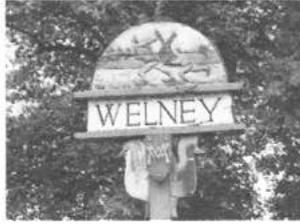


# Welney Parish Council

Chair: Cllr John Loveday  
Mill House  
March Road  
Welney  
PE14 9SE  
Tel: 01353 610353  
Email: [john@demsports.com](mailto:john@demsports.com)



Clerk: Mrs Vikki Austin  
The Barn  
Main Street  
Littleport  
CB6 1PH  
Tel: 01353 860449  
Email: [Welneypccclerk@gmail.com](mailto:Welneypccclerk@gmail.com)

---

## MINUTES of the Extraordinary meeting of Welney Parish Council Held on Friday 9 August 2 July 2019 at 7.30 pm in The William Marshall Centre, Hurn Drove, Welney, PE14 9SD

### Present:

Cllr J LOVEDAY - Chairman - Apologies  
Cllr A GILES - Vice Chairman  
Cllr M BARKER  
Cllr D LOWRY  
Cllr D HARVEY  
Cllr R GILES  
Cllr K GOODGER - (Acting Vice Chair in the Absence of Chairman)  
Cllr B STEELE - Apologies

### Also Present:

CCllr Rose  
DCllr D Pope  
7 members of public

Minutes: Nichola Cowell

### 19/20.34 CHAIRMAN'S WELCOME

The Chair welcomed people to the meeting and stated that the meeting had been called because of concerns about the investigation and report undertaken by CICAIR Ltd, the Building Control regulatory body following the construction of the William Marshall Centre and the subsequent signing off for Building Control by Assent Building Control and that the Parish Council wanted to look at the current situation and agree a way forward. He emphasised that no one was pointing a finger and asked that the village work together to find a satisfactory resolution.

In the absence of the Clerk to the Parish Council councillors were asked if they agreed to Nichola Cowell taking the minutes of the meeting. This was agreed unanimously, and the meeting went ahead.

### 19/20.35 APOLOGIES

Vikki Austin - Apologies - Accepted  
Cllr B Steele - Apologies - Accepted  
Cllr J Loveday - Apologies - Accepted

### 19/20.36 DECLARATIONS OF INTEREST

None

### 19/20.37 WILLIAMS MARSHALS CENTRE - FOOTINGS

Sent from my iPad

## **Background**

Construction of the William Marshall Centre on the land to the edge of the cricket ground in Herne Drove Welney was completed in April 2016.

In June 2017 John Loveday commissioned an independent surveyors report of the William Marshall Centre following his own personal concerns and the concerns of other member of the public that the building was unsafe as the foundation system was unsuitable for the fenland soil on which the building stands. The survey was carried out by John Watson and Partners, a structural engineering firm based in Peterborough. John Watson's surveyor carried out soil tests in different areas of the site. The conclusion of the survey was that the foundation system was unsuitable and that the final construction of the building contravened statutory building regulations. A copy of the report was forwarded to the Welney Parish Council.

In September 2018 a survey was then undertaken by Assent Building Control, the organisation responsible for signing off Building Control. This survey took place as the result of a meeting with members of the parish who had raised concerns about the safety of the building. Their report clearly states that they do not find the building in contravention of Building Regulations.

A resident of Welney then filed a complaint against Assent Building Control with CICAIR Ltd. CICAIR Ltd maintains and operates the Construction Industry Council Approved Inspectors Register (CICAIR).

Approved Inspectors are companies such as Assent Building Control that can provide an alternative to obtaining building regulations approval from a local authority and Approved Inspectors are the only Building Control Bodies to be approved, independently monitored and regulated by CICAIR Ltd under the Building Act 1984 to carry out building control work in England and Wales. Approved Inspectors registered with CICAIR Ltd are qualified to undertake building control work in accordance with Part II of the Building Act 1984 and the Building (Approved Inspectors etc.) Regulations 2010.

CICAIR Ltd looked at the complaint and upheld certain aspects of it. They found that Assent Building Control were not compliant with legislation; had not met their duty to uphold professional competence and that the approved inspector had demonstrated insufficient competence in dealing with the situation that has arisen at William Marshall Centre.

The CICAIR Ltd report states (Clause 2.1-1) "The complaint panel determined that no inspection was carried out before the erection of the building on the jacks and with the jacks variously on newly placed paving slabs and part of the foundation slab to the former building, differential settlement can occur. Should this happen the ability to adjust the jacks was not considered satisfactory as the settlement may be continuous."

CICAIR Ltd also stated that a Building Control Certificate should not have been issued as regardless of other issues the building was not disabled access compliant.

It should also be noted that in the building specification produced by Martin Reynolds Construction it states that "the foundation system will be steel low level jacks which are placed on 600 x 600 x 50mm concrete paving slabs and blocks depending on ground conditions".

