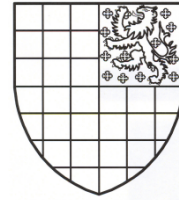


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**LEWES
TOWN
COUNCIL**

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

A Meeting of the **Working Party established to oversee repairs to the Council's buildings**, will be held on **Tuesday 26th March 2019**, in the **Council Chamber, Town Hall, Lewes** at **3:00pm** which you are requested to attend.

S Brigden, Town Clerk
19th March 2019

AGENDA

1. PUBLIC 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 6th March 2019

(attached, page 3)

5. EXCLUSION OF THE PRESS & PUBLIC

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 detail related to proposed contracts.”

6. REFURBISHMENT of MALLING COMMUNITY CENTRE

To consider tenders received for building works, and the report of the Council's retained managing surveyors.

Working notes etc will be available at the meeting for Working Party Members, and representatives of BLB Surveyors will be in attendance.

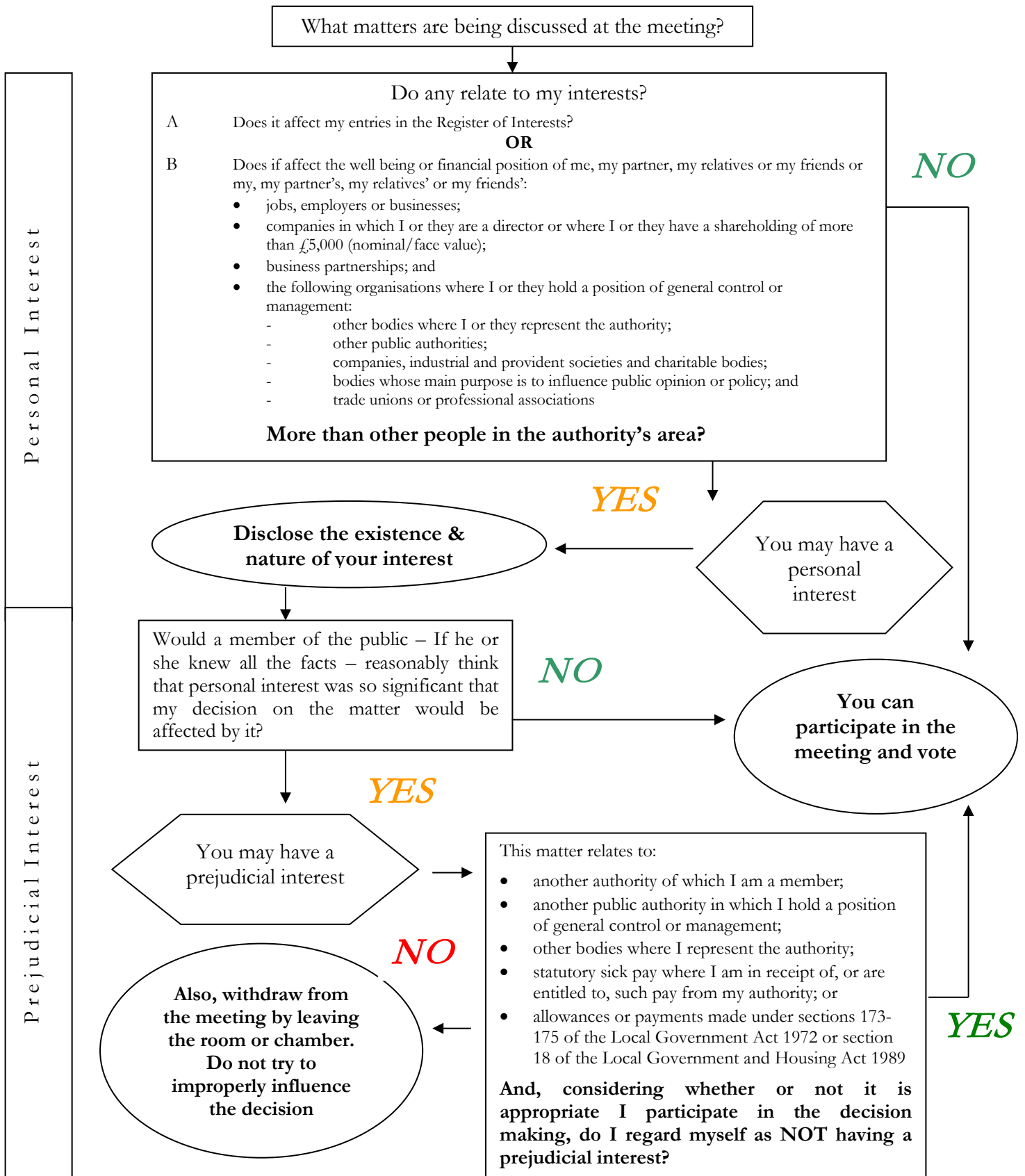
For further information about items on this agenda please contact the Town Clerk at the above address.

