

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE
CULTURE AND SPORT POLICY DEVELOPMENT COMMITTEE
TUESDAY 15 JANUARY, 2013 AT 4.00 P.M.
IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK

PART 1

PRESENT: Councillors

Dudson, A. (Chairman)

Bottomer, B.	Mitchell, C.
Grocott, M. R.	Stretton, Mrs. P.Z.
Johnson, J.	Whitehouse, Mrs. L.

12. Apologies

An apology for absence was received from Councillor Mrs. H.M. Sutton.

13. Declarations of Interests of Members in Contracts and Other Matters and Restriction on Voting by Members

No other Declarations of Interests were made in addition to those already confirmed by Members in the Register of Members Interests.

14. Minutes

RESOLVED:

That the Minutes of the meeting held on 17 October, 2012 be approved as a correct record.

15. Culture and Sport Priority Delivery Plan 2012-13 - Update from the Head of Commissioning

The Head of Commissioning provided Members with a presentation which gave an update on the following areas:

- Chase Leisure Centre Modernisation Scheme
- Culture and Leisure Management Contract
- Stadium Consultation

Chase Leisure Centre Modernisation Scheme

He explained that with regard to the Chase Leisure Centre modernisation scheme delays had occurred in completing Phase 3 of the project. Members were advised that the project was almost complete when problems with the swimming pool were identified. It was explained that legal advisors were now involved to assist in resolving the issues with the Contractor. However, the main aim was to open the pool to the

public and then formally resolve contractual issues with the Contractor.

In order to provide Members with an idea of the remedial work being undertaken the Head of Commissioning showed them a number of photographs of the Leisure Centre. These photographs had been taken throughout the remedial works and highlighted the work involved and the progress that had been made in making the pool watertight.

Councillor C. Mitchell, the Culture and Sport Portfolio Leader commented that the issues with the pool had been very frustrating for her as the Portfolio Leader. She shared Members concern regarding the delay in completing the project and hoped that the photographs would show Members the extent of the work being undertaken.

The Head of Commissioning explained that the tiling and pool tank issues arose in July 2012 (11 days before completion) when cracks appeared in the tiled floor after the pool was filled with water and heated. The remedial action had proved complex and was taking longer than the Contractor first anticipated. It became apparent that the cracks in the tiles had appeared as a result of problems with the expansion joints which had been fitted incorrectly. They should have had foam around them to allow for expansion when the pool was heated. In view of this the Contractor had also decided to check whether the stress relieving joints had been fitted correctly. It was further explained that problems had also been identified with the water bar.

Members were advised that the Contractor, G.F. Tomlinson and Sub-Contractor had accepted responsibility for the expansion joints defects and were working hard to ensure these were addressed. It was confirmed that a different Sub-Contractor was being used for some of the remedial works.

The Committee was informed that the pool had been refilled with water in December, although it had not yet been heated. The remainder of the work to the walkway surrounding the pool was still ongoing.

Councillor Grocott considered that the Sub Contractors work should have been checked before the tiles had been laid. He commented that it was frustrating that the project was in its final stages when the problem had been identified.

The Head of Commissioning advised that it was the Contractors responsibility to check the work being carried out by the Sub Contractor and they had accepted that the problems had occurred as a result of poor workmanship. The Corporate Director commented that the supervision by the Contractor of the work being undertaken by the Sub-Contractors may have been inadequate. The Council had appointed a Clerk of Works and a number of other professionals to oversee the construction process. There may have been up to fifty workmen on site per day during the construction period and it was not possible for the Clerk of Works to monitor all the work across the site as it happened. He confirmed that the Contractor was responsible for designing and constructing the scheme and for ensuring the works were carried out properly. It had become apparent that there had been inadequate supervision of the work being undertaken by the Sub Contractors and the quality of some of the work had been poor.

The Chairman asked about the role of the Clerk of Works and whether he had identified the problems with the expansion joints. The Corporate Director advised that weekly written reports had been provided by the Clerk of Works, he had agreed the materials and the design; however, the Contractor had not followed the design.

Councillor Grocott commented that it was difficult to criticise Council Officers for the delay as construction was not their profession. However, he considered that the Contractors should not have been allowed to progress to the next stage until the first stage had been right. He added that although there would be compensation claims because of the delay this would not help the people of Cannock Chase District who had been without a pool for 18 months.

