

Report to: Cabinet



Date of Meeting 5 January 2022

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## Seaton Jurassic

### Report summary:

This report provides an update on the current position, specifically progress on the recommendations from the October Cabinet and further next steps.

With a positive Stakeholder meeting back in early November along with the responses to our soft market testing, we know that there are a number of apparently credible operators who would continue to run the Centre in a way that is consistent at least in part with the initial purpose of Seaton Jurassic, albeit with a more commercial slant alongside and would most likely avoid EDDC needing to repay DCC and Heritage Lottery Fund.

At the Cabinet meeting of 6<sup>th</sup> October 2021 Cabinet acknowledged:

- (1) That the Centre will remain closed until a final decision has been made over the preferred option for its future use and whilst the remedial works are being fully scoped.
- (2) The current position set out in sections 2-9 of *(that)* report.

Cabinet recommended:

- (3) That arrangements be made to ensure that should the building remain vacant for the summer season of 2022, that opportunities are explored to ensure a café type use can trade in part of the building for the summer season as an interim measure.
- (4) That best efforts are made to negotiate and agree with the three principal funders arrangements to protect the Council's position against having to repay the principal sums.
- (5) That the next steps set out in section 10 *(of that report)* are progressed.
- (6) That the three options set out in section 11 of *(that)* report be considered with a further report to Cabinet for January 2022 as per the Next Steps detailed in *(that)* report.

Cabinet recommended to Council:

- (7) A revenue budget of £45,000 to meet ongoing holding costs for this financial year.

This report addresses progress on recommendations 3-6 above. Next steps (recommendation 5 above) is proving challenging from both a resourcing and technical perspective and it is now proposed that a report be brought back to Cabinet not in January, but rather May or June 2022 for the reasons that will be outlined in this report. There are advantages with this revised timescale. Should occupier demand exist, this timeline would enable a café operator to trade during the summer 2022 season, and an agreement reached with any potential new occupier over any necessary building works with a view to enabling a new provider to potentially take occupation of

the property in the Autumn of 2022 if undertaking the works themselves / later if EDDC to undertake works.

A Stakeholder meeting took place in November 2021 and it was clear from this that not only was there significant appetite for an Interpretation Centre to remain, that that this was what the funders expected, but most importantly that there are really good ideas on how an Interpretation Centre could work, different to the previous offering, but still broadly aligned with the original objectives of the Centre. Ultimately the appetite and viability for this will be tested through the formal marketing that is proposed within this report.

The approach and timescale set out in this report has the benefit of enabling us to delay doing any building works this summer therefore making the temporary café offering for the spring / summer 2022 season more appealing but does not impact on the ability to have a new operator open in spring 2023 as was always the intention.

A Part B Cabinet Report will follow in May /June 2022 once all necessary due diligence has been completed on potential new Operators/Service Providers and the extent of the Building Defects have been fully scoped and costed.

**Is the proposed decision in accordance with?**

Budget Yes  No

Policy Framework Yes  No

**Recommendation:**

Cabinet acknowledge:

- (1) That the decision over the future of the Centre is to be made once a Tender exercise for a new Operator/Provider has completed in 2022.

Cabinet recommend that:

- (2) A public marketing exercise via an external Commercial Agent is commenced in February 2022 in order to secure interest from a new Operator /Provider with the results to be presented to Cabinet in a Part B report in May /June 2022 for debate and decision at the same time as confirming the extent of the remedial works required, with costings, and to also provide recommendations for next steps.
- (3) A public Marketing exercise via an external Commercial Agent is commenced in January 2022 in order to secure interest in a café type use which can trade in part of the building for the summer season of 2022.
- (4) An exercise is carried out in January 2022 to agree terms for the appointment of a Commercial Agent to market the freehold /long leasehold interest in Seaton Jurassic so that the process is ready to start immediately after the Cabinet recommendation (recommendation 2 above), if it is necessary to pursue Option 3 of the Cabinet Report 6<sup>th</sup> October 2021.

Cabinet recommend to Council:

- (5) An additional Marketing, Legal & Professional fee budget for the Café & Centre of £25,000 for the work involved in recommendations 2 and 3 of this report.
- (6) Enabling works budget of £10,000 to enable the Café to be self-contained from the Exhibits space during the Summer of 2022 along with any other enabling works for a Café.

