



SALISBURY GARDENS

TOWN COUNCIL MEETING

REPORT 77/13

14 OCTOBER 2013

The purpose of this report is to provide Members with an update on the latest situation in respect of the development of Salisbury Gardens.

No. DETAIL

1) INTRODUCTION

- a) As Members are aware, the meeting of the Isle of Wight Council's (IoWC) Cabinet agreed the plan to give Ventnor Town Council the opportunity to develop Salisbury Gardens for the benefit of the town subject to agreement on the terms of a 25 year lease with an option to review.
 - b) The final decision on that is now included on the IoWC's Forward Plan for the Cabinet Meeting of 7 January 2014.
 - c) The necessary extensive preparations are in progress and are reported here in outline.
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2) REFURBISHMENT/RECONFIGURATION

- a) Councillor Jim Toogood, with volunteer admin support, has now completed the preparation of the detailed listing necessary for a complete specification of works, including a room by room breakdown.
 - b) It was decided to include in the specification of works not only those items that will need to be done for the building to be fit for purpose for its opening but also all identifiable other works that will need to be done at some time in the future.
 - c) The work required for the basement is identified separately in the specification as are the external works and those required for the rooms under discussion with Hampshire Constabulary.
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3) TENDER PROCESS

- a) The invitations to tender will be mailed this week to a list of Island-based suppliers with the known capacity to deliver contracts of this nature.
 - b) In addition to the specification of works, the mailing will give a deadline for submission of tenders of 12 noon on Thursday 21 November 2013 and an invitation for an arranged site visit.
 - c) As the Town Council does not have a formal Approved List of contractors, it is proposed to invite tenders from the following companies:
 - o D N Associates Ltd
 - o W H Brading & Sons Ltd
 - o J R Buckett & Sons Ltd
 - o Ingrams Building Contractors
 - d) The tender process will be conducted in accordance with section 11 of the Town Council's current Financial Regulations: the relevant section is attached as an Appendix to this report.
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4) VALUE ADDED TAX

- a) As Members are aware, the issue of reclaiming the substantial VAT element of the contract was prompted by the relevant section of the Coastal Communities Application form.
 - b) Subject to formal confirmation by this meeting, Derek Kemp of DCK Beavers Ltd has been appointed as the Town Council's Agent for VAT purposes in order to ensure that the application form was completed appropriately and subsequent practice would be informed by professional advice where necessary going forward.
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- c) Derek Kemp is advisor to the National Association of Local Councils (NALC) on all financial matters including VAT.
 - d) It has been decided, on the basis of that advice, to reclaim VAT in respect of the required works and, consequently, Opt to Tax chargeable uses of the building.
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5) HAMPSHIRE CONSTABULARY

- a) A team from Hampshire Constabulary returned for a second visit in a two-hour meeting with the Clerk and Councillor Jim Toogood.
 - b) The four rooms they had previously identified as being of interest were studied in detail and the specific requirements of their potential occupancy were discussed on a very constructive basis.
 - c) In addition to any rental agreement for those rooms, they have a small capital works allocation for funding their particular requirements, such as a shower room.
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6) RECOMMENDATION

In addition to any comments or amendments Members' may want to make, the Town Council is recommended to:

- i) note and approve the arrangements for the tender process as outlined in section 3 of this report;
 - ii) appoint a Member to join the Clerk for the opening of the submitted tenders, as required by Section 11 (e) of the Financial Regulations, at noon on Thursday 21 November; and
 - iii) confirm the appointment of DCK Beavers Ltd as its Agent for VAT purposes.
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11) CONTRACTS

Procedures as to contracts are laid down as follows:

- a) Every contract shall comply with these financial regulations, and no exceptions shall be made otherwise than in an emergency provided that these regulations shall not apply to contracts which relate to items (i) to (vi) below:
 - i) for the supply of gas, electricity, water, sewerage and telephone services;
 - ii) for specialist services such as are provided by solicitors, accountants, surveyors and planning consultants;
 - iii) for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant;
 - iv) for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the Council;
 - v) for additional audit work of the external Auditor up to an estimated value of £250 (in excess of this sum the Clerk and RFO shall act after consultation with the Chair and Vice Chair of Council);
 - vi) for goods or materials proposed to be purchased which are proprietary articles and/or are only sold at a fixed price.
 - b) Where it is intended to enter into a contract exceeding £20,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Clerk shall invite tenders from at least three firms to be taken from the appropriate approved list.
 - c) When applications are made to waive financial regulations relating to contracts to enable a price to be negotiated without competition the reason shall be embodied in a recommendation to the Council.
 - d) Such invitation to tender shall state the general nature of the intended contract and the Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the Clerk in the ordinary course of post. Each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract.
 - e) All sealed tenders shall be opened at the same time on the prescribed date by the Clerk in the presence of at least one member of Council.
 - f) If less than three tenders are received for contracts above £20,000 or if all the tenders are identical the Council may make such arrangements as it thinks fit for procuring the goods or materials or executing the works.
 - g) When it is to enter into a contract less than £20,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Clerk or RFO shall obtain 3 quotations (priced descriptions of the proposed supply); where the value is below £1,000 and above £100 the Clerk or RFO shall strive to obtain 3 estimates.
 - h) The Council shall not be obliged to accept the lowest or any tender, quote or estimate.
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