

**SCRUTINY PANEL
10 SEPTEMBER 2013**

Present :- Councillor Beverly Davies (Chairman)
Councillors Kevin Bentley, Nick Cope, Marcus
Harrington, Dave Harris, Jo Hayes and Mike Hogg
Substitute Member :- Councillor Theresa Higgins for Councillor Peter Higgins
Also in Attendance :- Councillor Paul Smith

23. Apologies

Councillor Gerard Oxford gave his apology for not attending the meeting.

24. Minutes

The minutes of the meeting held on 20 August 2013 was confirmed as a correct record.

25. Work Programme

RESOLVED that the Panel noted the Work Programme.

26. Final Overview - firstsite - the construction project for Colchester's Visual Arts Facility

Councillor Bentley (in respect of the company Mosaic being a business partner of firstsite, and being a Member and Portfolio Holder at Essex County Council) and Councillors T. Higgins and Harris (in respect of being Members of Essex County County) all declared a non-pecuniary interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(5):

Final Overview – firstsite – the construction project for Colchester's Visual Arts Facility

The Panel was invited to undertake a final overview of the outturn of the construction project which delivered 'firstsite', Colchester's Visual Arts Facility.

Councillor Smith, Portfolio Holder for Business and Resources, and the responsible Portfolio Holder during the final days of the project, and Mr. Ian Vipond, Strategic Director of Commercial and Place attended the meeting for this review. Mr. Vipond introduced the report.

Mr. Vipond said the Finance and Audit Scrutiny Panel had undertaken several reviews of the firstsite project while it was under construction and particularly in the context of the works becoming stalled and project costs increasing substantially, and this report provided the Scrutiny Panel with the final overview of the construction project of firstsite.

Mr. Vipond explained how the project had stalled following the construction going off the rails and resulting financial increases. The project recommenced, with Councillors Hunt and Smith as the responsible Portfolio Holders during this second phase, operating with revised budgets and timescales and was completed within budget and on time.

The Council did seek to recover the additional monies, and a substantial amount was recovered, with significant sums repaid to the Council and other main funders of the second phase work.

Mr. Vipond said the original objective, to provide an arts centre to Colchester, a flexible facility with a range of artistic and cultural activities has been realised and proved to be successful.

The intention of the firstsite project was to kick-start the regeneration of that part of the town centre, and whilst the regeneration was not as rapid as everyone would have liked, it was beginning to happen, with the Greyfriars building being converted into a 40 bedroom boutique hotel, East Hill House looking to proceed to convert to a fine dining restaurant, and the Old Police Station being redeveloped into the Creative Business Centre.

Councillor Smith said the problems facing all the major funders five year ago were severe. The Council was given excellent advice from their legal representatives, and was, after recovery of all its legal costs, able to recover a substantial amount of money. Councillor Smith thanked all councillors for supporting the additional funding required to support the legal action that was taken.

Councillor Harrington said a recent Scrutiny Panel meeting held at the Auditorium, firstsite, the meeting was beset with problems, including poor sound acoustics, faulty microphones, inadequate air conditioning and a lack of refreshments. Councillor Smith said that due to financial restraints during the second phase of development there had to be some compromises made, whereas seven years ago it was envisaged that all the fit-out would be state of the art. This accepted, Councillor T. Higgins said the sound system at firstsite was very good, but what was needed on site was a sound technician for events such as public meetings.

Councillor Harris said it was important that lessons had been learnt from this development, but closure was long over-due, time to move on.

Councillor Bentley said he had supported the visual arts facility project from the outset and congratulated the Administration on successfully delivering the firstsite project, and believed it was an excellent building and arts facility. Councillor Bentley endorsed the report that provided the final overview.

Councillor Hayes concurred that it was important that lessons had been learnt regarding avoiding the commencement of works without contracts being signed. Councillor Hayes commented on how magnificent the firstsite building looked when observed from outside the Natural History Museum on a recent 'Night of Action' in the Castle Ward. Mr. Vipond confirmed to Councillor Hayes that visitor numbers to firstsite are measured by an electronic door counter.

RESOLVED that the Panel noted the report providing the final overview of the outturn of the construction project which delivered firstsite, Colchester's visual arts facility.