

# Public Document Pack



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4 October 2017

Dear Councillor

NOTICE IS HEREBY GIVEN THAT a meeting of the **DOVER LEISURE CENTRE PROJECT ADVISORY GROUP** will be held in the Council Chamber at these Offices on Thursday 12 October 2017 at 4.45 pm when the following business will be transacted.

Members of the public who require further information are asked to contact Kate Batty-Smith on 01304 872303 or by e-mail at [kate.batty-smith@dover.gov.uk](mailto:kate.batty-smith@dover.gov.uk).

Yours sincerely

A handwritten signature in black ink, appearing to read "Kate Batty-Smith", written over a white background.

Chief Executive

Dover Leisure Centre Project Advisory Group Membership:

T J Bartlett (Chairman)  
P M Beresford  
N J Collor  
M D Conolly  
P Walker  
Mr P Ward

AGENDA

1 **APOLOGIES**

To receive any apologies for absence.

2 **APPOINTMENT OF SUBSTITUTE MEMBERS**

To note appointments of Substitute Members.

3 **DECLARATIONS OF INTEREST** (Page 4)

To receive any declarations of interest from Members in respect of business to be

transacted on the agenda.

4 **MINUTES** (Pages 5-8)

To confirm the attached notes of the meeting of the Committee held on 13 July 2017.

5 **PROJECT AND CONTRACT UPDATE**

To receive a briefing on the construction contract.

6 **DESIGN DEVELOPMENT**

To receive a briefing on design development following engagement with the preferred operator.

7 **OPERATOR APPOINTMENT**

To receive a briefing on the operator contract.

8 **PROGRAMME**

To receive a briefing on the project programme.

9 **COMMUNICATIONS**

To receive an update on the communication plan.

10 **PLANNING**

To receive a briefing on progress towards fulfilling planning conditions attached to Planning Application No DOV/17/00305, including negotiations with Southern Water.

11 **FUNDING APPLICATION TO SPORT ENGLAND**

To receive an update on the Lottery Funding Award.

12 **THE DANES**

To receive a briefing on the progress of Planning Application DOV/17/00895, and possible movement of material from the Leisure Centre site to The Danes.

13 **DATE OF NEXT MEETING**

9 November at 4.45pm

14 **EXCLUSION OF THE PRESS AND PUBLIC** (Page 9)

The recommendation is attached.

MATTERS WHICH THE MANAGEMENT TEAM SUGGESTS SHOULD BE CONSIDERED IN PRIVATE AS THE REPORT CONTAINS EXEMPT INFORMATION AS DEFINED WITHIN PART 1 OF SCHEDULE 12A OF THE

LOCAL GOVERNMENT ACT 1972 AS INDICATED AND IN RESPECT OF WHICH THE PROPER OFFICER CONSIDERS THAT THE PUBLIC INTEREST IN MAINTAINING THE EXEMPTION OUTWEIGHS THE PUBLIC INTEREST IN DISCLOSING THE INFORMATION

15 **RISKS**

To receive a briefing on the main risks and steps being taken to mitigate them.

16 **PROJECT COSTS**

To receive a briefing on the overall project costs, affordability, budget and anticipated spend profile.

**Access to Meetings and Information**

- Members of the public are welcome to attend meetings of the Council, its Committees and Sub-Committees. You may remain present throughout them except during the consideration of exempt or confidential information.
- All meetings are held at the Council Offices, Whitfield unless otherwise indicated on the front page of the agenda. There is disabled access via the Council Chamber entrance and a disabled toilet is available in the foyer. In addition, there is a PA system and hearing loop within the Council Chamber.
- Agenda papers are published five clear working days before the meeting. Alternatively, a limited supply of agendas will be available at the meeting, free of charge, and all agendas, reports and minutes can be viewed and downloaded from our website [www.dover.gov.uk](http://www.dover.gov.uk). Minutes will be published on our website as soon as practicably possible after each meeting. All agenda papers and minutes are available for public inspection for a period of six years from the date of the meeting.
- If you require any further information about the contents of this agenda or your right to gain access to information held by the Council please contact Kate Batty-Smith, Democratic Support Officer, telephone: 01304 872303 or email: [kate.batty-smith@dover.gov.uk](mailto:kate.batty-smith@dover.gov.uk) for details.

Large print copies of this agenda can be supplied on request.

**Declarations of Interest**

Disclosable Pecuniary Interest (DPI)

Where a Member has a new or registered DPI in a matter under consideration they must disclose that they have an interest and, unless the Monitoring Officer has agreed in advance that the DPI is a 'Sensitive Interest', explain the nature of that interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a DPI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation permitting them to do so. If during the consideration of any item a Member becomes aware that they have a DPI in the matter they should declare the interest immediately and, subject to any dispensations, withdraw from the meeting.