## **William Marshall Centre Footings**

Three ex Parish Councillors and a County Councillor had booked slots to address the meeting with the Clerk to the Parish Council. The Chair then invited them to speak.

**Lanre Bombata (ex Welney Parish Councillor)**

Mr Bombata gave some background to circumstances surrounding the construction of the William Marshall Community Centre and the roles of the Parish Council and the Community Centre Action Group. He stated that the key point about the Community Centre is that it is built on a Grade 3 flood plain and as it was agreed that it was necessary for the building to be raised to 500 mm above ground level to conform with regulations the most suitable foundation system was the proposed steel jacks on concrete slabs as the building would be raised above the ground and if necessary could be raised even higher if the jacks were adjusted. He felt that as the Sports Council had accepted this proposal the village should also accept that the building had been constructed correctly. The Parish Council at that time had accepted the specification proposed by the builder. Mr Bombata stated that the William Marshall centre had been signed off by Building Control and he did not see that there was any further issue.

Mr Bombata also pointed out that John Loveday was the Chair of the Community Centre Action Group and it had been this group that recommended the building company Martin Reynolds Construction.

The Chair responded to Mr Bombata that the report from John Watson and Partners clearly stated that the building did not meet building regulations and that in the event that there was a problem in the future who would be accountable.

**Paul Edmonds (ex Welney Parish Councillor)**

Mr Edmonds stated that he felt there was a campaign by John Loveday who bore a grudge with the previous Parish Council to find fault with the building. He had done a computer search and found numerous instances of John Loveday complaining about the building. It was his belief that Mr Loveday had gone through a list of supposed defects until he found something that would stick. He did not understand why this had become an issue and did not understand why the current Parish Council felt that the Completion Certificate was incorrect.

The Chair responded by stating that all residents were invested in the village and wanted what was good and right for the village. There was a need for a sustainable community centre and because of this he felt that there was a need to further investigate what John Watson and Partners had said about the foundation system which was upheld by CICAIR Ltd following the resident's complaint.

**Peter Gardiner (ex Welney Parish Councillor)**

Mr Gardiner stated that an order was placed with Martin Reynolds Construction on 7 January 2015 who quoted for the construction of the William Marshall Centre as a modular build. The end result was compliant with the Martin Reynolds Construction specification and with building regulations. The specification was what the Parish Council had signed up to at that time and that is what had been provided.

County Councillor Rose stated that nowhere in the Martin Reynolds Construction specification document does it talk about the load bearing of the building or the ground mass. It was his opinion that the Parish Council should ask for the results of the soil tests as these would be key to the provision of the foundation system. He also stated that the slabs used to support the steel jacks should be square and not rectangular.

A member of the public asked the Chair if the public could ask questions. The Chair agreed that this was appropriate. She then asked who would be accountable if there was an accident in the building that was caused by the foundation system being incorrect. The Chair was unable to respond to this question as the report from John Watson states that the foundation system is incorrect. The meeting agreed that the Parish Council would bear some responsibility.

The Chair turned the meeting over to the Parish Council for discussion.

Denise Lowry asked for clarification about the problem as she had not been living in the village at the time. Ken Goodyer explained that all decisions regarding the construction of the Community Centre had been made by the Community Centre Action Team and their recommendations had gone to the Parish Council for agreement. A report about the building had been commissioned and presented to the Parish Council. John Loveday as current Chair of the Parish Council took advice from the clerk to refer the report on to the National Advisory Service and that they needed to look at the report and decide whether or not the Parish Council should take action.

Following a period of debate the Chair asked the Parish Council for recommendations for a way forward.

**Proposals for a Way Forward**

Denise Lowry proposed that the next steps should be 3 levels of action and that the Parish Council should attach clear timelines to each action point. In the first instance the Parish Council should write to Assent Building Control and ask for their comments on the report that has been received from CICAIR Ltd and should be given a date by which to respond. If the Parish Council was not happy with their response, then the next step would be to commission a second independent survey. If the finding of this survey is the same as the finding of the John Watson and Partners survey, then the third step would be to take legal advice. This was seconded by Ken Goodger. The Chair asked the Parish Council to vote. The vote was 3 for and 3 against. The Chair used his casting vote and the proposal did not go forward.

Ken Goodger stated his concern that the Parish Council were not acting on the recommendation of CICAIR Ltd in their report and going to Assent to get their response.

The Parish Council were also asked how they considered they would be able to pay for legal representation and there was concern that the Parish Council were not taking the advice of the Borough Solicitor.

Following further discussion Roger Giles proposed that the Parish Council get advice from a solicitor and that in order to do this the Parish Council should get quotes from 3 companies. This was seconded by Dot Harvey. The vote was 3 for and 3 against and the Chair used his casting vote to take the proposal forward.

The Chair will talk to the Clerk about next steps.

There being no further business, the meeting closed at 8.50 pm.

Next meeting 3 September 2019

Signed: ..... Chairman