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**LEWES
TOWN
COUNCIL**

To: **Cllrs Catlin; Chartier; Lamb; Mayhew; Milner; Murray (R); Murray (S); O'Keeffe; and Rowell**

A Meeting of the **Working Party established to oversee repairs to the Council's buildings**, will be held on **Wednesday 22nd February 2017**, in the **Council Chamber, Town Hall, Lewes** at **4:00pm** which you are requested to attend.

S Brigden, Town Clerk
15th February 2017

AGENDA

1. QUESTION TIME

To consider any questions received regarding items on the agenda for this meeting.

2. APOLOGIES FOR ABSENCE:

To receive apologies from members of the Working-party who are unable to attend.

3. MEMBER'S DECLARATIONS OF INTEREST:

To note declarations of any personal or prejudicial interests in matters on this agenda.

4. MINUTES:

To agree Minutes of the meeting held on 21st October 2016 *(attached, page 3)*

5. BUSINESS OF THE MEETING

a) Update on works to the Town Hall. *(oral report by Town Clerk)*

b) Project to refurbish Malling Community Centre:

Update on progress with 'due diligence' surveys: (Mechanical, Electrical & Plant; Asbestos; Measured Survey) *(oral report by Town Clerk)*

6. ARCHITECTURAL SERVICES

At this point the Chairman will move:

"That in view of the confidential nature of the business to be transacted during the remainder of the meeting, pursuant to the Public Bodies (Admission to Meetings) Act 1960 etc. any members of the press or public present be excluded and instructed to withdraw. The nature of that business is to consider tender values and submissions for prospective contracts."

To consider recommendations of the managing surveyors regarding tenders received for relevant architectural services. *(tenders summary and recommendations by BLB Surveyors, at meeting)*

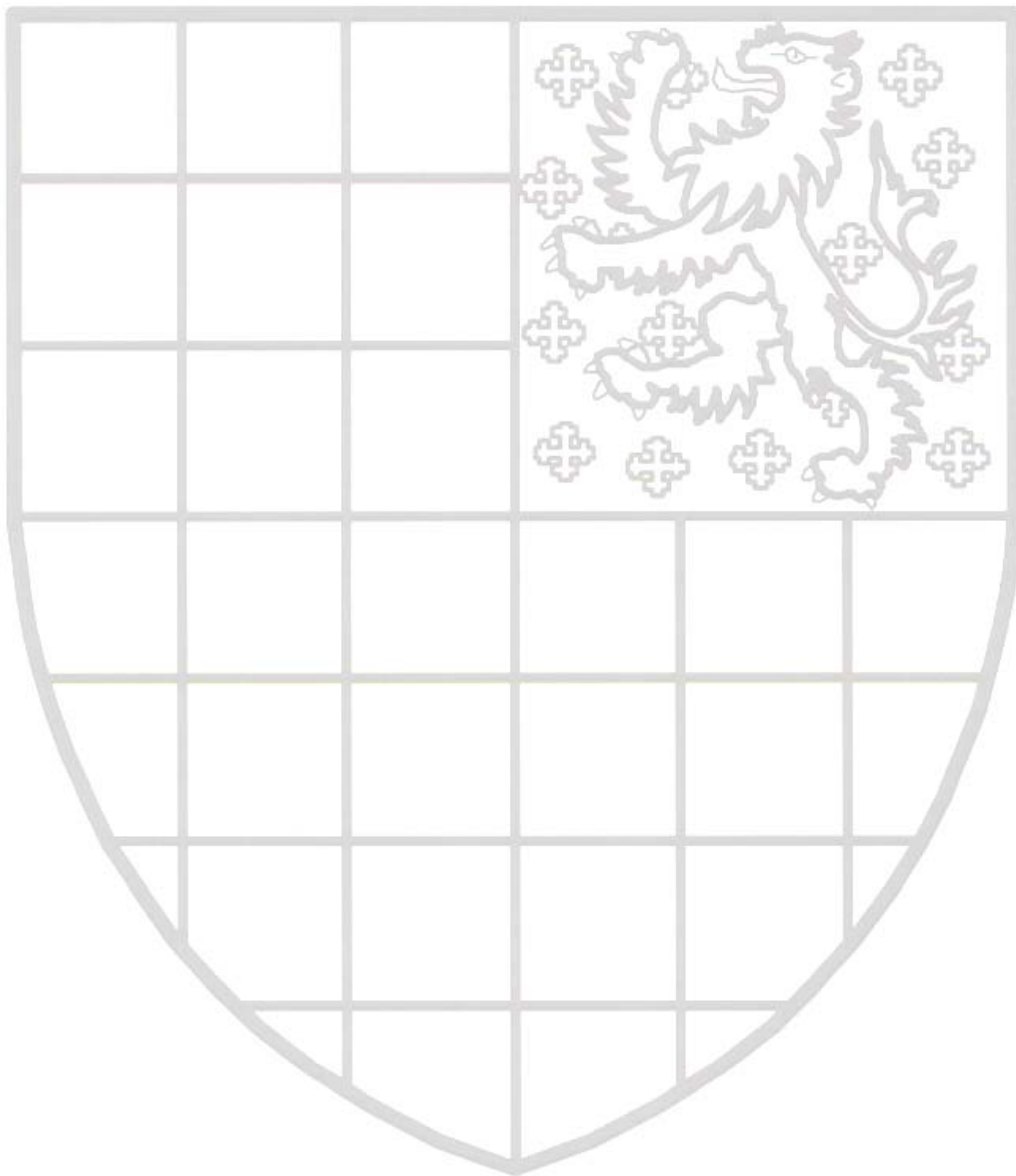
For further information about items on this agenda please contact the Town Clerk at the above address.