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) 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

DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF



YOU WILL ALSO NEED TO CONSIDER:

Am I biased or have I predetermined a matter?

TEST: Would an informed member of the public think that there is a real possibility that you could be biased?

Have I made up my mind about the issue?

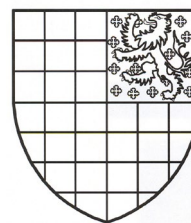
You should not make your mind up about an issue before you come to take a decision on it. You can still form a provisional view but you must be willing to consider all arguments presented at the meeting and you must be genuinely open to persuasion on the merits of the case. If you do not have a genuinely open mind about a matter, this will potentially leave the decision susceptible to legal challenge because of the common law concept of predetermination.

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**LEWES
TOWN
COUNCIL**

MINUTES

of the meeting of the **Working Party established to oversee repairs to the Council's buildings**, held on **Wednesday 6th March 2019**, in the **Yarrow Room, Town Hall, Lewes** at **11:00am**.

PRESENT Cllrs S Catlin; M Chartier; J Lamb; R Murray; S Murray.

In attendance: S Brigden (*Town Clerk [TC]*) Miss L Zeyfert (*ASC Manager*)

BRepWP2018/18 **QUESTIONS:** There were none

BRepWP2018/19 **APOLOGIES FOR ABSENCE:** Apologies had been received from Cllr Milner, who was working, and Cllr Dr G Mayhew, who had a family commitment. No message had been received from Cllr Rowell.

BRepWP2018/20 **DECLARATIONS OF INTEREST:** There were none.

BRepWP2018/21 **MINUTES: it was resolved that**

BRepWP2018/21.1 The Minutes of the meeting held on 14th November 2018 are received and signed as an accurate record.

BRepWP2018/22 **EXCLUSION of the PRESS & PUBLIC**

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

BRepWP2018/22.1 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 detail related to proposed contracts.

BRepWP2018/23 **REFURBISHMENT of MALLING COMMUNITY CENTRE:**

The meeting welcomed Mr Duncan Kerr, Chief Executive of Wave Leisure Trust, attending to assist Members.

A meeting scheduled for later in the month would assess tenders received for the refurbishment work, but the present meeting was convened to look again at options for management of the Malling Community Centre, as requested by Council, and to formulate recommendations.

Members revisited previous reports which had highlighted key considerations such as:

- > Redesigned building will introduce new, more flexible, facilities such as café/bar and terrace and two multi-purpose rooms which are attractive for a wider range of users (*eg* business seminars), and will evolve a different, extended, user-profile over time.
- > Adjacent play-area and recreation ground improvements, arising from a major share of >£1million s106 agreement *iro* North Street Quarter (NSQ) development, will increase casual use; especially likely demand for café/bar with terrace and WC's, accessible for users of play area and sports spectators.
- > Local catchment will increase when North Street Quarter is occupied and accessible via proposed new footbridge.
- > Investment of the magnitude estimated means that Council will wish to ensure careful control of the building and proper maintenance of equipment; facilities, décor *etc.* to sustain the benefits for the community over several decades. Some equipment, such as the proposed ground-source heat pump system and café facilities, will not be suitable for unsupervised operation.
- > Despite recent decision by Lewes District Council to withdraw from devolution

of the Recreation Ground to the Town Council, this remains a prospect once NSQ is underway or completed.

The management options revisited were, in summary:

a) *Lease to tenant* – A straightforward handing-over of responsibility to a tenant, in return for a rent payment.

Pro: Minimum burden on LTC resources. Financial management is simple, with predicable income.

