

# LLANCARFAN COMMUNITY COUNCIL

## CYNGOR CYMUNED LLANCARFAN



### MINUTES OF THE EXTRAORDINARY MEETING OF LLANCARFAN COMMUNITY COUNCIL HELD AT THE VILLAGE HALL, LLANCARFAN ON 13<sup>th</sup> April 2016

#### PRESENT

Councillor Mrs J Scott- Quelch – Chairman  
Councillors – A Paulett, J Angell, L Price, M Hughes, J Veysey

Apologies: Cllrs N Booth, T Thomas, T Lewis and Mrs SE Jones  
VGC Cllr HJW James

In Attendance - R D Carter –Clerk

A Minutes silence was held in memory of VGC Cllr Phillip Clarke, who represented the Rhoose with Llancafarn Ward, and had attended the majority of the Llancafarn Community Council meeting, having died after a tragic accident.

#### 16/025

The Chairman welcomed a large number of residents to the meeting and explained that the meeting would be held in two parts.

1. Resume of the current situation with regards the Lease of the Fox & Hounds and the meeting will then be closed to hear comments from the gathered residents and responses from the Community Council members.
2. Reopen of meeting with a motion to be made that the meeting is to be closed to Public and Media. Councillors to discuss the Lease and recommendations and comments from the appointed solicitors

#### 16/026

#### RESUME

Cllr Mrs Scott-Quelch advised the meeting that the Fox and Hounds was for sale and Mr and Mrs Millard in accordance with the terms of the lease had advised the Council of the proposed sale. The Community Council wrote to advise that they had no objection to the assignment of the lease. In February we were verbally informed by John that the sale had been agreed months earlier, but now, at this late date, they were questioning some clauses in the lease, particularly, the Permitted Use clause, this states that the Premises should be used as a Public House with ancillary shop. As we all know they have a restaurant and letting bedrooms. I think you will all agree that the business would not be viable without these facilities. Subsequently, there have been other clauses they would like altered /amended.

In March Mr Millard provided a list of variations of the lease from the purchaser's solicitors that they had requested. An unofficial meeting between the Council and the prospective purchasers,



represented by Mr Harry Lewis and a business partner, was held. The prospective purchasers explained their thoughts for the Fox & Hounds, which gave the Council members reassurance. Mr Nick Crane was asked to represent the Council, but he recommended Mr Niall Hughes of Whittingham, a specialist lawyer in commercial leases, especially pubs. Mr Hughes was now received all the information from the other solicitors, and has sent us his recommendations.

The reason for this meeting tonight is for the Council Members to review the recommendation and authorise a meeting with Mr Hughes to discuss and, hopefully, finalise any variations/alterations to the lease.

Cllr Angell advised that the Millard's had found a buyer two year ago, but the stipulation was that the freehold was purchased. The Council as Landlord would not agree to this as it went against the work that the Reynard project carried out to save the Fox and therefore the sale fell through.

The new buyer is proposing to buy the business - Myllards Restaurants Ltd.

The purchaser is requiring changes to the lease, which is the reason for this meeting.

The Community Council is fully supportive of helping the Millard's in going into retirement and the new company. There would be further investment in the Fox and would be chef led.

We are now at the start of the negotiations, looking at the lease and comments from the Councils solicitors.

Cllr. Hughes reiterated the comments made by Cllrs Mrs Scott-Quelch and Cllr. Angell.

**The meeting was closed and opened to question and answers to members of public.**

16/027

Upon resumption of the meeting

The Chairman explained that due to the confidential and sensitive nature of the ongoing discussions the Council did not wish to prejudice the commercial negotiations between the present leaseholder and the possible purchaser of the business without the final agreement with the Councils lawyer as to any changes to the lease arrangement.

**Therefore**, In accordance with the Public Bodies (Admission to Meetings) Act 1960. She Proposed , Seconded by Cllr J Veysey and unanimously **RESOLVED**: That the press and public now be excluded from the meeting

16/028

**The Fox and Hounds lease**

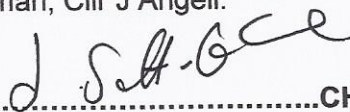
**The discussions were confidential and not for publication**

The Councillors went through the nine points raised by Star Legal on behalf of the purchasers, and the comments received from Mr Niall Hughes of Whittingham's on behalf of the Council.

It was agreed that Cllr. Mrs Scott-Quelch, Cllr Angell and the Clerk would meet with Mr Niall Hughes at the earliest opportunity.

16/029

It was proposed by Cllr Price and seconded by Cllr Paulett and **RESOLVED** That: The signatories to any amendment/s of the lease should be the Chairman, Mrs J Scott-Quelch and Vice Chairman, Cllr J Angell.

..........CHAIRMAN

.....21st April 2016.....DATE