PUBLIC ATTENDANCE: Members of the public have the right, and are welcome, to attend meetings of the Council – questions about items on the agenda may be heard at the start of each meeting with the Chairman's consent. Questions or requests to address the Council should, whenever possible, be submitted in writing to the Town Clerk at least 24 hours in advance. General questions can be raised at our offices between 9am and 5pm Mons- Thurs; 9am and 4pm on Fridays – our staff will be pleased to assist.

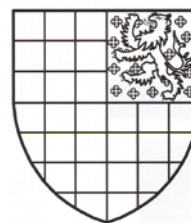
Distribution: Cllrs Catlin; Chartier; Lamb; Mayhew; Milner; Murray (R); Murray (S); O'Keeffe; and Rowell
(copy: all Cllrs: for information)

Copies for information: T/hall; LTC website; Lewes Library, Sx. Express, E.Argus, Sx. Police, M Caulfield MP, LDC, ESCC, Fr'ds of Lewes

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MINUTES

of the meeting of the **Working Party established to oversee repairs to the Council's buildings**, held on **Friday 21st October 2016**, in the **Yarrow Room, Town Hall, Lewes** at **12:30pm**.

PRESENT Cllrs S Catlin; M Chartier (*Chairman*); Dr G Mayhew; R Murray; S Murray; R O'Keeffe and A Rowell

In attendance: S Brigden (*Town Clerk [TC]*)

BRepWP2016/16 **APOLOGIES FOR ABSENCE:** Apologies had been received from Cllr Milner who was in hospital. Members recorded best wishes for his speedy return to health.

BRepWP2016/17 **DECLARATIONS OF INTEREST:** There were none.

BRepWP2016/18 **QUESTIONS:** Cllr Rowell had registered concerns which he summarized as:

1. Financial control procedure 11.1g has not been complied with.
2. No explanation in the minutes as to why it hasn't been complied with
3. No explanation in the minutes as to how this contract complies with the procedures has been given.
4. Does the working party have authority to contract?
5. "Specialist services" is not a clear enough term and 11.1a allows for a substantial weakness in control.
6. Council has not been given the opportunity to satisfy itself that it has obtained value for money on this contract.