## Reason for recommendation:

In order to arrive at a reasoned and permanent decision on the future of Seaton Jurassic, it is clear that further due diligence is required on Options 1& 2 (October Cabinet) before Officers can make a recommendation to Cabinet over the future of this building. The necessary reports which must accompany such a decision will not be available until after the January Cabinet and a final decision can only be made once the relevant information has been received and a public marketing exercise has concluded.

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Portfolio(s) (check which apply):

- Climate Action and Emergency Response
- Coast, Country and Environment
- Council and Corporate Co-ordination
- Democracy, Transparency and Communications
- Economy and Assets
- Finance
- Strategic Planning
- Sustainable Homes and Communities
- Tourism, Sports, Leisure and Culture

**Equalities impact** Low Impact

**Climate change** Medium Impact

**Risk:** High Risk; The responsibility for the building has fallen to the Council from the 17<sup>th</sup> September 2021 which has immediate financial implications with rates, insurance and other liabilities and the reputational implications of such a facility being closed to the public. There are also the challenges around re-opening as an interpretation centre, if indeed that is possible. There are obligations the Council must follow in accordance with funding agreements when the centre was built and investment is required to address the design defects. Whilst plans can be made for a temporary café use in Spring / Summer 2022 the season is very dependent on any covid restrictions. A similar risk around covid also exists for more permanent uses as we know from DWT that this impacted heavily on them.

**Links to background information** [Cabinet Report of 6<sup>th</sup> October 2021 \(item 93\)](#) & [Soft Marketing Pro-forma](#)

**Link to [Council Plan](#)**

Priorities (check which apply)

- Better homes and communities for all
- A greener East Devon
- A resilient economy

## Report in full

- 1.0 For ease of reading, the report will follow the recommendations (recommendations 3-6 only) from the 6<sup>th</sup> October Cabinet report, namely:

- (3) That arrangements be made to ensure that should the building remain vacant for the summer season of 2022, that opportunities are explored to ensure a café type use can trade in part of the building for the summer season as an interim measure.
- (4) That best efforts are made to negotiate and agree with the three principal funders arrangements to protect the Council's position against having to repay the principal sums.
- (5) That the next steps set out in section 10 (*of that report*) are progressed.
- (6) That the three options set out in section 11 of (*that*) report be considered with a further report to Cabinet for January 2022 as per the Next Steps detailed in (*that*) report.

- 2.0 **That arrangements be made to ensure that should the building remain vacant for the summer season of 2022, that opportunities are explored to ensure a café type use can trade in part of the building for the summer season as an interim measure.**
- 2.1 It will be possible to have a Café use in part of the building during the summer of 2022 and it is proposed that marketing of the space commences in January 2022. However, the works required to address the design defects in the building and all other associated building issues will not have been carried out prior to occupation of any Café operator. Part of the building being used as a Café could be enclosed and treated as a self-contained demise, but various issues in terms of security, health & safety and shared facilities (WC's, water, electric, alarms etc.) will need to be discussed and resolved with the potential new temporary occupier before their occupation can be confirmed.
- 2.2 With the full costed design defects solutions not expected to be known until the spring of 2022 and due to the requirement to complete a Tender exercise with results ready for a May /June Cabinet meeting, in all likelihood these works will not commence until late summer 2022. However, it is also possible that a new occupier would be prepared to address the M&E issues in the building as part of the overall deal to take a new lease of the property and so avoid the Council having to carry out the works, but accepting that the principal share of the cost of doing said works will need to form part of any deal to take on a new lease of the Centre. Officers will be able to confirm the position in respect of the works from both a legal and commercial point of view in a Part B Cabinet report due to be issued in May/June 2022.
- 2.3 There is sufficient detail on the running of the building, the building condition and the offering available to commence formal marketing of this offer in January 2022 ready for a new trader for the season to start trading at Easter and it is anticipated that the Café operator will be making an offer for the temporary use of the Café on the basis that there is no heating or ventilation in the building or that local heaters will be provided. This is likely to reduce any rental offer made for the property.
- 2.4 Alongside any café business, we will also consider whether the cafe operator could make some temporary use (for Spring / Summer 2022 only) of any of the exhibition or other space in the building or outside for soft play purposes or similar uses, as those involved in the soft marketing exercise referred to in section 6 below have all asked whether they can install soft play equipment in the building during the summer season.
- 2.5 Furthermore, a small and temporary Countryside offering could be present in the building over the Spring/Summer to compliment and signpost the Wetlands.
- 2.5 It is not anticipated that all of the additional running costs incurred during the Spring /Summer period of 2022 will be covered by the temporary letting to a Café Operator but the

importance of a presence throughout the Spring /Summer months of 2022 is recognised as the principle motivation for securing an occupier for these months .However, officers will use best endeavours to achieve the best returns possible from any occupier.

