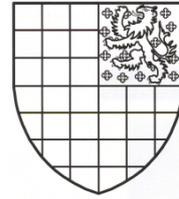


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**LEWES
TOWN
COUNCIL**

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 **Wednesday 6th March 2019**, in the **Yarrow Room, Town Hall, Lewes** at **11:00am** which you are requested to attend.

S Brigden, Town Clerk
26th February 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 14th November 2018

(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 and staff matters.”

6. REFURBISHMENT of MALLING COMMUNITY CENTRE

To further consider issues of future management of the Centre, post-refurbishment, as requested by Council at its meeting on 13th December 2018.

Working notes etc will be available at the meeting for Working Party Members.

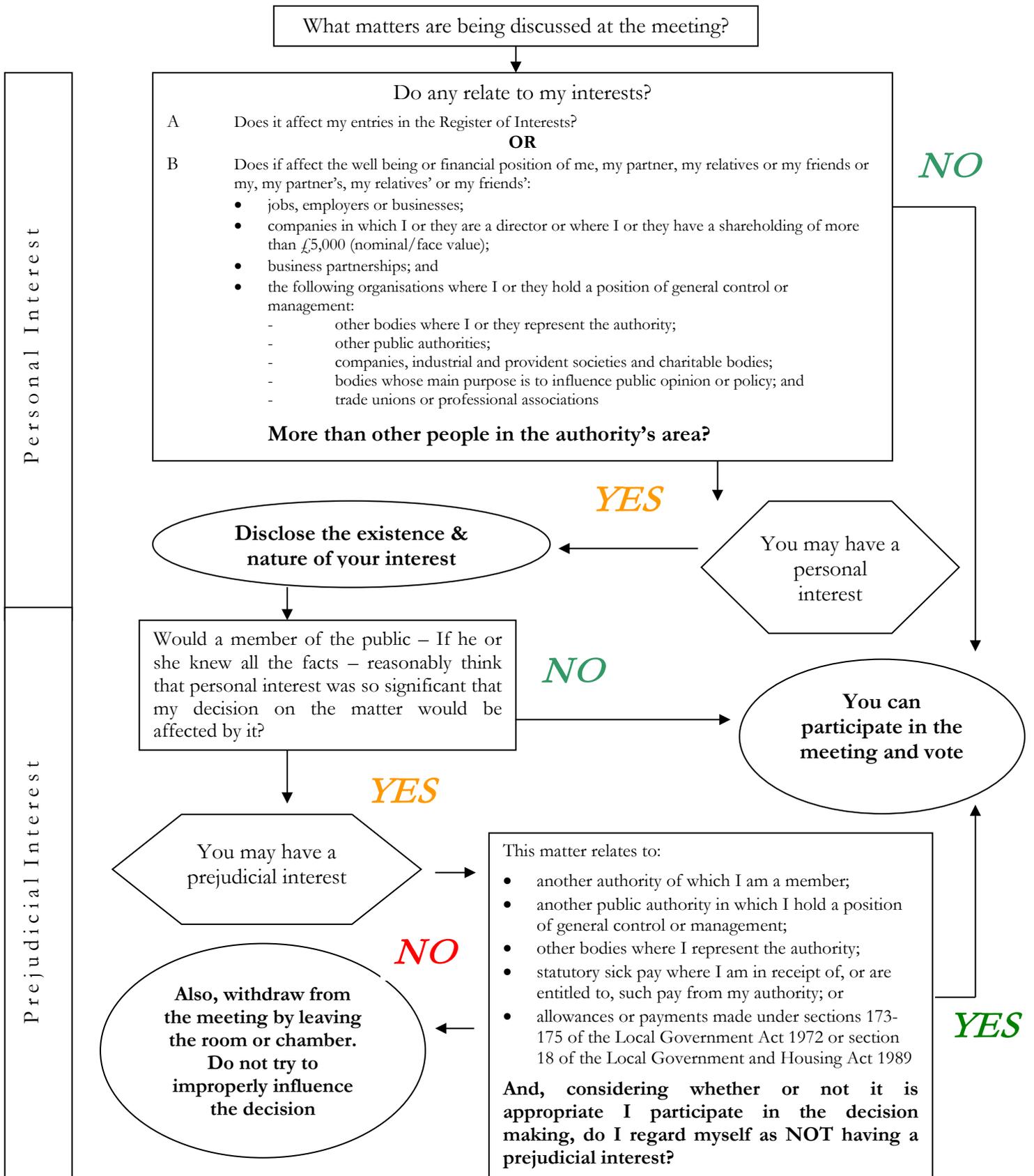
For further information about items on this agenda please contact the Town Clerk at the above address.

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?

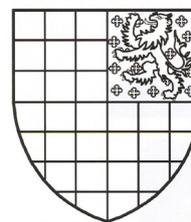
You should not make your mind up about an issue before you come to take a decision on it. You can still form a provisional view but you must be willing to consider all arguments presented at the meeting and you must be genuinely open to persuasion on the merits of the case. If you do not have a genuinely 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 14th November 2018**, in the **Council Chamber, Town Hall, Lewes at 3:00pm**.