Con: Choice of appropriate tenant not straightforward. Natural lifecycle of Trusts and community groups tend to wax/wane with leading individuals over relatively short periods of time. Commercial organizations are unlikely to see adequate potential. Failure to reach income necessary for rent cover and maintenance of building and equipment could leave LTC to resume control and deal with outstanding problems. Conversely: in case of successful income generation, maximum benefits not enjoyed by Council.

b) *Management agreement/license/shared responsibility* – This could suit an appropriately-experienced organization, and could be structured in several ways eg low fixed service payment with retention of income; higher fixed payment with LTC retaining all income; income share/collaborative development etc

Pro: Minimum burden on LTC resources. Financial management is simple, with predicable income. Less risk of outright 'failure' of the partner organization.

Con: Choice of appropriate partner not straightforward. Shared responsibility inevitably raises occasional contention.

c) *Direct Management* – This could be implemented in different ways:

i) Employment of additional staff exclusively to manage the Centre, either establishing a team at the outset or building incrementally to three staff (as history of All Saints Centre [ASC]).

ii) Employment of additional staff to form a 'buildings management team' with existing Town Hall and All Saints Centre staff, where the team flexibly cover all three buildings.

iii) Hybrid of i) and ii), with key staff at fixed bases plus itinerant cleaning/security staff.

Pro: Ensures Centre and its facilities are properly cared-for and its potential maximized. All income retained by Council.

Con: Choice of model ii) or iii) disruptive to established effective working at T/hall and ASC. Model iii) does not cover all operating hours as effectively. No particular advantage to ii) as each building has very different operating profile and minimal shared detail. Model i), if a full complement is not immediately employed, leaves much to chance/trust when operating the building without resident staff.

Each option had very different resource implications, and there were many aspects to be considered. There were potential and ancillary issues already known which would affect the Centre and its likely user-profile, both in the foreseeable future and longer-term.

Option b) had been explored in some detail, although the only viable prospect appeared to be a partnership with Wave Leisure; the charitable Trust that had evolved from the original Lewes District Council direct service organization. The facility was considered small or uneconomic by more commercial prospects. Wave was now recognised as an award-winning charity, managing leisure facilities for Lewes District Council; Eastbourne Borough Council (from April 2019); East Sussex County Council; Newhaven Town Council; Ringmer Academy and East

Grinstead Sports Club, and providing a vast range of activity programmes and outreach initiatives. Wave employs over 300 staff, and has an annual turnover of more than £5million. Supporting over 1 million active customer visits annually, all surplus revenues generated from activities are reinvested back into the community in the form of facility developments and refurbishments, new programmes of activity or outreach initiatives, working across a range of sectors including Sport and Activity, Education, Public Health and Adult Social Care.

Mr Kerr explained how the ethos of Wave Leisure was an ideal 'fit' with a Council such as LTC, and that its structure offered significant advantages in terms of experience and resources. Members asked questions regarding a preliminary submission prepared by Wave, which proposed a draft working agreement and showed some financial modelling. Wave would work with Lewes Town Council with the obligation of:

- Operating the site to a high standard.
- Alignment to the Lewes Town Council's objectives.
- Working with the local community to "Inspire Active Lifestyles" and promote the benefits of active living.

It was envisaged that the Council and Wave would develop a strategic partnership, and the financial model assumed a no rental/no service fee model. Within the proposal the Council would not be liable for any financial losses or cash shortfalls from operation, and Wave would provide equipment and fittings such as the café. Wave would operate the site as a tenant responsible for fixtures and fittings, and LTC would remain responsible for building fabric and plant.

It was proposed that any agreement would be for ten years, with appropriate break clauses. It was agreed that, subject to confirmation of such details, this should be recommended as the preferred option for management of the Centre.

BRepWP2018/24

CONCLUSIONS

Reviewing the options for different management models, Members considered that the 'Pros' and 'Cons' as considered, on balance made a compelling argument for the Partnership model.

Considering further the alternative prospects, and having satisfied themselves as to the merits of proposals put forward by Wave Leisure Trust, Members recognized that Wave both operated to principles that were an almost uniquely good 'fit' with those of the Council, and offered the potential for development and outreach work in the community in the future that would be beyond the scope of the Council.

Recommendations:

1 It was agreed that Council would be recommended to note the work of the meeting and to accept the proposal to pursue a management agreement with Wave Leisure Trust as described.

2 The Working Party recommended that it be tasked with agreeing Heads of Terms and detail of such an agreement, for Council agreement in due course.

BRepWP2018/25

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

The meeting closed at 12:20pm

Signed date