2.6 Furthermore the two Principal Funders will be contacted in advance of any temporary letting to ensure EDDC formally obtains their approval to a temporary letting which might be in breach of the obligations in the Funding Agreements and to avoid them triggering the repayment of any monies under those Agreements.

**3.0 That best efforts are made to negotiate and agree with the three principal funders arrangements to protect the Council's position against having to repay the principal sums.**

3.1 Heritage Lottery Fund (HLF) & Devon County Council (DCC) attended the Stakeholder Forum on 4<sup>th</sup> November referred to under section 5 below and they provided some general guidance in the meeting on their position regarding the future of the Centre.

3.2 Both stated that they would not be able to formally confirm their position without first considering the details of a specific offer but they were keen to see proposals from new operators/ service providers who would meet the original brief for the Centre.

3.3 They did state that they are highly likely to ask for the return of part or all of the funds they contributed to the Centre should Option 3 (commercial leasehold / freehold disposal at highest value) be pursued and the building no longer contained an acceptable offer in relation to the building's core purpose being that of an Interpretation Centre. The required scale of the interpretation element was discussed but both funders said that their positions could only be determined upon sight of an actual proposal.

3.4 A letter was sent to both Funders on 8<sup>th</sup> December 2021 which has asked them to formally confirm what they stated in the Forum.

3.5 It has been confirmed by Legal Services that CCF are unable to request any refund of any Grant monies so only HLF & DCC will be involved in any future discussions over the future use of the building.

3.6 Currently, in terms of Option 3, we will need to assume repayment of the funds (in part at least) from HLF and DCC should that be the preferred exit strategy for the building.

**4.0 That the next steps set out in section 10 (of that report) are progressed.**

4.1 Conclude and summarise where we are with DWT following them vacating on 17<sup>th</sup> September. This will provide clarity of the 'offering' available.

4.2 A Schedule of Dilapidations was served on DWT in two parts the first being 13<sup>th</sup> September & the second on 16<sup>th</sup> November 2021. DWT have largely complied with their obligations but some outstanding matters are still being resolved.

4.3 The Schedule cannot be fully signed off until all matters are resolved nor should it be until it is known whether EDDC wish DWT to reinstate the property and remove the fixtures and fittings they currently store in the building. This decision depends on future uses and it will not be possible to make such a decision until after the Tender exercise for the new Service provider /Operator has completed next spring.

- 4.4 Agreement of and formalising arrangements for potential back payment of water rates is needed as it is not clear whether DWT have been fully billed in this respect for their full period of occupation.
- 4.5 DWT were also issued with a formal letter on 6<sup>th</sup> December 2021 from the Council's CEO which confirmed that DWT have an ongoing mutual liability for a share of any refunds claimed by the Funders. This is in accordance with the terms of their Lease and Trading Agreement which contain a mutual indemnity relating to the consequences of either EDDC or DWT breaching the terms of the "Grant Funding" which is defined as 'any funding obtained jointly by DWT and EDDC which requires repayment in the event that there is a failure to comply with its conditions'. It is expressly stated to include funding from HLF. Therefore, this definition will encompass funding where EDDC acted in conjunction with DWT and/or where DWT's input was required to obtain such funding, even though DWT may not have been named as a party to the relevant funding agreement. DWT will therefore remain liable for any claim made by a funder for repayment of grant monies in the above circumstances. To protect EDDC's position, DWT must acknowledge and accept this ongoing liability, flagged to them earlier this year.
- 4.6 At the time of writing this report it is intended that DWT will take a further 6 month licence to store their fixtures and fittings (as the current Licence expires 17<sup>th</sup> December 2021 ) and until such time as EDDC determine whether we / or a future operator require any of them . The cost of purchasing such items will then also have to be agreed with DWT. Once the marketing exercise has been carried out for a new Provider/Operator, it will only then be possible to make a decision on what needs to be removed by DWT and the dilapidations finalised.
- 5.0 Engage with stakeholders
- 5.1 EDDC held a virtual meeting on 4<sup>th</sup> November with members of the Seaton Jurassic Forum, wider Funders, Cabinet, Ward Members and Officers. The purpose was to hear thoughts as to future uses and what was felt viable / deliverable .The meeting was very well attended and also had the benefit of two guest speakers who were very familiar with the initial Seaton Jurassic Project, Dr Sam Rose and Doug Huyler.
- 5.2 Questions included what was EDDC's vision for any future use of the building as an Interpretation Centre, what vision does the Council have for the future of Seaton now that it is no longer one of our 'regeneration towns' and does a relaunched / refocused Seaton Jurassic with closer ties to our work at Seaton Wetlands/ other local nature reserves and our work on the climate change emergency / concern over river pollution in the Axe have a role to play in Seaton? Further it was asked whether the Council had any plans to draft a Tourism strategy for the Town and surrounding areas.
- 5.3 It was clear that the attendees were all very keen to help EDDC find another Interpretation Centre Operator /Service Provider to take over the building which would ensure the link to the original vision for the centre was maintained, being that it remained an integral part of the 'string of pearls' showcasing the Jurassic heritage along the Devon & Dorset coastline.
- 5.4 All parties agreed to meet up in early in the New Year to review progress and this meeting is likely to take place at the end of January /early February 2022.
- 5.5 HLF & DCC representatives were in attendance and they confirmed ( as far as they were able to do so in the absence of a formal proposal to consider) that they would expect part or full refund of the grant monies should the Centre cease to be used as an Interpretation Centre.

