

## WARWICK DISTRICT COUNCIL

**TO :** LEISURE COMMITTEE - 21ST SEPTEMBER 1999

**SUBJECT :** JEPHSON GARDENS LOTTERY AWARD

**FROM :** HEAD OF LEISURE AND AMENITIES

### **1. PURPOSE OF THE REPORT**

- 1.1 In order to comply with the special conditions of the Trustees of the National Heritage Memorial Fund, members are being asked, as part of the contract, to approve a resolution from this Committee in order that the contract between Warwick District Council and the Trustees of the Heritage Fund can be signed.
- 1.2 Members are also asked to approve the appointment of a steering group to monitor progress of the Jephson Gardens restoration project, and to confirm the appointment of Plincke Landscapes Ltd as lead consultant.

### **2. PRESENT POSITION**

- 2.1 Members will be aware that an item was presented to the last Committee on 20th July 1999 and due to the lateness in obtaining information from the Heritage Lottery Fund, a resolution was put together by our Legal Department giving delegated powers to authorise the Head of Leisure and Amenities, in consultation with the Head of Legal Services, and the Chair or Vice Chair and Spokespersons of the Leisure Committee, to approve the resolution. As part of the project team meeting, the representative from Legal Services expressed concern that the resolution that was approved at Leisure Committee did not fulfil Special Condition 1.1 of the H.L.F.'s contract as it does not allow delegation to officers. Having spoken to the case officer at Heritage Lottery, they confirmed that the resolution was not acceptable to them and therefore a new resolution is before this Committee for approval, which will form part of the contract between Warwick District Council and the National Heritage Memorial Fund.

### **3. THE RESOLUTION**

- 3.1 The resolution as set out below has been put together by the Head of Legal Services:
  1. In consideration of its statutory powers under the Local Government Act 1972 and the Local Government (Miscellaneous Provisions) Act 1976 the Council accepts from National Heritage Memorial Fund the offer of grant to a maximum of £2,889,000.00 to facilitate the restoration of Jephson and Mill Gardens.
  2. To enter into a contract with National Heritage Memorial Fund in connection with such offer.

3. To be bound by the terms and conditions of such contract (as set out in draft form as an appendix to this report).
4. The Chief Executive be authorised to execute the contract on behalf of the Council.

#### **4. PROPOSED STEERING GROUP**

- 4.1 Your officers feel that it is important to set up a steering group to meet periodically to consider the progress and implementation of the Heritage Lottery Fund for the Jephson Gardens project. It is considered that the Committee Spokespersons and/or their representatives will form a part of that steering group. Members may be aware that a similar group was set up for the Royal Pump Rooms and this proved to be very successful and useful and it is for that reason we are proposing that such a group is set up for this project.

#### **5. CONSULTANT**

- 5.1 The lottery application was prepared by consultants Plincke Landscapes Ltd, who tendered successfully for the work in September 1997 on the basis that if the lottery application succeeded, the chosen consultant would manage the implementation of the project.
- 5.2 The Head of Legal Services has advised that, because the appointment (made under delegated powers) seems not to have been formally reported and minuted at the time, it would be wise to confirm it at this stage. Needless to say, your officers, acting as client on behalf of the Council, are looking forward to continuing to work with Plincke to implement the restoration plan.
- 5.3 Other consultants on the project will include :-
  - (1) Architects
  - (2i) Quantity surveyors
  - (3i) Mechanical and electrical engineers
  - (4) Structural engineers
  - (5) Restoration specialists

With the exception of the restoration specialists, all the appointments will be following competitive fee tendering. In the case of the former, whilst a relatively small fee, estimated at £23,004, but extremely important. Consultation is taking place with the Heritage Lottery Fund to ascertain whether it would be acceptable to appoint Gifford and Partners, who were party to the lottery bid, without competitive tendering. Should this be acceptable, it will be recommended to Resources Sub-Committee. In addition it will be recommended that the consultants who were also party to the lottery bid in respect of items (1) - (4) above be included on the list of tenderers for such work.

#### **6. KEY ISSUES**

- 6.1 ED1, ED2, ED3. The restoration and enhancement of the Jephson Gardens addresses or harmonises with a number of key issues, mainly Economic Development Aims (1), (2) and (3) and points ED6, Environmental Aims (2), (4) and (5) and points EN5, EN7, Equal

Access Aims (5) and (6) and point EQ1:- Joint Working Aims (7) and (11) and point JW12. Other benefits which accrue are; greater appeal to visitors, general improvements in the appearance and quality, greater opportunities for floral displays, recreation, public art and nature conservation.

## **7. ACTION REQUIRED**

Members are asked to consider three issues.

- 7.1 Firstly, to approve the resolution as set out in paragraph 3.1, in order to fulfil the requirements of the contract between Warwick District Council and the National Heritage Memorial Fund.
- 7.2 Secondly, as set out in paragraph 4.1, approval that Spokespersons or their representatives sit on a steering group for the Jephson Garden project which will meet several times a year to consider the project and its progress through the construction stage.
- 7.3 Thirdly, as explained in paragraph 5.2, to confirm the appointment of Plincke Landscapes Ltd as consultant for the management of the implementation of the restoration plan. To support a recommendation to Resources that Gifford and Partners be appointed as restoration specialists, subject to the approval of the Heritage Lottery Fund, and approve that the consultants who were a party to the lottery bid for the consultancy work, referred to in paragraph 5.3 be included on the appropriate list of tenderers.

**Nigel Bishop**  
**Parks Cemeteries and Crematorium Manager**

Background Papers:	Previous Committee reports and lottery application
Contact Officer:	Nigel Bishop 01926 317853
Areas in District affected:	Leamington Spa