

MINUTES
OF THE
SPECIAL
MEETING
OF
INGLEBY BARWICK TOWN COUNCIL
HELD ON
WEDNESDAY 31ST MAY 2017
AT
INGLEBY BARWICK COMMUNITY HALL
HARESFIELD WAY
INGLEBY BARWICK

PREPARED BY
PAULA M. HALL
CLERK TO THE TOWN COUNCIL

INGLEBY BARWICK TOWN COUNCIL

**MINUTES of the SPECIAL MEETING of INGLEBY BARWICK TOWN COUNCIL
held at
Ingleby Barwick Community Hall, Haresfield Way, Ingleby Barwick
on
Wednesday 31st May 2017 at 7.00pm**

PRESENT: **Chairman/Town Mayor:** Councillor Stefan Barnes

Councillors: Tom Bowman, Philip English, Ann Kenyon, Ross Patterson, Jenny Rutland, Ted Strike, Cheryl Thomas and Sally Ann Watson

OFFICER: Paula M. Hall, Clerk/Responsible Financial Officer

IN ATTENDANCE: Jean Kirby Proposed Community Centre Working Group

No further members of the public were present at the meeting.

The Chairman, Cllr Stefan Barnes opened the meeting and welcomed all present to this Special Meeting of Ingleby Barwick Town Council.

33.17-18 HOUSEKEEPING.

The Chairman advised those present of the emergency escape procedures and outlined the Town Council's protocol on public participation.

34.17-18 NOTICE OF MEETING.

The notice of the meeting was taken as read.

35.17-18 APOLOGIES FOR ABSENCE.

Apologies for absence were received from Cllrs Allan Mitchell, James Emmerson and Megan Patterson.

36.17-18 CODE OF CONDUCT.

Declaration of Interests

Cllr Ross Patterson declared an interest in all items involving his role as a Stockton-on-Tees Borough Council (SBC) Ward Councillor for I.B. West.

Cllr Sally Ann Watson declared an interest in all items involving her role as an SBC Ward Councillor for I.B. East.

No further interests were declared.

**Chairman.....
Wednesday 14th June 2017**

To consider any requests for dispensations

No requests for dispensations had been received.

37.17-18 PUBLIC PARTICIPATION.

The Chairman advised that 10 minutes would be allocated for public participation.

No matters were raised.

38.17-18 PROPOSED COMMUNITY CENTRE, THE RINGS.

(a) Public Consultation on the Project, Plans for Borrowing and Loan Repayments

It was noted that the May update had been provided to the following:

- Town Council website
- InglebyBarwick.com
- Gossip Magazine
- Etcetera Magazine
- Gazette
- Northern Echo
- BBC TV & Radio
- ITV

It was agreed that the Market Place magazine also be included in the circulation list.

(b) Appointment document for the Architect

Information is awaited from the Town Council's Solicitor.

(c) Appointment document for the Engineer

Information is awaited from the Town Council's Solicitor.

(d) Heads of Terms for Lease

The Town Council considered the draft copy of the Heads of Terms for the Lease and the following updates were provided:

Term and Rent	SBC have confirmed a 125-year lease is agreeable.
Landlord's break option	The comments received from the Town Council's Solicitor were referred to. It was noted that a response is awaited on the matter from SBC.

Alterations & Additions SBC have confirmed that the restrictions highlighted by the Town Council's Solicitor will only come into effect after the Centre itself has been built.

IT WAS RESOLVED that the updates be noted and accepted.

Points still to be confirmed:

'Permitted Use' wording It was noted that no comments have been raised by the Town Council's Solicitor. The Town Council consider the wording and no amendments were requested.

IT WAS RESOLVED that the wording be approved without amendment.

Covenant on the land The comments from the Town Council's Solicitor were considered. It was noted that SBC have now provided the relevant land registry documents which have been forwarded to the Town Council's Solicitor. SBC have advised that they will need further time to consider this matter and will provide an update at the next meeting with them which is scheduled to take place on 20th June 2017. The Town Council's Solicitor is also invited to attend.

IT WAS RESOLVED that the update be noted.

% of space permitted for underletting This is the max. % of space the Town Council would be looking to sub-let.

Kinsler have provided the following information:

The heads of terms refer to net internal area – this excludes the entrance area, stairs and landings, lifts, plant room and toilets.
By their measurement the net internal area is 3,588 ft²
The youth café area (including lobby, kitchen and stores) equates to 1,183 ft² **(33%)**
If the office space and archive store were included it would equate to 1,561 ft² **(44%)**
The ground floor hall, stores, kitchen and office equates to 2,027 ft² **(57%)**

IT WAS RESOLVED that the Town Council request that 45% be considered as the figure to be inserted as the % space permitted for underletting.