- 5.6 Both of these Funders have been asked to formally confirm their positions as stated in section 3 of this report and a response is awaited.
- 6.0 Engage with those who've expressed an interest – soft marketing on a 'without prejudice' basis
- 6.1 The eight interested parties who had previously expressed an interest in Seaton Jurassic were contacted in November 2021 and asked to complete a standard pro-forma, template attached as a background document. Each party was asked to confirm whether they were still interested and if so, to provide additional details on the nature of that interest, including who they were and what they had in mind to do with the Centre, but they were not asked to make any formal offer.
- 6.2 Four parties out of eight in total responded (details omitted due to this being a public report):
- 1) A start-up who is looking for support from the Prince's Trust, with no previous related experience, confirmed interest for use of the Centre for play, café and community space
  - 2) A visitor experience operator who runs national visitor attractions and leisure facilities and who wishes to run the building as a visitor experience/interpretation Centre combined.
  - 3) A successful local business who along with completing the pro-forma, provided further detailed information which reinforced their ability to offer a viable solution which meets the criteria set out in Option 1 (continuing as an Interpretation Centre).
  - 4) A sports / leisure operator.
- 6.3 Officers took three interested parties around the building and a meeting was held with the fourth. Each interested party expressed a desire to run the café on a temporary basis during the Spring / Summer and also asked whether the freehold was available but confirmed they would be interested in a long term lease if it wasn't. They also all asked whether soft play would be permitted in part of the Centre in the summer and permanently. The link to the original vision for the Centre was discussed and that they would need to demonstrate an understanding of what is required in any subsequent formal bid in relation to sustaining the interpretation offer in the Centre and its importance to the string of pearls concept in relation to the World Heritage Site designation. They were all also prepared to consider carrying out any necessary M & E works to the building as part of the overall deal.
- 6.4 The best way to now secure a genuine and viable interest in the Centre is to carry out a national marketing campaign as this exposure to the wider property market was not achieved by the soft marketing exercise undertaken to-date. A formal marketing campaign will ensure the property is promoted to all possible interested parties and that EDDC receive serious offers for the property which can be properly considered. It will also evidence best consideration obligations are being met in any leasehold disposal and will also demonstrate to the Funders that all reasonable attempts have been taken to secure a new Interpretation Centre operator.
- 6.5 Each potential new provider also had no issue with Countryside having a permanent small 'base' in the Centre going forward, subject to reasonable terms being agreed in respect of their occupation.