These points were contended, and the opinion expressed that in essence they represented dissatisfaction with the particular wording of minutes. The original remit of the Working Party was to commission repairs and refurbishment at the Town Hall. This was, logically, extended in 2014 by Council to include administration of the project to refurbish the Malling Community Centre, and it was generally held that the wording of the relevant minute represented the wishes of the Council that the Working Party should manage the project in that the word "administer" was understood to include the contexts of "manage" and "control". Cllr Rowell submitted that he had no opportunity to raise concerns when the minutes of the last meeting were presented to Council, although this was strongly refuted by colleagues, who noted how straightforward it was to indicate a wish to speak. Other members could not accept the interpretation of incomplete or misleading minutes, and considered that the record of this project to-date, and the Working Party's decisions, was clear. The Chairman had asked TC to obtain an opinion from the Council's internal auditor, and they had discussed the matter in detail. TC reported that the auditor was entirely comfortable with the way the Working Party had behaved; the structure of minutes and the detail that had been recorded, and the clarity of current SO's and Financial Regulations. He could see no objection to the process to date and would certainly not find grounds for censure. TC had described the manner in which the Working Party had assured itself regarding value-for-money aspects and the fact that minutes did not make specific reference to itemised regulations was not seen as important. TC suggested that if this aspect caused any concern the minutes of the present meeting would now regularize that situation. For the avoidance of doubt: it was confirmed that BLB had been commissioned for specialist services to be provided [FCP 11.1 a) (ii)], and their value-for-money *bona fides* had been satisfied prior to other contracts in previous years and principal councils had validated their service cost structure.

BUSINESS OF THE MEETING:

TC briefly summarized the status of current works to the Town Hall roof. Works were proceeding well, and surprisingly few “extras” had been found as the true condition of the structures was exposed by the removal of old material. To date this had discovered only a small amount of rotten timber, and several courses of brickwork to a gable-end which needed to be taken down and rebuilt. These costs were likely to be only a few hundred pounds.

Members considered a rough-draft Project Execution Plan submitted by BLB Surveyors for the Malling Community Centre refurbishment, and the results of the tender process recently conducted regarding preliminary “due diligence” surveys.

Project Execution Plan: This was obviously based upon a standard template, and some sections had not been “tailored” with detail of the actual MCC refurbishment project. This document was analysed in detail and a series of amendments noted for BLB to incorporate.

There was a general discussion on the broader aspects of the proposed refurbishment, and it was proposed that when Architects design ideas were available a meeting of the Working party could be held at the Malling Community Centre and the public invited to comment. During works, when inevitably the facilities would be unavailable for a time, efforts would be made to suggest alternative venues for the regular users. It was thought that some might utilize Landport Youth Centre but Cllr O’Keeffe indicated this was unlikely to be available. In response to a question TC explained the implications regarding Value Added Tax. A question was raised regarding funding: the Council held £263,000 in an earmarked Reserve, and other Reserves could be appropriated if required to add more. This would not cover the whole cost of the project (estimated at >£400,000), but it was anticipated that grants would be available for several elements once the design was established *eg* sports-oriented funds which may contribute toward changing facilities and environmental funds and others which offer support for community buildings. Cllr O’Keeffe suggested that she would be happy to investigate potential applications. Should there remain a shortfall in the funds, it was always open to Council to borrow from the Public Works Loans Board. This had been understood from the outset, when a refurbishment project was first contemplated by Council.

Architects to be invited to tender: BLB proposed a short list of RIBA Chartered Architects practices who were considered to have relevant expertise and should be invited to express interest in the project. Members agreed these and proposed an addition in respect of a practice who had been engaged with the initial feasibility assessment in 2013.

EXCLUSION of THE PRESS & PUBLIC:

At this point the Chairman moved, and **it was resolved that:**

BRepWP2016/20.1 “That in view of the confidential nature of the business to be transacted during the remainder of the meeting, pursuant to the Public Bodies (Admission to Meetings) Act 1960 etc. any members of the press or public present be excluded and instructed to withdraw. The nature of that business is to consider tender values and submissions for prospective contracts.”

“Due diligence” surveys: BLB had conducted a tender exercise on the Council’s behalf; inviting bids for surveys required before the project could be practically commenced: an Asbestos survey; a Measured Building survey, and a survey of Mechanical and Electrical Plant installations. All firms bidding were local and of the nine invited (three in each discipline) only two had declined to tender. In each case the recommended contractor was also the lowest bid.

CONCLUSIONS:

The Working Party accepted BLB surveyors’ Project Execution Plan, with amendments as noted during the meeting; a list of architects to be invited to tender,

and agreed the results of the tender process for preliminary “due diligence” surveys.

The bids accepted were:

Asbestos risk: DAF Consulting (£760)

Mechanical & electrical plant survey: Delta Green Environment Design (£2,010)

Measured buildings survey: Zara Associates (£1,435)

The group would meet again when an appropriate milestone stage was reached.

BRepWP2016/23

There being no further business, the Chairman declared the meeting closed, and thanked everyone for their attendance.

The meeting closed at 1:25pm

Signed date

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