

CASTLEREAGH BOROUGH COUNCIL

Minutes of the proceedings of the Special Council meeting held in the Council Chamber, Civic & Administrative Offices, Bradford Court, Upper Galwally, Castlereagh, BT8 6RB on Monday 13 October 2008 at 7.10 p.m.

PRESENT: Councillor Mrs A.M. Beattie
(in the Chair)

ALDERMEN: J White

COUNCILLORS: J Beattie
Ms J Bunting (out at 7.30 pm)
Mrs M Chambers
D Drysdale
C Hall
B Hanvey (out at 8.15 pm)
Ms R Hughes MBE (out at 8.45 pm)
T Jeffers
M Long (out at 7.45 pm)
G Robinson (out at 7.25 pm)
J Spratt MLA
L Walker

IN ATTENDANCE: Chief Executive, Director of Administration and
Community Services, Community Services Manager,
Capital Projects Officer, Assistant Member Services
Officer

APOLOGIES:- Apologies were received on behalf of Aldermen
Copeland & Mrs G Rice MBE, and Councillors
Duncan and Tosh

2008/666: MONEYREAGH COMMUNITY FACILITY

(a) Update on legal advice

The Director of Administration & Community Services reported on her meeting with the Council's legal advisers on 29 September 2008 and tabled a copy of the legal opinion received. She then reported on what the Council's legal advisers had advised taking Members through her summary report.

Members asked a number of questions of the Director regarding the legal status and the performance bond.

(b) Report on Meeting between Lead Consultants and Council Officers

The Director of Administration & Community Services reported that, at her request and following the legal opinion obtained by her, a meeting had taken place on 8 October 2008 between the lead consultant, the Community Services Manager and the Capital Project Officer. The Director advised that unfortunately she had been unable to attend the meeting as she had been on annual leave.

The Director reported that points raised included that there was an on-going contract between the Council and the lead consultant and that the agreement specified hourly rates quoted by the consultant and that all expenses were inclusive. The consultants were advised that the hours quoted would have to be in accordance with those specified.

The Director stated that, subsequent to the meeting, the consultants had submitted a proposed amended fee account in the sum of £9,290 which represented a reduction of £7,330.50 on its first quotation (£16,620.50).

Councillor Chambers referred to the special Council meeting held on 23 September 2008 when the issue of Moneyreagh Community Centre had been discussed and enquired why the minutes of that meeting were not available for the Committee. The Director of Administration & Community Services reported that the minutes were still in draft form and had not been finalised.

Councillor Spratt stated that he was concerned that documents and information requested by the Council at the meeting on 23 September 2008 had not yet been placed before Members.

(Councillor Robinson left at 7.25pm and Councillor Bunting left at 7.30pm)

Councillor Spratt noted the reduction in the consultant's fees but queried why that had not been forthcoming at an earlier stage and indicated that Members should see all the correspondence between the Council's officers and the Consultants before reaching a decision on the matter. The Director responded that, while the main financial proposals had been summarised in the report, copies of correspondence could be produced for Members if required.

Officers reminded Members that, as reported to the Council at its meeting on 25 September 2008, there were 2 outstanding payments owing to the Consultants, a sum of £1,065.75 in respect of additional work on the

dance studio which was not disputed and a sum of £2,809.20 in respect of retendering expenses for printing, etc which was disputed.

(Councillor Long left at 7.45 pm)

(c) Lift Installation

Members raised a number of questions regarding the lift, its costs and the position of the sub-contractors. The Capital Projects Officer responded as to the costs and payments made.

(d) Costs of Completion Works

Councillor Chambers expressed concern as to how the performance bond value would be calculated and what would be covered. The Director of Administration & Community Services advised that she had written to the bond company requesting a copy of the policy in order to clarify this matter but had not yet received a response.

Councillor Chambers also indicated that, although the Consultants had estimated that the value of works required to complete the building was £50k, the Council could not be confident that this figure would not increase. The Director advised that the Council could not know the true costs of completion until the return of tenders. It was suggested that, in the current economic climate and in particular the downturn in the building sector, costs might turn out to be lower than expected.

At the request of Councillor Walker, the Capital Projects Officer provided clarification as to the total costs of the project (including professional fees and excluding covenant and contents) if the contractor had been in a position to complete (£724,445) and the total costs of the project in the current circumstances (753,698). He indicated that a sum of £19,710 was retained to deal with snagging.

(Councillor Hanvey left at 8.15 pm)

(e) Tender Process

In order to meet the Big Lottery deadline of 31 December 2008, the Capital Projects Officer proposed a timetable to meet this time frame.

Discussion ensued on the list of companies to be included in the list to tender. The Director of Administration & Community Services advised on the legal advice received in this regard and indicated that, in her view, it might be better to go to an open tender process.

After discussion, it was proposed by Councillor Chambers, seconded by Councillor White and

RESOLVED: that the Council go to open tender as quickly as possible and that a special meeting of the Council be convened in due course to consider tenders received.

The Director of Administration & Community Services enquired whether Members would confirm that the Council would continue with the lead consultant. Councillor Spratt asked that officers endeavour to seek a further reduction to the quoted fee.

Councillor Spratt suggested that it was becoming increasingly unlikely that Moneyrea Primary School would be able to hold the Christmas Concert in the community centre and suggested that the Director of Administration & Community Services contact the Principal to explain the position to him and offer the Council's assistance in finding an alternative venue. Councillors Hanvey and Spratt also referred to speculation within the village as to what was happening with the Centre. Councillor Spratt suggested that the Council should distribute a leaflet within the village explaining that the Council was proceeding as quickly as possible to complete the Community Centre.

Discussion ensued on the Big Lottery grant and the need to seek a further extension if possible.

RESOLVED:

- (a) That the Director of Administration & Community Services contact the Principal of Moneyrea Primary School to explain the position regarding completion of the building and to offer the Council's assistance in identifying an appropriate alternative venue for the school's Christmas Concert.
- (b) That the Council arrange a leaflet drop within Moneyreagh Village to reassure residents that the Community Centre will be completed and that the content of the leaflet be approved by the Mayor

Councillor Chambers referred to the deadline imposed by the Big Lottery and suggested that Council should write explaining the exceptional circumstances that were impacting on the completion of the building and that delay might arise due to the fact that the Council was forced to retender.

RESOLVED: That the Director of Administration & Community Services be asked to write to the Big Lottery explaining the Council's position and

the fact that further delay in completing the project may arise due to the need to retender for completion of the building.

It was also proposed by Councillor Spratt, seconded by Councillor Drysdale and

RESOLVED:

- (a) that a working group be set up to consider and approve the tender documents
- (b) that the working group comprise the whips of each party, with the exception of the UUP party who would be represented by Councillor Hall, together with the Mayor, Deputy Mayor and Chairperson of the Central Services Committee.
- (c) That a special meeting of the Council be convened to consider the working group's recommendations for the award of tenders.

(Councillor Hughes left at 8.45 pm)

There being no further business, the meeting ended at 9.10 p.m.

CHIEF EXECUTIVE

MAYOR