- 6.6 The Countryside Service have considered the potential for them to occupy Seaton Jurassic. They have considered an immediate term solution (2022 spring / summer season) but also longer term. I will deal with the two separately:
- 6.7 Countryside Service Immediate Term Solution– If a café operator were to occupy in part, and therefore the building (or part) was opened, the Countryside Service could have a modest presence in the reception/foyer area or cafe where we can provide staff/volunteers to help raise awareness of the Jurassic coast link and also to signpost visitors to the Wetlands. The presence of the building design defects, the ageing exhibition, items removed by DWT, along with the lack of revenue funding and staffing makes a more comprehensive offering by the Countryside Service not possible.
- 6.8 Countryside Service Longer Term Use - The creation of a Seaton Wetlands Visitor Centre (SWVC) that would deliver a repurposed and reimagined centre which would be a direct physical and intellectual link to the Seaton Wetlands which focusses on delivering a wetlands experience/journey starting from the centre. This could be achieved by:
- Aligning the centre with a wider countryside and nature theme (with climate change themes) that draws together all the strengths and success stories of the Seaton Wetlands as an award winning wetland reserve.
  - The original vision for the centre was for it to be the “hub” acting as an attraction/centre for the town as a ‘Natural Seaton’ destination for its unique natural environment with the Wetlands as one of the “spokes”. This still remains true despite the failure of the Jurassic Coast brand to attract visitors as anticipated.
  - The USP for a Seaton Wetlands Visitor centre lies with the unique and obvious links physically into the Wetlands via the Stop Line Way cycle path and Seaton Tramway halt links, which will create an exciting countryside experience which can be monetized without the need for an entry fee to the building itself.
  - The planned capital investments are also vital to further enhance the visitor experience leading to and from the Wetlands – the access from the centre onto Sheep’s Marsh will be crucial to deliver that linkage.
  - The repurposed centre would provide visitors with information, interpretation and engagement based around the wildlife on the wetlands and its ecology with a virtual experience delivered through webcams on “wildlife hotspots” (think Spring watch!) and how to participate in events and activities being run on the site by our team.
  - The SWVC would also still provide an important educational resource for all schools at primary and secondary level that links seamlessly with what the Wild East Devon team currently deliver on the wetlands – the centre provides an excellent indoor learning facility which will help provide an all year round offer for schools. We would look to make this a premier destination as a non-residential field studies centre for schools and universities.
  - Further developments will include looking to market a “Wetlands experience” via bicycle from the SWVC with a unique opportunity for a local cycle hire facility to fully exploit the Stop Line Way & nature reserve linkages – ambition is to mimic the success of the Camel Trail as a safe recreational route working with DCC to develop/invest in.
  - Also to further develop our health & wellbeing work with providing mindfulness courses & activities within the centre working with local mental health organisations and AGE UK that we have already developed to provide activities and events that deliver our Public Health Plan...as well as consolidating our volunteer network (which is now over 200 signed up volunteers).

- Develop the cultural arts offer working with THG and the proposed ACED platform which can utilise the centre for commissioned art exhibitions that draw in the locality's high quality natural environment and linked climate change messages (e.g. Climate Cabin, THG's "out & about" programme etc.)

6.9 Notwithstanding the opportunities here for the Countryside Service to deliver, significant revenue and capital funding would be required. If other operators are interested in continuing an Interpretation type centre, as appears to be the case, this might be a better outcome. The Countryside Service would clearly work closely alongside any new operator, potentially even having a physical presence within the building. Should interest not materialise through the proposed marketing, then the Countryside Service will look at the concept in more detail.

6.10 Any future marketing of Seaton Jurassic will therefore include a requirement for any future operator /owner of the property to retain a small space for use by Countryside on a permanent basis to promote the Wetlands and the heritage of Seaton Jurassic.

7.0 Further report back to Members for an instruction on which of the 3 options to pursue and then pursue formal marketing (as appropriate) as per the agreed option

- Continue as an Interpretation Centre focussing on the Jurassic Coast (or perhaps other local/ Jurassic / heritage themes)
- Interpretation Centre / more general attraction but not focussed on the Jurassic Coast
- Market freehold / leasehold to highest bidder

7.1 For the following reasons, this is simply no longer feasible by January 2022:

- Essential Building defects information and costings have not yet been provided by the external Consultant and fully scoped out proposals will not be ready until Spring 2022.
- A decision on whether or not EDDC have to carry out the building works should only take place once potential new occupiers have confirmed whether or not they will be prepared to undertake the building works in return for a contribution or similar concession from EDDC.
- It was clear from the Forum meeting that taking all steps necessary to find a new operator /service provider under Options 1 & 2 should be exhausted before any decision on the future of the building is made.
- The Tender exercise required in order to identify a suitable new operator has not taken place and is not planned to start until February 2022.
- The Soft Marketing exercise has suggested that there are four possible suitable operators who would meet the requirements of the Funders but no formal offers have been requested nor made at this stage as the Centre must be exposed to the wider property market in order to secure best value.
- Legal advice has also not been received from external Legal Consultants and this advice should be available before any decision is made over the approach to be taken to the building defects.
- Dilapidations have not been agreed with DWT including reinstatement obligations.
- The two principal Funders will only confirm their position in respect of repayment of any grant monies once they have been presented with a formal and firm offer from another potential Operator /Service provider and that is not going to be available until after the Tender exercise completes in Spring next year.