Other Significant Interest (OSI)

Where a Member is declaring an OSI they must also disclose the interest and explain the nature of the interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a OSI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation to do so or the meeting is one at which members of the public are permitted to speak for the purpose of making representations, answering questions or giving evidence relating to the matter. In the latter case, the Member may only participate on the same basis as a member of the public and cannot participate in any discussion of, or vote taken on, the matter and must withdraw from the meeting in accordance with the Council's procedure rules.

Voluntary Announcement of Other Interests (VAOI)

Where a Member does not have either a DPI or OSI but is of the opinion that for transparency reasons alone s/he should make an announcement in respect of a matter under consideration, they can make a VAOI. A Member declaring a VAOI may still remain at the meeting and vote on the matter under consideration.

Note to the Code:

Situations in which a Member may wish to make a VAOI include membership of outside bodies that have made representations on agenda items; where a Member knows a person involved, but does not have a close association with that person; or where an item would affect the well-being of a Member, relative, close associate, employer, etc. but not his/her financial position. It should be emphasised that an effect on the financial position of a Member, relative, close associate, employer, etc OR an application made by a Member, relative, close associate, employer, etc would both probably constitute either an OSI or in some cases a DPI.

Minutes of the meeting of the **DOVER LEISURE CENTRE PROJECT ADVISORY GROUP** held at the Council Offices, Whitfield on Thursday, 13 July 2017 at 4.45 pm.

Present:

Chairman: Councillor T J Bartlett

Councillors: N J Collor  
M R Eddy  
Mr P Ward

Also present: Mr G Thomason (GT3 Architects)  
Mr R Thompson (Hadron Consulting)

Officers: Principal Infrastructure and Delivery Officer  
Principal Community and Leisure Officer  
Corporate Architectural Project Officer  
Democratic Support Officer

126 APOLOGIES

It was noted that apologies for absence had been received from Councillors P M Beresford, M D Conolly and P Walker.

127 APPOINTMENT OF SUBSTITUTE MEMBERS

It was noted that, in accordance with Council Procedure Rule 4, Councillor M R Eddy had been appointed as a substitute member for Councillor P Walker.

128 DECLARATIONS OF INTEREST

It was noted that there were no declarations of interest.

129 MINUTES

The notes of the meeting of the Group held on 6 April 2017 were approved as a correct record and signed by the Chairman.

130 DESIGN DEVELOPMENT

Members viewed updated plans and drawings. Mr Thomason advised that he and colleagues had picked the best and most innovative aspects of all the leisure centre buildings visited. He highlighted key points, including the retention of a curved reception/café area; the use of walnut instead of beech, and the installation of Tom Dixon lights as a focal point over the reception area. It was confirmed that there would be no lights directly over the swimming-pool as these would be more difficult and costly to maintain. There would also be a feature staircase. Some aspects of the detailed design, such as signage, would be finalised once an operator had been appointed.

Block colours would be used in the wet-side area. Pool-pods, which improved independence and accessibility for the disabled, would be installed in both pools. In accordance with Sports England (SE) guidance, fittings in the wet-side changing-rooms would be fixed to walls and streamlined to make them easier to clean and

improve hygiene. There were also plans to incorporate hand-dryers into the vanity units to avoid splashing and staining. There would be mixed changing facilities for schools, families, etc. Finally, it was reported that the landscape architect was reviewing the landscape specification to make final adjustments and improvements.

It was agreed that the update be noted.

131 PROGRAMME

A programme summary was circulated to the Group. Mr Thompson advised that the programme was broadly on track. It was anticipated that the planning application would be determined by the end of July. Most of the 35 tender packages issued had been returned, and an interim tender report was due in July. A final report on contractor and operator procurement would be presented to the special Cabinet meeting on 11 September. It was clarified that the projected opening date of January 2019 remained the Council's aspiration. Subject to the operator's input, it was likely that existing members would be allowed access during January 2019 to 'test' the facilities before they were opened to the public.

It was agreed that the update be noted.

132 PLANNING

The Principal Infrastructure and Delivery Officer (PIDO) advised that the determination of the planning application had been extended to the end of July in order to enable further discussions to take place with Kent County Council (KCC), Stagecoach and Southern Water regarding transport, the Section 106 agreement and drainage. Since only four objections had been received, the application would be determined by officers rather than the Planning Committee.

It had been anticipated that it would be necessary for the Council to enter into a Section 106 agreement with KCC which would be a lengthy process. However, this might not be necessary as KCC had asked for a Section 278 agreement to deliver the roundabout upgrade rather than a financial contribution. Approximately £70,000 would be made available for the bus ticketing incentive scheme, the detail of which would be set out in a travel plan, to be controlled by a planning condition. The plan would be developed by a consultant travel adviser and paid for by the Local Planning Authority (LPA) and the operator. Prior to issuing the decision notice, the Secretary of State would be consulted due to the fact that the LPA proposed to depart from the Local Plan. Once issued, the notice would be subject to a 6-week judicial review period.

