

Severnside Sirens Trust Ltd

Trustees Meeting held on Tuesday 14th September 2021 at 10am

Via video-conference

TRUSTEES PRESENT: Mrs Reyna Knight (RK) (Chairman); Cllr Don Alexander (DA)

Also Present: Simon Hailwood (SH) (South Glos Council); Nigel Parsons (NP) (Bristol City Council) and Victoria Bywater, Administrator (VB).

Item Number	Details	Action
1 Apologies for absence	<p>The Chairman confirmed that apologies had been received prior to the meeting from Ian Cameron, Robert Griffin, Ian Roberts and Simon Halliday.</p> <p>VB updated those present that the meeting was not quorate and any decisions made would need to be confirmed with all Trustees via email.</p> <p>The Chairman suggested writing to all Trustees to remind them of their duty and responsibility to the Trust and the need for their attendance at meetings. VB to write to all Trustees regarding their duty and responsibility to the Trust.</p>	
2 Minutes 08.06.21	<p>The Chairman confirmed that the minutes of the Trustees meeting held on the 8th June 2021 had been circulated by email prior to the meeting and the meeting approved the minutes as a true record proposed by RK, seconded by DA.</p>	
3 Update on Administration/ Maintenance/ Repairs/ Performance	<p>VB confirmed that paper reference 3 had been circulated by email prior to the meeting and should be taken as read (see appendix A).</p> <p><u>Siren 8, former Astra Zeneca Pharmaceuticals Ltd</u></p> <p>VB updated the meeting that since the last meeting, the solicitor acting on behalf of the Trust had advised the Trust that the notice served to remove the siren was legal and that the Trust should make arrangements to remove the siren.</p> <p>Discussion was held on a suitable relocation site for the siren to ensure the continuation of coverage for residents and businesses in the area.</p> <p>SH questioned the need for the siren at the current location given the removal of the higher level COMAH site. NP updated the meeting that the COMAH site at Flogas would be shortly operational which would require coverage from a siren in the general current area.</p> <p>After discussion, SH agreed to make contact with S.Glos Council land and property services with a view to identifying a suitable piece of land owned by S.Glos Council to relocate the siren.</p> <p>In addition, SH agreed to contact the relevant senior people in S.Glos Council regarding the removal of the siren.</p> <p>VB assured the meeting that siren 8 would remain fully operational until April 2022 or until a new site is found.</p> <p>The Chairman suggested preparation of public communications to update residents and businesses of the relocation of the siren, all agreed. SH offered to contact S.Glos Council strategic communications department for their assistance in notifying the public.</p>	<p>SH</p> <p>SH</p> <p>SH</p>

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4 Finance	The Chairman confirmed that paper reference 4 had been circulated by email prior to the meeting with the meeting papers and should be taken as read (see appendix B). VB updated the meeting that the outstanding monies from North Somerset Council, Esso and Valero had been chased and payment was expected shortly.	
5 Website	The Chairman confirmed that paper reference 4 had been circulated by email prior to the meeting with the meeting papers and should be taken as read (see appendix C). VB noted the clear increase in website hits on test days.	
6 AOB	No further business was raised and the meeting closed at 10.34am.	

Appendix A

ADMINISTRATION

At time of writing, payments are outstanding from Augean (quarter 2), Esso, North Somerset Council and Valero Energy. These payments have been chased by email, post and telephone.

MAINTENANCE/ REPAIRS

Siren 12, Redcliffe Bay Portishead

After the issue with Siren 12 at Redcliffe Bay, Portishead at the May 2021 test day, SSE and Federal Signals have identified the issue related to the sequencing initiated by the police at HQ. SSE are content that the issue is now resolved.

Siren 8, Astra Zeneca site, Avonmouth

Advice from solicitors following notice to quit from the site

ZENECA AND SEVERNSIDE SIREN TRUST LTD (SST) AGREEMENT DATED 11.12.1998

The agreement permits SST to carry out specified works and use them.

SST have received 12 months' notice to quit from the current owner.

The Second Schedule (Terms and Conditions) contains the following clauses:

10. Subject as aforesaid this Agreement shall remain in force until determined by either party giving to the other party at any time 12 months' notice in writing in that behalf

15. This Agreement shall not be assigned by either party except with the prior written consent of the other.

We have objected to the validity of the Notice, inter alia, on the ground that consent to assignment has not been obtained. However on page 1 of the Agreement, there is reference to the expression the Grantor (Zeneca) including owners for the time being where the context so admits.

Consequently, we doubt that SST could rely on clause 15 as providing a defence to the notice to quit. The current owner 'steps into the shoes' of Zeneca.

CONCLUSION

While do not agree that the Agreement did not 'survive' the acquisition by the current owner we are of the view that Clause 10 applies and that in consequence either party can terminate on 12 months' notice.

It is difficult to see why clause 10 should not apply.

We cannot see that the Agreement- which in our view is not a lease- gives SST legal/ statutory rights over and above what is in the Agreement itself.

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We have to conclude that, leaving 'public policy/safety considerations aside, the notice dated 21 April 2021 is a valid notice of termination.

Bennetts 1.9.2021

To discuss possible locations for the relocation of the siren

(see sound map)

PERFORMANCE

No reported issues with Sirens 1 - 12 at the July or August 2021 test.

Appendix B

Severnside Sirens Trust Ltd - 2020/ 2021

Item	2016/ 2017	2017/ 2018	2018/ 2019	2019/ 2020	2020/ 2021	2021/ 2022	Budget
Donations	60,130.00	61,570.00	61,570.00	56,010.00	49,147.50	44,354.48	55,000.00
Bank interest	14.00	11.00	39.00	51.00	10.46	1.08	15.00
Other Income		-	372.00	-	2,216.27	-	-
Available	60,144	61,581	61,981	56,061	51,374.23		55,015.00
Direct Costs	30769.00	80170.00	53495.00	52082.00	27374.00	3547.08	40000.00
Administrative Expenses	18763.00	25937.00	25986.00	24799.00	24374.00	10057.33	15000.00
Total Expenditure	37169.14	106107.00	79481.00	76881.00	48748.00	13604.41	55000.00
Net (Deficit) / Surplus for year	10,612.00 -	44,526.00 -	17,500.00 -	20,820	2,626.23 -	13,604.41	15.00

01.09.21

Current Account	71,477.85
Reserve Account	25,669.07
	97,146.92

Appendix C