## 8.0 Building Defects Update

8.1 Although a formal report from the appointed consultant on the anticipated costs for repairing

the building defects has not been received, the potential costs are still considered likely to be in excess of £100,000 which should cover the potential cost of both the works and associated fees.

8.2 The review carried out by the Consultant identified a number of issues relating specifically to the building fabric but these are less extensive than that of the MEP installations.

In principal M&E issues noted are as follows:

- The spaces are too cold in the cooler months and the heating system is unresponsive and takes too long to heat the space.
- Numerous plant failures
- Controls not integrating the operation of the heating and ventilation correctly.
- High energy costs due to the plant running for extended periods

The principal building fabric items have been identified as follows:

- Defective finish “Dusting” to polished concrete floors areas to the reception area, office, lobby and retail, / café space.
- Sliding entrance doors have been subject to a number of repairs to its thresholds which have dropped making the doors difficult to operate.
- Corroded areas to the metal plant room doors at high level
- No designed safe access for maintenance for the roof mounted PV system.
- Foul and surface water drainage systems installation/ design issues which has resulted in the flooding of the site and adjacent environs on one occasion

8.3 A Legal Data Room (digital) now contains all available documentation relating to the construction of the property. Legal Services have appointed Bevan Brittan to review the files and an initial letter of advice is expected to be received in January but not in advance of the Cabinet meeting.

## **9.0 Other Updates**

9.1 Communications & Marketing Team activities - The Communications Team at EDDC continue to look after the digital assets (social media channels and web site) for Seaton Jurassic. Updates have been posted on these platforms when press releases have been issued by the council and when any other relevant news that would be of interest to visitors to the site has been communicated. A communications plan will be prepared by officers in 2022 and will report on any future significant milestones.

9.2 Valuation & Marketing Advice - A high level Options report was provided by Lambert Smith Hampton in November 2021. The report suggested that the best alternative use for the site was a mixed commercial & residential scheme as this would take into account the uncertainty of flooding at this location. Their view was that the existing building in its current layout and condition would only attract a special purchaser and that any potential for the building to be used as offices was extremely limited due to a lack of demand for such space in Seaton. Hotels, Childcare and Care Home interest is unlikely due to the small footprint of the site and although it would only be possible to gauge interest from Cinema operators, Bingo Halls, petrol filling stations, car showrooms and other sui generis users from a full marketing campaign, these uses are unlikely to be viable and planning consent is unlikely. The building does however offer potential for a mixed retail / café restaurant type offering. If the decision by Cabinet at a future date is to proceed with Option 3 as detailed in the Cabinet report of 6<sup>th</sup> October 2021, it is clear that the optimum way to achieve best value of the site is by appointing an external Commercial Agent who will prepare a more formal Marketing report prior to pursuing a Marketing campaign requesting any and all interested parties to make an offer for the building.

## 10.0 Next Steps

10.1 The following activities will take place between now and the provision of the Part B Cabinet Report in May/June 2022.

- External Marketing of the Centre with a view to securing a permanent new Service Provider /Operator
- External Marketing of the Café in order to secure a new café operator (and ancillary uses) for the Spring / Summer season of 2022
- Secure Legal advice on EDDC's position regarding the Building Defects
- Obtain a costed Building Defects & Recommendation Report from the external Consultant
- Go to Tender to obtain the costings for remedying the Building Defects
- Agree which items are to potentially be purchased from DWT in conjunction with any new operator and their price
- Carry out enabling works in order to self-contain the café for the summer season
- Hold another SJ Stakeholder Meeting
- Agree which fixtures and fittings in the building need to be acquired for a new service provider
- Oversee the removal of any remaining DWT fixtures and fittings /complete dilapidations

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### **Financial implications:**

The are no financial implications at this stage as this an update report.

### **Legal implications:**

The report covers the legal position in relation to certain aspects (building defects, external funding) although further work is still necessary in those areas to ensure decision making can be properly informed. This is still dependent in certain regards on the future use of the building, which is yet to be established. Consequently at this stage, and as previously, Legal Services will assist in the work and also advise generally on future uses as and when required. Otherwise the recommendations do not raise any specific legal implications requiring comment.