

**PADDOCKWOOD TOWN COUNCIL**  
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**MINUTES OF AN EXTRAORDINARY MEETING OF PADDOCK WOOD TOWN COUNCIL HELD  
ON Monday 24h February 2020, at the Day Centre, Commercial Road, at 7.45 p.m.**

**PRESENT:** Cllr M Flashman, Chairman  
Cllr R. Atkins, S. Barrett, D. Boyle, S. Hamilton, B. Hills, D. Kent,  
R. Moon, M Ridger, D. Sargison, E. Thomas, R. Turk, C. Williams

**IN ATTENDANCE:** Mrs N Reay, Clerk.  
Mr J White & Mrs D. Haylett (TWBC)  
Borough Cllr M Bailey  
16 residents,

**QUESTIONS FROM RESIDENTS (15 minutes)**

Two residents asked to speak:

In light of what happened at the TWBC Communities and Economic Development Cabinet Advisory Board last Wednesday, and the strong comments made by the borough councillors, who were worried that the Town Council was not listening to their residents, and therefore could not agree the £400k that would be spent on the Community Centre. The town council was asked to re-consider the location of the community centre.

The Chairman advised that the CAB meeting would be discussed later in the meeting, by members. At present the Memorial Field is the agreed location for the Community Centre.

The Chairman was asked if there would be an opportunity for residents to speak later in the meeting when the CAB meeting was discussed by members. She advised that in view of the agenda she would decide at the time. All town councillors had had an opportunity to listen to the recording of the meeting.

It was questioned whether it was a town council project since Borough Cllr Mackonochie, Portfolio Holder for Communities and Wellbeing was in support of the project. The services of the project manager were also provided by TWBC.

It was questioned whether the Community Centre was needed since Mascalls School had opened its facilities to the public.

It was pointed out that hirers were not allowed to use the catering equipment at the school.

A further Statement was made that in the light of the parish poll and petition being rejected the Friends of Memorial Field were now seeking legal advice.

Section 8.5 in the business cased stated that the money from TWBC was crucial, was that still the case? *The money will be required and discussed later in the meeting.*

**(Due to an error in the number system the minutes numbers will vary from the agenda numbers. The agenda numbers are in brackets next to the correct numbers.)**

**C133 (C121) DECLARATIONS OF INTEREST**

- Cllr Hamilton, Member for PWTC & TWBC advised that she spoke at the CAB meeting but did not speak against the proposal but stated facts.
- Cllr Atkins declared he was a member of TWBC and sat on the Communities and Economic Development Cabinet Advisory Board
- Cllr Thomas declared she was a member of TWBC.

The Chairman read the following statement:

In light of further information that was circulated to Councillors on Friday I should like to state the following prior to any discussions at this meeting.

On Wednesday 19th February 2020 the Communities and Economic Development Cabinet Advisory Board at Tunbridge Wells Borough Council considered the recommendation that PWTC should be granted £400,000 towards the Community Centre on the condition that the Borough Council sought to seek agreement with PWTC to re-negotiate the current Day Centre Lease.

As Nichola said in her email on Friday there were two speakers. These were Wendy Morris representing the Friends of the Memorial Field and Sarah Hamilton who mentioned that she was a TC, BC and County Councillor. Sitting on the Board is BC Rodney Atkins.

Neither speaker was solely addressing the item on the agenda. Both were taking the opportunity to put forward the argument that the Community Centre should not be built on the Memorial Field. Along with several comments made by Cllr Atkins I think that Committee members were led to believe that the Town Council was ignoring the views of the residents, had undertaken little consultation and was excluding the Borough Ward Members from the project. Both speakers referred to the results of the petition and the parish poll which lead some committee members to believe that the Town Council had not acted democratically.

The comments made by Wendy Morris at this meeting and the comments made by FMF on the local plan consultation need to be discussed for accuracy, but this should be done separately at another meeting.

One Councillor expressed disappointment that the Town Council had not attended the meeting. I had not realised that this was an option but in light of the 2017 decision by the Town Council not to terminate the lease of the Day Centre I think it would have been very difficult for me to have done so as I would basically have been agreeing to the renegotiation of the lease which I do not have the authority of this Council to do. Having listened to the views of members of the public my current belief is that Paddock Wood needs additional meeting spaces and should not be relinquishing the day centre once the Community Centre has been built.

Cllr Boyle proposed, Cllr Williams seconded:

*In light of the resolution of July 2017 Paddock Wood Town Council should not entertain the re-negotiation of the Day Centre lease as outlined at the CAB meeting on the 19<sup>th</sup> February and seek £400k elsewhere if agreement cannot be made with Tunbridge Wells Borough Council.*

CARRIED: 10 in favour 3 abstentions

It was confirmed that the negotiation on the Day Centre lease were the only conditions placed on the grant. The conditions relating to the Wesley Centre and Putlands had been withdrawn. Neither was there any suggestion that the Town Council would lose the support of the project manager.

