who may be able to do it cheaper. We hope there is no asbestos in the lagging or the slates or it will be hugely expensive to have it removed.
ACTION : DB TO CONTACT PEOPLE RE ASBESTOS SURVEY
 - viii) We then need our detailed plans drawn up. In order to do this we need to have chosen a Glu-lam frame supplier. They will then produce a drawing based on their frame (an ordinary architect can't do this). That then forms the basis of the detailed drawings with a structural engineer working alongside the other 2.
ACTION : MR-H TO SPEAK TO THE SUPPLIERS / ESTABLISH EXACTLY WHAT THE QUOTES ENCOMPASS
 - ix) RC has advised we need a contract administrator and a project manager. DB feels we can probably project manage it ourselves. EC said she was not qualified to do the contract administration so we would need someone to do that.
 - x) We need to comply with the JCT (joint contracts tribunal, minor works building contract) MWD 2011
 - xi) We need to submit Spanish slate (along with sample other materials) to the planners in due course and hope they approve them. We must ask ED what he is using.
ACTION : DB TO ASK ED ABOUT THE SLATE
 - xii) Finally RC told MR-H that because we as trustees will be signing all the contracts we will be liable for the costs of any shortfall unless we build limited liability clauses into the contracts. RC is just making us aware.
ACTION : EC TO LOOK INTO LIMITED LIABILITY CLAUSES
12. MR-H also reported that unfortunately Rob Crump is now extremely busy and cannot start work on anything for us until late October / early November. This means that we will not be in a position to go out to tender until Christmas / New Year, therefore pushing the start date for the build back to Spring 2014. We all agreed that it was hugely disappointing having made the decision to get on with it now to have further delay built in. We are concerned about the

impact of that delay on ED and frankly about our legal position were he able to establish that he was given promises, implied or otherwise, about the timing of the build.

13. After MR-H's meeting with Rob Crump, DB, MR-H and EC met briefly on Saturday to go through the list above and think about the timetable. They concluded – and the Committee agreed - that we either have to wait for Rob or find someone else, neither of which are particularly desirable options at this stage. Arguably it might take someone else that long to get up to speed anyway and there is considerable advantage to maintaining the continuity.
14. They think that there may be another option which is not a usual course of action for commercial builds but which would be justified in our particular circumstances, given the need to start the build as soon as possible and the fact that we have to cut costs so dramatically. DB then mooted with the Committee the possibility of having a full and frank conversation with ED to see whether he can work with us within our budget. The advantage of using him is that we know he wants the job, more importantly he wants it finished and has a vested interest in doing so, he is already on site, we can see he is doing a good job on the house and we have established a good working relationship with him. This would involve discussing our detailed finances with him which we have been at pains to avoid hitherto to avoid jeopardizing the tender process but to be honest he will already know (more than most!) what we have in the pot and has probably formed his own opinions about what we can afford.
15. What this means is that we could then work with ED to move things forward straight away and sort out all of the above preliminaries, by which time Rob Crump would be available to do the detailed drawings. Overall we wouldn't lose time because we would not then need to go out to tender and could start work immediately. The other big advantage of this course of action is that we will find out before we spend too much more money whether a fully functional hall on these exact plans is achievable before we spend many £1000s on the preliminaries. If we go the traditional route we won't find that out until the end of the year.
16. All were in agreement that this seemed a really sensible, if slightly unorthodox, way forward. Indeed the only disadvantage we felt is that it is not the normal course and so we will have to have good reasons to justify it to the public. The difference here which WE feel justifies us in bypassing the tender process is that we know from the costings we have had from Rob Crump (even though we believe them to be high and they came as a surprise to all present) that there is no question of us saving any community money on the project. We are not so much looking for the contractor who can do the work the cheapest as someone who can do the work for us at all – if, that is, we stick with the original design in its entirety and don't spend money on trying to alter it to see how much further we can reduce the costs (so much of this project is chicken and egg). Whilst we obviously don't expect ED to work for nothing it is inconceivable that anyone else of any repute will do it any cheaper because they simply don't have sufficient vested interest.
17. The most important thing to establish with ED, should he be willing to engage with us in this way – and of course this will need to be ironed out and put on a formal contractual footing - is that once we start we can finish i.e leaving a fully functioning hall, possibly without all the bells and whistles but one that can be used and enjoyed straight away, and added to later.
18. We really do think that we can do this within our budget – provided we cut costs where we can and prioritise sensibly. We also need to bear in mind that a huge chunk of the budget goes on professional fees and preliminaries (MR-H has already counted £15K plus the £8000 for the S. 106 (a bonus if we get it back but we can't count on it) before we move a brick.
19. We also hope that once we have the structure up the public will take more of an interest and will help out a bit – either by way of sponsorship / donations or practical help.

ACTION : DB TO SPEAK TO ED AND MEET HIM ON HIS RETURN FROM HOLIDAY TO SEE WHETHER HE IS INTERESTED IN ENGAGING WITH US IN THIS WAY.

DB ALSO TO RESPOND FORMALLY TO HIS LETTER.

20.If he is interested then it may be sensible to invite him to some of our future committee meetings.

AOB

21.Newsletter report is due Sun 18th August. DB will draft something. We missed last month so should probably say something.

ACTION : DB TO DRAFT SOMETHING FOR THE NEWSLETTER

22.EC and DB to remain as the bank signatories. In due course MR-H to be added. DB wants us to have a cheque book as well for all the one off payments that we are bound to have over the coming months.

23.Sheila Beetles (SB) has sold the marquee for £100. Cheque for £140 handed over to MR-H which includes £40 for its hire prior to the sale.

24.In advance of the meeting (waiting to see if JK had thought it was an 8pm start) we discussed the application SB had drafted for £2000 funding for a mobile stage. We agreed that she would include the Equality and Diversity document we had previously voted by e mail to incorporate into our management rules (passed by a majority of those who responded on Fri 9th August 2013). Many thanks to SB for doing such a good job on the application. We agreed she should go for the slightly larger blocks which would result in a shortfall of £65 should we receive the funding. SB will also revisit National Lottery funding.

25.Jane Wright reported that her contact at the Herts Air Ambulance would be interested in having a stall at our summer fundraiser which would allow us to put them on the billing without it being a joint event / dividing the proceeds. To be revisited later when we have more time as DB had wanted us to focus on VAT and the Build at this meeting.

NEXT MEETING : TUESDAY 3rd SEPTEMBER 2013 at 8pm

Meeting closed 9.10pm

EC 15/8/13