(e) Covenants

It was noted that this matter is being progressed.

(f) Business Plan

The Business Plan is continuing to be progressed by the Working Group.

(g) Programme

The revised Target Programme dated 8th May 2017 was considered.

IT WAS RESOLVED that the information be noted and accepted.

(h) Supporting information required by the Secretary of State for seeking 'Borrowing Approval'

A general overview was provided of the supporting documentation required for seeking Borrowing Approval.

Consideration was given to the application, checklist, guidance and general information and advice received to date.

IT WAS RESOLVED that the information be noted.

(i) Any further information to consider

The information from the Town Council's Solicitor in respect of the warranties for the Building Contract, was considered.

IT WAS RESOLVED that the information be noted and accepted.

39.17-18 EXCLUSION OF THE PRESS AND PUBLIC.

IT WAS RESOLVED that under the Public Bodies (Admission to Meetings) Act 1960, the public and representatives of the press be excluded from the meeting during consideration of the following items of business as publicity would be prejudicial to the public interest because of the confidential nature of the business to be transacted.

40.17-18 PROPOSED COMMUNITY CENTRE, THE RINGS.

(a) Tender

It was noted that seven firms had been invited to tender, five firms returned a tender by the return date of 12 noon on Friday 12th May 2017 and two declined to tender.

The five tenders returned have been analysed by Kinsler Partners LLP.

The Town Council considered the Tender Report provided by Kinsler, which contained the following recommendation:

'We would recommend a site investigation to be carried out and forwarded to the two lowest contractors to allow them to provide a non-caveated fixed price tender. However, for the purpose of the Business Plan a guide figure was recommended.

A discussion took place and various comments were raised in respect of the design, planning and overall costings of the project.

The Town Council considered the recommendation which was then put to the vote.

The majority of Councillors voted in favour of the recommendation with two Councillors abstaining.

IT WAS RESOLVED that the Town Council accepts the recommendation from Kinsler Partners LLP and agrees for a site investigation to be undertaken based on a budget figure of £ 3,000 ex. VAT. The results of the site investigation to be forwarded to the two lowest contractors to allow them to provide a non-caveated fixed price tender.

IT WAS RESOLVED that the Town Council use the guide figure as recommended by Kinsler Partners LLP for the purpose of the Business Plan. The figure to be used in the supporting calculations for the overall projected project costs.

(b) VAT

It was noted that the VAT element of the project equates to a significant amount of money.

The Town Council engaged a Specialist Consultant from Parkinson Partnership LLP to advise them on the VAT implications of the project who provided the Council with a VAT Report titled 'Advice on VAT Planning' in respect of the proposed Community Centre.

There are four options available in respect of dealing with the VAT element which were outlined in the Report.

The Report and supporting information was considered by the Town Council and Councillors agreed to progress Option 2 which is as follows:

'The Town Council could make an Option to Tax (described fully in VAT Notice 742A). This is a decision by the Council that all future supplies of the building will become taxable supplies. VAT is then charged on all hiring of the building and the Council is able to reclaim the VAT incurred as it relates to taxable business activities.'

IT WAS RESOLVED that the Town Council agrees 'in principle' that they intend to register for VAT with the view to registering the site of the proposed Community Centre at The Rings for the 'Option to Tax', once all agreements/paperwork and legal documentation are in place. This decision is to be taken into account when considering the financial information in the Business Plan, any financial reports, the decision to borrow and the amount, the decision to seek borrowing approval from the Secretary of State by way of the Department for Communities and Local Government and any other matter which may arise.

The overall predicted costings for the project were considered.

It was agreed that the overall guide projected figure for the project cost to be used in the Business Plan be £ 911,000 which would result in a figure of £ 725,000 for the loan.

IT WAS RESOLVED that the Business Plan including associated financial implications be considered at the Town Council meeting in June 2017.

41.17-18 STAFFING MATTERS.

Administration Assistant – Employment Matters

The Town Council considered the proposed contract of employment for the Administration Assistant position, with final amendments.

IT WAS RESOLVED that the Town Council approves the contract of employment including the final amendments. Arrangements to be made for the contract to be signed by two members of the Council and the Administration Assistant. The signatures to be witnessed by the Town Clerk.

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