It was agreed that the update be noted.

133 THE DANES

The PIDO reported that, during pre-application discussions, a number of issues had been raised concerning plans to move spoil from the leisure centre site to the Danes. Although the Council had previously commissioned contamination reports, the environmental health consultant had advised that additional work was required. The additional work had not been costed but, if costs continued to rise, a judgement would be needed on whether it was better to take the spoil to a commercial site. Investigations were also being made into re-using some of the soil on site. In response to queries, it was clarified that around 8,000 cubic metres of soil (or 40 lorry loads) would need to be moved each day.

Representatives from St Edmund's Roman Catholic School and Dover Grammar School for Girls had been invited to the public consultation event held at the Danes on 23 May. Both organisations were keen on the project to rejuvenate the Danes, and had been made aware of the lorry movements required to deliver the project. Lorry movements would be scheduled to avoid school drop-off and pick-up times. Feedback from residents, who had also been invited to the consultation event, had been overwhelmingly positive, with only one person expressing reservations about the scheme. A Statement of Community Involvement would be submitted with the planning application. The Principal Leisure Officer (PLO) added that the rejuvenation of the Danes would meet the wider objectives of the Council. Furthermore, the local representative of the Land Trust, which owned adjacent land and was working with the developers of land at Connaught Barracks, had expressed enthusiasm for the project as it would link well to their development.

It was agreed that the update be noted.

134 DATES OF FUTURE MEETINGS

It was agreed that the dates of future meetings be noted.

135 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED: That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that the items involve the likely disclosure of exempt information as defined in paragraph 3 of Part I of Schedule 12A of the Act.

136 RISKS

Referring to the risks summary circulated to Members, Mr Thompson reported that, since the Group last met, Southern Water had responded, proposing that an extensive and costly upgrade to off-site infrastructure be undertaken. This would present a significant risk to the overall project, including delaying the commencement date of construction. The consultants' engineers had identified an alternative solution and discussions with Southern Water were ongoing.

In respect of the risk surrounding planning conditions, Members were advised that these would not be known until the end of July, and there was a tight timescale for discharging them. In terms of construction costs, some tender packages had been higher than expected and others lower. The risk on water supply had reduced, as had the risk relating to plans to use deep bored soakaways to deal with surface water. Until the planning conditions were known, the level of risk on archaeological remains was uncertain. However, test trenches had already been dug and very little of significance had been found. Mr Thomason advised that discussions had been held with Building Control and fire safety assessors who had raised no concerns. Finally, the proposed building was on track to achieve a 'very good' BREEAM (sustainability) standard of 64%.

It was agreed that the update be noted.

137 PROJECT COSTS

Mr Thompson advised that, of the 35 construction packages tendered, 30 had been returned. Half of these had been fully assessed by BAM and the cost consultants, and the remainder would be completed by the end of July, at which time the final projected cost of the project would be clearer.

It was agreed that the update be noted.

138 OPERATOR PROCUREMENT

The PLO advised that four strong bids had been received following the operator procurement tender exercise. These had been evaluated by a group consisting of officers, the Sports Consultancy and Councillor Trevor Bartlett. Whilst two bidders had stood out from the rest, it had been a unanimous decision to recommend the award of the contract to one company. Both of the leading tenders had met the threshold for management fees and affordability. A decision on the award of the contract would be taken at the special Cabinet meeting in September.

It was agreed that the update be noted.

139 FUNDING APPLICATION TO SPORT ENGLAND

The Group received a briefing on the funding application that had been made to SE in June. The application had been considered by SE's Investment Committee on 11 July which had decided to make a conditional award of £1.5 million. SE would provide a draft contract for the Council to examine, and a report on the matter would be considered at the special Cabinet meeting in September.

It was agreed that the update be noted.

The meeting ended at 5.58 pm.



DOVER DISTRICT COUNCIL

NON-KEY DECISION

**EXECUTIVE**

DOVER LEISURE CENTRE ADVISORY GROUP – 12 OCTOBER 2017

**EXCLUSION OF THE PRESS AND PUBLIC**

**Recommendation**

That, in accordance with the provisions of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000, the public be excluded from the remainder of the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in the paragraph of Schedule 12A of the 1972 Act set out below:

<u>Item Report</u>	<u>Paragraph Exempt</u>	<u>Reason</u>
Risks	3	Information relating to the financial or business affairs of any particular person (including the authority holding that information)
Project Costs	3	