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

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

BRepWP2018/09 **QUESTIONS:** There were none

BRepWP2018/10 **APOLOGIES FOR ABSENCE:** Apologies had been received from Cllr Milner, who was working, and Cllr Rowell who was unwell.

BRepWP2018/11 **DECLARATIONS OF INTEREST:** There were none.

BRepWP2018/12 **MINUTES: it was resolved that**

BRepWP2018/12.1 The Minutes of the meeting held on 3rd July 2018 are received and signed as an accurate record.

BRepWP2018/13 **EXCLUSION of the PRESS & PUBLIC**

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

BRepWP2018/13.1 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.

BRepWP2018/14 **REFURBISHMENT of MALLING COMMUNITY CENTRE:**

The meeting considered the latest position regarding the refurbishment project.

Building works: Planning consent had been granted a few days before, and the managing agents had suggested an outline timetable:

- > Recommendations of the Working Party could be approved by Council at its meeting on 13th December, which would enable tender documents to be released in mid-January.
- > It was reasonable to allow six weeks for return of tenders which would mean a date in late February 2019. Prices would be held for 90 days, which was the longest duration considered reasonable in the industry.
- > Two weeks would be needed for BLB Surveyors to conduct appraisals and prepare a tender report
- > The Working party would receive reports by the end of March, which would allow recommendations to Council for its meeting scheduled for 11th April.
- > It was presumed that the successful bidder would be unlikely to start works within four weeks, as a detailed timetable would be required. In any event it was proposed to include a statement in tender documents that the building was required for use as a polling-station on 2nd May.

BLB would meanwhile prepare all standard documents:

Draft JCT Design & Build contract;

'Preliminaries' *eg* Contractor's obligations *iro* times of day for operations/Health & Safety/liquidated damages;

Form of Tender;

Contract Sum analysis;

Employers' requirements (Architects drawings; specification *etc*);

Mechanical; Engineering & Public Services reports *etc**;

Annex of all pre-construction information (survey reports *etc.*)

*The recommended specialists who had prepared other preliminary surveys had proposed their method and costing for the necessary M&E and Asbestos surveys and this was accepted. BLB Surveyors would be instructed to proceed accordingly.

Funding: It was believed that elements of the scheme would be eligible for grant from various sources. Advice had been sought and suggestions included:

For the community aspect of the project the Council could apply to BIG Lottery's 'Reaching Communities' and their 'Awards for All' scheme. Grants had been awarded to parishes for projects such as installation of new equipment for teenagers at a local leisure area to encourage behaviour change, increase fitness levels and reduce anti-social behaviour due to boredom. Larger grants were also possible from this source.

Projects submitted under these two programmes have to:

- > Bring people together and build strong relationships in and across communities
- > Improve the places and spaces that matter to communities
- > Enable more people to fulfil their potential by working to address issues at the earliest possible stage

For the changing/sports facilities, Sport England Community Asset Fund offered grants of up to £50,000.

Low Carbon Across the South East (LOCASE) had been suggested for environmental measures. Grants were up to £20,000, although there were eligibility criteria which would need to be investigated.

Members recognized the importance of researching possible grant support, but appreciated that there would probably remain a shortfall and that borrowing from the Public Works Loan Board was inevitable. Currently, a loan of £300,000 over 25 years would cost approximately £16,000 in repayments each year. Borrowing was not considered inappropriate, as the Reserve funds accumulated to date had been paid-for by past and current taxpayers who had benefitted from the Centre, and loan repayments would be paid by future taxpayers who would enjoy the refurbished building. Members asked TC to begin researching grant sources in earnest, and make preliminary applications/expressions of interest.

Management: The Working Party had been asked by Council to consider options for management of the Malling Community Centre, following refurbishment, and to formulate recommendations. Key considerations were:

- > Redesigning 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 *in* 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 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 options discussed 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 predictable 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 predictable 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 with Wave Leisure; the charitable Trust that had evolved from the original Lewes District Council direct service organization and 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.

Members recognized that 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. They were interested to see detail from 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.

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.

The agreement would be for ten years, with appropriate break clauses. The draft proposal included two points which Members would wish to amend: they would not agree an option for Wave to underlet the whole agreement, and they suggested a ‘ceiling’ level of income should be established, beyond which an income share would operate. It was thought likely that such amendments would be acceptable to Wave, and it was agreed that, subject to confirmation of such details, this should be recommended as the preferred option for management of the Centre.

BRepWP2018/15

ALL SAINTS CENTRE

The ASC Manager, Lizzie Zeyfert attended for this item, and gave an overview of prospective works at the Centre:

There was a small water leak towards the front of the stage and some render had degraded. This was being investigated and would require scaffolding.

Stained-glass window panels, whilst still weatherproof, would soon require remedial work to address age-related deterioration of the lead frameworks.

Soakaway drains caused some recurrent problems, and these may need attention next year.

It was proposed that a full survey of the building should be commissioned next year. Members thanked Ms Zeyfert for her attendance.

BRepWP2018/16

CONCLUSIONS

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 for Malling Community Centre, as described.

BRepWP2018/17

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

The meeting closed at 4:30pm

Signed date