Councillor Mitchell confirmed she had raised concern about the expansion joints and had asked why the poor workmanship had not been identified by the Clerk of Works. However, the main priority was for the Contractor to remain on site and complete the remedial works and open the pool. The testing time would be when the water in the pool was heated again.

The Head of Commissioning advised that it was the Contractors responsibility to heat the water and test the pool for water tightness. The majority of the remedial work had been undertaken, however, it was important it to ensure that the remedial works had been effective and the pool was heated and watertight before being handed over to Wigan Leisure and Culture Trust.

Following this, the Chairman offered Members the opportunity to ask any questions. Councillor Whitehouse asked whether the Council would be making a compensation claim against the Contractor. The Head of Commissioning advised that the Contractor had accepted responsibility for the expansion joint delay in completing the pool and once the remedial work had been undertaken and the pool was handed over to Wigan Leisure and Culture Trust, the Council would be raising the issues with the Contractor.

Councillor Johnson sought confirmation regarding the handover to Wigan Leisure and Culture Trust. The Head of Commissioning explained there was no definitive date for handover. Once the water in the pool had been heated and tested, the integrity of the tank and operation of the machinery would also be tested for a period of time before the pool was handed over. Additionally, staff would need to be trained and although the majority of training would be done at Rugeley Leisure Centre, some staff training would need to be done on site (such as emergency evacuation procedures, lifeguarding, use of the moving floor and boom).

The Corporate Director explained that it was difficult to discuss the legal issues in a public meeting. However, he confirmed that the Council had engaged with a specialist barrister in construction law and there was a clear understanding of what the Council's responsibility was and what the Contractor, G.F. Tomlinson could be held accountable for. He had been involved in meetings with the Commercial Director at G.F. Tomlinson's to discuss the issues. The Head of Commissioning added that as the handover of the pool to Wigan Leisure and Culture Trust was to be later than expected, there would be a compensation claim from them for loss of earnings.

The Committee was reminded that the impact of the delay to the opening of the pool was as follows:-

- Contractual issues with the contract (delayed start to swimming lessons);
- All clubs/customers notified;
- Continue programme at Rugeley Leisure Centre;
- Provision with local school no longer possible;

- Loss of income claim – Wigan Leisure and Culture Trust;
- Legal advice

Culture and Leisure Management Contract

The Head of Commissioning advised the Committee that with regard to the Culture and Leisure Management Contract the Quarter 2 performance report would be submitted to Cabinet on 31 January, 2013. The key highlights were as follows:-

- WLCT exceeded performance in 44 targets (67%) and had not met 23 targets
- Strong performance at Theatre, Sports, Arts and mixed performance at Leisure Centres, golf and museum
- Memberships had increased from Q1 to Q2
- Chase concession cardholders increased by 8%
- IT systems transferred
- Café pod opened at Chase
- £122k investment made into facilities
- Sport retained Excellent Quest Assessment and Museum retained Visitor Attraction assessment (VAQAS)

He confirmed that the Quarter 2 performance information would be submitted to the Committee following consideration at Cabinet. Members were pleased with the performance of Wigan Leisure and Culture Trust and noted that planning approval had been obtained for the extension to Rugeley Leisure Centre.

Stadium Consultation

Members were advised that the consultation regarding the Stadium site had been completed between 15 October, 2012 and 30 November, 2012. Over 400 responses had been received via questionnaires, public meetings, groups and schools. The Culture and Sport Portfolio Leader confirmed that there was positive support for development at the site and a report on the findings of the consultation was being prepared for Cabinet on 31 January, 2013. This would then be submitted to the Culture and Sport Committee.

Councillor Grocott sought confirmation on how the response that had been received compared to the population of Cannock. The Corporate Director confirmed that, although the response was low when compared to the population of Cannock, it was not a bad response when compared to other recent consultations that had taken place. For example, there had been an incredibly poor response on the recent draft budget consultation which had implications on the majority of residents in the district.

RESOLVED:

That the update on the three projects be noted.

16. Update – HLF Bid, Hednesford Park

Tom Walsh, the Parks and Open Spaces Manger, provided the Committee with a presentation on the Heritage Lottery Fund bid in respect of Hednesford Park. The presentation outlined the background to submitting the bid, the consultation process, the scheme overview and the suggested improvements the funding would provide.

Members congratulated Officers on the hard work undertaken in submitting the bid for funding and looked forward to the final scheme.

The meeting closed at 5.40 pm.

CHAIRMAN