

Legal Advice

Legal agreements

There are a number of legal agreements, which are being drafted or reviewed and if necessary updated, as follows:

- Entrustment agreement including compensation payments , updated by means of a Deed of Variation to 2020,
- Lease of Colston Hall - see further below
- SLA (being regularised)
- Collaboration Agreement between the Council and Bristol Music Trust, including the arrangements for underwriting, fund raising and transfer of funds etc as specified in financial advice section. (being drafted/negotiated)

Work continues and is well advanced on the legal documentation, should approval be given to proceed and comprehensive legal advice is provided as and when required.

Grant Offer Letters from Arts Council England to the Trust have been provided and the Collaboration Agreement contains a commitment to ensure that the terms and conditions attached to the offer, are complied with in the project and particularly during construction. The Council is aware of the terms and conditions imposed in the grant offers and will work with the Trust to ensure compliance including by provision of timely monitoring and programme and cost information.

The proposed new lease of which the Arts Council requires sight, and the occupational licence are currently under preparation..

Lease Arrangements

As part of the redevelopment project for Colston Hall, the lease arrangements between BCC and BMT will be restructured. The following arrangements are proposed:

- Current lease will continue until practical completion of the project
- BMT will grant a licence to BCC for the period of the works to allow BCC and the building contractor access to carry out and complete the works
- A Collaboration Agreement and an Agreement to Surrender and grant a Lease, (which incorporates a Development Agreement) between BCC and BMT will both be completed prior to works starting. They will govern the relationship, governance restructure of lease arrangement, carrying out of the works and financial arrangements for the re-development project
- On practical completion the current lease will be surrendered and the new lease granted.
- There remain outstanding issues over the lease term (see Appendix A) and rent for the new lease.

If the proposal for a possible 99 year lease is adopted there may be a need for a further agreement (possibly a form of option) setting out the terms and conditions to be met as a precondition to such a grant.

Eric Andrews April 2018