### **C134 (C122) PADDOCK WOOD COMMUNITY CENTRE – BUSINESS CASE AND RISK REGISTER.**

The community centre board had considered the documents and asked that the council to consider and approve them.

Cllr Flashman proposed from the Chair, Cllr Williams seconded:

*Jonathan White and Denise Haylett from TWBC are allowed to speak during the meeting and to remain for items C123, C124 & C125*

CARRIED 10 in favour, 2 against, 1 abstention

It was asked why the figures could not be made public. On the Cost Controls sheet they could be redacted.

It was explained that the detailed Quantity Surveyors figures were commercially sensitive and should not be publicised.

Mr White was asked to outline the business case to members. He highlighted the following points:

- Aspiration for the Town Council for some time
- His role is to assist and guide the Town Council
- Consultation has taken place – trying to reach as many as possible
- An options analysis was carried out on different sites – Memorial Field chosen
- Have progressed through the RiBA stages on that basis
- Stages 1 & 2 have been signed off as well as the design element of RiBA3.
- £1 million secured from section 106 funding from the housing developments
- Funding from one site has already been handed over to TWBC therefore the 5-year period in which it must be spend has started
- Have appointed architect and quantity surveyor, and site surveys have been completed
- Report on title to the site have shown no legal impediments to building the community centre
- Will continue to consult
- TC will apply for a loan as part of the project
- Chose to build on a site owned by PWTC in order to mitigate costs
- Will create a trust to run the community centre – this will mitigate the VAT costs
- If the Town Council chose to occupy and run the building the 20% VAT would be payable
- Looking to lease space to a pre-school with remainder as hourly charges
- Growth of housing a key element to project
- The options analysis was to build the community centre with TWBC assisting
- Benefits – the additional 1000 houses, currently under construction, will bring the s106 funding plus increased revenue from the council tax.
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- Risks
  - Cost increase if delay
  - S106 funding has time limit and in 2 cases is tied to the Memorial Field
  - Capital from TWBC not forthcoming
  - Location is still contentious
- Funding
  - Total cost is £3.2 m (includes everything)
  - 804 m2 facility

- Capital funding £3.4m includes TWBC funding
- Loan repayment (£1.5 m) is £58,553 over 50 years at 3.04% (figures based on Oct 2019)
- PWTC currently allows £50k/year for the project, increased to £60k for 2020 & 2021
- Precept will increase by £173,000 once all the new homes have been built
- Future revenue risk is low

#### Other

- Running costs estimated at £80,000 = £100/square metre

#### Going forward – set out in appendix 5

- Explain the different routes
  - 1) Construction management – TC appoints a construction manager who takes care of everything however considered to be high risk
  - 2) PFI – more for larger projects and not considered appropriate. Payback is also costly
  - 3) Traditional contract – give contractors detailed design and ask for price. Architect specifies materials and can be expensive. High risk financially
  - 4) Single stage design and build – enter contract and give technical design. Can be costly and risky.
  - 5) Two stage design and build (recommended) first stage involves working with contractor and getting fixed price. In the first phase the contractor will finalise designs and submit planning. Second phase will be the build.  
(full details of the options can be found in the Business Plan)

The following questions were asked, and points made by members: (responses are in italics where appropriate)

Partnership with TWBC – are there any documents or Terms of Reference and what is the role of Mr White?

Section 106 funding can be delayed by deed of variation or moved to another site.

Residents were opposed to site.

Major risk – may not get planning permission. Cannot be guaranteed. Will lose S106 if planning permission is refused.

Concerns about flooding.

Putlands was originally site for Community Centre

*Request was made to TWBC for Mr White to assist by the project. Governance was drawn up and approved which included representation from TWBC on the Board.*

*Planning permission is always a risk on any site.*

*Would be a risk to move the section 106*

*With regards to flooding – looking not to contribute anymore run off to system than current.*

*– Extensive work on SUDS etc*

*All the technical information is available in the library for the public to see.*

Option 5 Design & build is the best way forward

Planning permission is a risk on any site.

Mitigation for risk of flooding at Memorial Field

Lack of confidence in Southern Water

Parish Poll not a true representation

Few use the Memorial Field

Plenty of space for members of public to use the field, walk dogs & play sports

(The chairman reminded members that the purpose of the meeting was to approve the Business Plan and Risk Register)

Should represent the views of the public – don't want to spend the money, and not happy with it

The designs have been passed

Poll consisted of the older generation. The younger generation are in favour – need to future proof the town

In 2 stage process -what happens if contractor cannot deliver on price?

*At first stage – tell contractors they must deliver for the money specified. If they win the contract, they must be able to do it.*

Reference to enabling development in the document – what does that mean?

*There is no enabling development currently.*

No mention of indemnity on the Memorial Field.

*Was discussed but the report on title suggested it was not necessary,*

Any Memorandum of Understanding with prospective tenants been done?

*No, because it would not be showing best value for the Council going forward.*

When would they be done?

