



Working for a brighter future together

Portfolio Holder Decision

Date of Meeting: 21 June 2018

Report Title: Congleton Leisure Centre Redevelopment – Award of Contract

Portfolio Holder: Cllr Liz Wardlaw, Health

Senior Officer: Frank Jordan, Executive Director Place

1. Report Summary

- 1.1. The Council is seeking to redevelop Congleton Leisure Centre.
- 1.2. Following a Cabinet decision of 13th March 2018 (Appendix C), authorisation was given to the Executive Director of Place, in consultation with the Interim Executive Director of Corporate Services and the Director of Legal Services, to clarify, specify and optimise the Preferred Bidder's final tender to enable the Council to enter into a legally binding contract with the Preferred Bidder.
- 1.3. This clarification, specification and optimisation process of the Preferred Bidder's final tender has now been satisfactorily completed and has produced a final set of contract documents ("the Contract").
- 1.4. The final decision to award the Contract to the Preferred Bidder was delegated by the 13th March 2018 Cabinet to the Portfolio Holder for Health.
- 1.5. The purpose of this report is to seek the Portfolio Holder for Health's approval to award the Contract to the Preferred Bidder.

2. Recommendation/s

- 2.1. That the Portfolio Holder for Health give approval to award the Contract for the redevelopment of Congleton Leisure Centre to the Preferred Bidder.

3. Reasons for Recommendation/s

- 3.1. The Preferred Bidders design will achieve a significantly improved and redeveloped facility, incorporating the mandatory items required throughout the procurement within the target cost budget.

4. Other Options Considered

- 4.1. Not to award the contract to the Preferred Bidder.
- 4.2. Other Options Considered are set out in the Cabinet Report dated 13th March 2018 (Appendix C).

5. Background

- 5.1. The Background to this decision is set out in the Cabinet Report dated 13th March 2018 (Appendix C).
- 5.2. Since the Cabinet decision referred to in 5.1 a series of clarifications and refinements to the Preferred Bidders Final Tender has been undertaken to the satisfaction of the Project Team and the Council in order for the recommendation at 2.1 to be made. This has included the development and agreement of the Pre Construction Services Agreement and the Form of Agreement relating to the design and construction of Congleton Leisure Centre.

6. Implications of the Recommendations

6.1. Legal Implications

- 6.1.1. The Legal Implications to this decision are set out in the Cabinet Report dated 13th March 2018 and Appendices A and B.

6.2. Finance Implications

- 6.2.1. This project is included in the approved Capital Programme with a total allocation of £8.8m. The financial envelope for the scheme is £8.2m and bids were evaluated against this figure. The Preferred Bidder has submitted a proposal, which is within this financial envelope. It should however be noted that the contract being used for this project is a “target cost” contract and whilst the costs are currently estimated to be within the £8.2m envelope there is a risk that the final costs could be higher. A contingency sum is included within the overall project budget but the project will be closely monitored during the delivery phase and the level of contingency will be monitored accordingly.

- 6.2.2. The contract is a two stage contract consisting of a Pre-Construction Services Agreement stage leading to the submission of a full planning application, utilising a defined budget as set out in Appendix A.
- 6.2.3. Subject to securing the requisite planning approvals the remainder of the project budget will be authorised for the redevelopment and construction phase.
- 6.2.4. The Financial Implications to this decision are set out in Appendices A and B in addition to the Cabinet Report (Appendix C) dated 13th March 2018.

6.3. Policy Implications

- 6.3.1. Congleton Leisure Centre forms one of the portfolio of facilities managed by Everybody Sport and Recreation (ESAR) on behalf of the Council under a Leisure Operating Agreement which commenced on 1st May 2014. Within the Agreement is the requirement of the Trust to manage a redeveloped facility on the site with the expectation of being a significant contributor to the Council's Outcome Five, "People Live Well and for Longer".

6.4. Equality Implications

- 6.4.1. The redeveloped leisure centre will ensure that the site becomes fully accessible to all residents. In addition a range of programmes and facilities will continue to be developed by ESAR to attract a wide range of user groups.

6.5. Human Resources Implications

- 6.5.1. There are no HR or TUPE implications associated with this Portfolio Holder decision.

6.6. Risk Management Implications

- 6.6.1. The risk management implications are set out in the Cabinet Report dated 13th March 2018 (Appendix C).

6.7. Rural Communities Implications

- 6.7.1. The new and improved leisure facility will serve as a destination offering a diverse range of accessible facilities not only for Congleton town residents but also the wider rural communities in and around this locality.

6.8. Implications for Children & Young People

- 6.8.1. The Preferred Bidder solution will optimise the offer for a diverse user group. The skate park will remain and be enhanced and will see greater synergies of the indoor and outdoor leisure provision.

6.8.2. There is innovation within the Preferred Bidder solution which now sees opportunities for children (and families) to undertake a range of leisure pursuits not previously capable of being provided at the legacy facility, such as indoor climbing and soft play areas.

6.9. Public Health Implications

6.9.1. The provision of improved leisure facilities will enable the Council and ESAR to continue to make a significant contribution to Outcome 5 of the Corporate Plan “ People Live Well and For Longer”.

6.9.2. The redevelopment will provide elements of ‘lifestyle’ with inclusive facilities and community space accessible to a diverse user group.

6.9.3. Following the successful tendering by ESAR for the ‘One You Cheshire East’ contract from Public Health commissioners, the redeveloped facilities will become increasingly important in providing a range of programmes to improve active participation and improved health outcomes.

7. Ward Members Affected

7.1. Congleton East Members:

- Cllr Geoff Baggott
- Cllr David Brown
- Cllr Glen Williams

Congleton West Members:

- Cllr Paul Bates
- Cllr Gordon Baxendale
- Cllr George Hayes

8. Consultation & Engagement

8.1. The Contract requires a full planning application to be submitted so the proposal will be subject to public consultation.

8.2. The project team will engage with key stakeholders leading up to the submission of the planning application and subject to securing the planning application outlined at 8.1 above, maintain these relationships throughout the entirety of the project.

9. Access to Information

- 9.1. In accordance with paragraph 49 of the Access to Information Procedure Rules, Appendix A and B, Details of Contract is available to members on request (subject to appropriate steps being taken to protect any confidential or privileged information). *This Report contains exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 (Information relating to the financial or business affairs of any particular person (including the authority holding that information)) and is therefore not for publication.*

10. Contact Information

- 10.1. Any questions relating to this report should be directed to the following officer:

Name: Mark Wheelton

Job Title: Commissioning Manager, Leisure

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Appendix A – Part 2 Item

Appendix B – Part 2 Item

Appendix C – Cabinet Report 13.03.2018