*At present nothing to offer potential lease holder. Already number of interested parties.*

*When in construction will have more to offer.*

*Must market the lease to get best value for the council*

*Would not go for MOU but would go for agreement to lease, normally at RiBA 4 or 5.*

Some figures have disappeared from the document – looking at costs of £3.2 m

*Looking for board to improve on costs*

*QS has given price for what has been designed – not best value*

*Market will give best value*

Energy efficiency

*Lot of discussion at project group to make as efficient as possible. Could be carbon neutral if council wants it to be. Currently is Very Good on the BREAM. Only one more stage to go to have the highest grade possible*

Costs – Business plan 8.7 states precept raises £3.70/pa.

*Written worst case – based on increase on number of dwellings have now. If allow for new homes will have no increase on precept.*

*Budget has also been increased for the next 2 years to £60k per year which will cover re-payments.*

Badsell Road was not previously listed in the option document – when was it added?

*Will check how long it has been on the document.*

How will income work?

*Community centre should be self-funding. It will be up to the Council to set up the trust and instruct it what to do with the profit. It cannot be withdrawn by the town council; business rates will be reduced if a Trust.*

Who will be responsible of maintenance, insurance etc?

*The Trust*

The draft lease in the plan is purely for information.

Clarification of option 5

*Give cost to contractor, state looking for price below that given. May give different options, up to council to decide what amendments are acceptable.*

*Would be brought back to council for final decision.*

Why working party responsible for A3 on risk register?

*Should show accountability – but ultimately responsibility of the Council*

*No discussions on the village management committee yet. Will be up to trust on how the café is run.*

Who will select Trust members?

*The Town Council.*

The Chairman proposed, Cllr Williams seconded:

*Under section 1 (2) of the Public Bodies (admission to meetings) Act 1960 the press and public should be excluded for the following items, on the grounds of commercial sensitivity.*

*CARRIED 8 in favour, (Cllrs Turk, Ridger, Thomas, Boyle, Sargison, Barrett, Williams, Flashman) against, (Cllrs Hills, Hamilton, Atkins, Kent) abstain (Cllr Moon)*

Members of the public refused to leave the meeting.

The chairman proposed, Cllr Boyle seconded:

*The meeting should be suspended.*

CARRIED 10 in favour 3 abstentions.

The meeting was suspended for 12 minutes until the public left.

Cllr Flashman proposed, Cllr Boyle seconded:

*That the meeting should resume*

CARRIED unanimously

The meeting resumed at 9.15 pm

### **C135 (C123) QUANTITY SURVEYORS REPORT & COSTS**

Mr White outlined the costs for members.

Members discussed the costings and the procurement process. The following points were made:

A procurement framework would be used for the tender process.

Need to use the right framework

Look to make the building carbon neutral

Salix loan for the solar panels – these are government loans at 0%

**C136 C124 PROPOSAL FROM THE BOARD**

Following the council's consideration of the above documents the members were asked to APPROVE the following:

1. *sign off all remaining elements of the RIBA stage 3 Paddock Wood Community Centre project.*
2. *ask that the board tender, procure and recommend to the Council to enter into a Pre-Construction Services Agreement with the winning contractor as part of a two-stage design and build contract.*
3. *ask that the board improve upon costs through the procurement process.*
4. *come back to Full Council seeking permission to secure planning and following that to enter into the final construction contract*

Cllr Atkins proposed, Cllr Hamilton seconded:

*The council should consider the above as 4 separate proposals.*

*The motion was LOST 3 in favour (Cllrs Hamilton, Atkins, Kent) 10 against (Cllrs Barrett, Boyle, Flashman, Hills, Moon, Ridger, Sargison, Thomas Turk, Williams)*

Cllr Flashman proposed, Cllr Williams seconded:

*That all 4 proposals should be considered together*

*CARRIED 10 in favour, (Cllrs Barrett, Boyle, Flashman, Hills, Moon, Ridger, Sargison, Thomas Turk, Williams) 3 abstained (Cllrs Hamilton, Atkins, Kent)*

Cllr Flashman proposed, Cllr Williams seconded:

*The council APPROVES all 4 proposals*

*CARRIED 10 in favour, (Cllrs Barrett, Boyle, Flashman, Hills, Moon, Ridger, Sargison, Thomas Turk, Williams) 1 against (Cllr Kent) 2 abstained (Cllrs Hamilton, Atkins,)*

**C137 (C125) CHANGE CONTROLS**

Members received details of the additional architects' fees and an explanation as to how they had come about.

Cllr Flashman proposed, Cllr Boyle seconded:

*The council APPROVES the change controls*

*CARRIED 10 in favour, (Cllrs Barrett, Boyle, Flashman, Hills, Moon, Ridger, Sargison, Thomas Turk, Williams) 1 against (Cllr Kent) 2 abstained (Cllrs Hamilton, Atkins,)*

**C138 (C126) DATE OF THE NEXT MEETING**

The next meeting will take place on Monday 16<sup>th</sup> March 2020.

The meeting closed at 10.10 pm.

CHAIRMAN