

Agenda Item No:	16	
Committee:	Cabinet	
Date:	16 March 2023	
Report Title:	Wisbech Park Pavilion	

This item comprises EXEMPT INFORMATION in Schedule 10 which is not for publication by virtue of Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act, 1972 (as amended).

Exempt schedule 10 contains information about the financial and business affairs of the Council and 3rd party organisations for which the public interest has been assessed and favours maintaining the exemption in order to ensure that the Council is able to meet its obligations under the Code of Procurement and generally in relation to best value.

1 Summary

- 1.1 To update Cabinet on the progress of the development of a new pavilion in Wisbech Park and to ask Cabinet to consider the tendered cost of the pavilion and the additional capital funding requirement.

2 Key Issues

Growing Fenland Market Towns Funding

- 2.1 The CPCA made funding available through their Market Towns Initiative to deliver the priorities outlined in the Growing Fenland town plans. Several projects have already been delivered using this funding.
- 2.2 Initially a project to bring a disused Wisbech Park changing room back into use was considered. This project was replaced with a scheme to develop a new pavilion in the park instead.
- 2.3 CPCA has agreed funding of £299,200 for this project.

Government's Changing Places Fund

- 2.4 In March 2021 Government announced the Changing Places Fund. Changing Places toilets are larger accessible toilets for people who cannot use standard disabled toilets, with equipment such as hoists, curtains, adult-sized changing benches and space for carers. Over 250,000 people in the country need these facilities to enable them to get out and about and enjoy the day-to-day activities many of us take for granted.
- 2.5 Fenland applied for funding from this fund and was successful, with £60,000 committed to a changing places facility in the new Wisbech Pavilion, to be open when the pavilion is in use.

Cambridgeshire County Council - Community Capital Fund

- 2.6 The County Council set up a fund inviting bids for community focussed capital grants. FDC successfully bid to this fund for the Pavilion, with a grant of £240,000, with an additional £10,000 of match funding from FDC.
- 2.7 The County Council expects FDC to be into contract for the construction of the pavilion in March 2023. Any delay may mean that the grant funding is withdrawn.

Project Development

- 2.8 FDC has developed a design for the pavilion with a third party multi-disciplinary project management company. The design was based on delivering a community facility that fitted funders' requirements, suited the park's conservation status and provided an excellent facility for community use.
- 2.9 The design was based on a cost estimated to match the budget.

Tender Process

- 2.10 The project went out to tender in December 2022, with 7 tenders received in late February 2023. The range of tender values is significant.
- 2.11 Unfortunately, all tenders received exceed the remaining budget, after costs already incurred. As bids have not yet been formally reviewed and assessed for compliance, nor scored formally, all financial information regarding the tender returns in this report are held in exempt Schedule 10.

Additional funder support

- 2.12 Enquires have been undertaken with the County Council and CPCA. Neither party has additional funding available.

3 Recommendations:

- 3.1 To note project progress.
- 3.2 To consider the financial position of the project, following tender returns, and to decide whether
 - a) to continue the project with the tendered costs and estimated capital requirement from FDC detailed within exempt Schedule 10, (subject to tender assessments).
 - or
 - b) to suspend the project due to the cost implications.

Should Cabinet decide to move forwards with the project;

- 3.3 To delegate to the Section 151 Officer, working in consultation with the Portfolio Holders for Finance and Environment to facilitate the additional capital sum required, as detailed in the exempt Schedule 10, allowing acceptance of the best value compliant tender when tender assessments are completed following FDC's code of procurement.

- 3.4 To delegate to the Section 151 Officer, working in consultation with the Portfolio Holders for Finance and Environment to enter into a construction contract with the best value compliant tenderer to build the Wisbech Park Pavilion.

Wards Affected	Wisbech	
Forward Plan Reference	<u>KEY/07DEC22/01</u>	
Portfolio Holder(s)	Cllr Peter Murphy	Portfolio Holder for Environment
Report Originator(s)	Phil Hughes	Head of Leisure and Open Spaces
Contact Officer(s)	Phil Hughes Carol Pilson Peter Catchpole	Head of Leisure and Open Spaces Corporate Director Corporate Director
Background Papers	Confidential tender documentation	

4 BACKGROUND AND INTENDED OUTCOMES

- 4.1 Following the Council's successful grant applications, the pavilion has been designed to a budget to deliver a café, community space, changing places toilet and external public toilets - to replace the ageing toilets within the park. The floor plan, elevations and some draft 3D images may be found in the Appendix.

FDC's capital input was expected to be limited to £10,000. Unfortunately, tender returns are significantly higher than anticipated.

5 REASONS FOR RECOMMENDATIONS

- 5.1 The development of the pavilion has been undertaken with a view to providing a facility to the level of grant available. The building is not particularly large, with the gross internal floor area leading original cost estimates. No scalability to reduce costs is possible within the design. Removing any aspect of the internal building will mean that the facility will not deliver a useful community asset.
- 5.2 In October 2022 a cost estimate put the building in the region of £100,000 to £150,000 above budget. Value engineering was then undertaken and removed the following items, reducing the specification to a minimum, cheapest level.
- Omit sedum roof in lieu of metal insulated panel.
 - Omit internal disabled WC as there is already a fully equipped Changing Place. This space could be utilised for something else. Building Control to confirm whether this is acceptable.
 - Omit glulam beams in lieu of steel beams.

- Omit cedar timber soffit in lieu of aluminium or cementitious board. This would help reduce future maintenance costs.
- Omit or reduce amount of PV panels. Services engineer to advice.
- Omit flash brick reveal rainwater pipes in lieu of vandal proof aluminium rain water pipes.

5.3 Close to going out to tender, the ground conditions survey highlighted the need for a piled foundation and larger than anticipated soakaways for rainwater. Both add costs to the project. At that point a further QS estimate was not undertaken as the project was out to tender and actual tendered costs would be returned within a number of weeks.

6 ALTERNATIVE OPTIONS CONSIDERED

6.1 No alternative options to the design have been considered. The development and design of the pavilion is to provide a community space, café, toilet facilities and changing places facility. The scheme is small with a significant redesign to reduce costs not possible. There may be some value engineering possible with a successful tenderer and this will be explored in pre-contract discussions.

6.2 An alternative approach to procurement has been discussed. Given that seven tenders have been received for this project, it is considered that offering the same design to the market with a set value will achieve no outcome, as seven bidders have indicated costs in excess of the grant funding available.

6 IMPLICATIONS

6.1 Legal Implications

Section 3 of the Local Government Act 1999 places Fenland District Council as a best value authority under a general duty to “make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.” The Council achieves this via compliance with the Procurement Code and national standards operating in this sector.

The procurement process has been conducted as per the Public Procurement Regulations 2015 and the Council’s code of procurement.

As the formal assessment of tenders is incomplete, financial information regarding tender returns remains confidential.

7 Financial Implications

7.1 A capital sum of **up to** the value detailed in Exempt Schedule 10 will be required to move the project forwards, supplementing the grant funding already in place.

- 7.2 The County Council expects FDC to be into contract for the construction of the pavilion in March 2023. Any delay may mean that the CCC Communities Capital Fund grant funding of £240,000 is withdrawn.
- 7.3 It is anticipated that a third party will manage the facilities, ensuring that there is no revenue cost to the Council. If FDC commits to the build, discussions regarding this opportunity will gather pace from April.

8 Equality Implications

None applicable.

9 Appendix

9.1 Floor Plan

2. Design

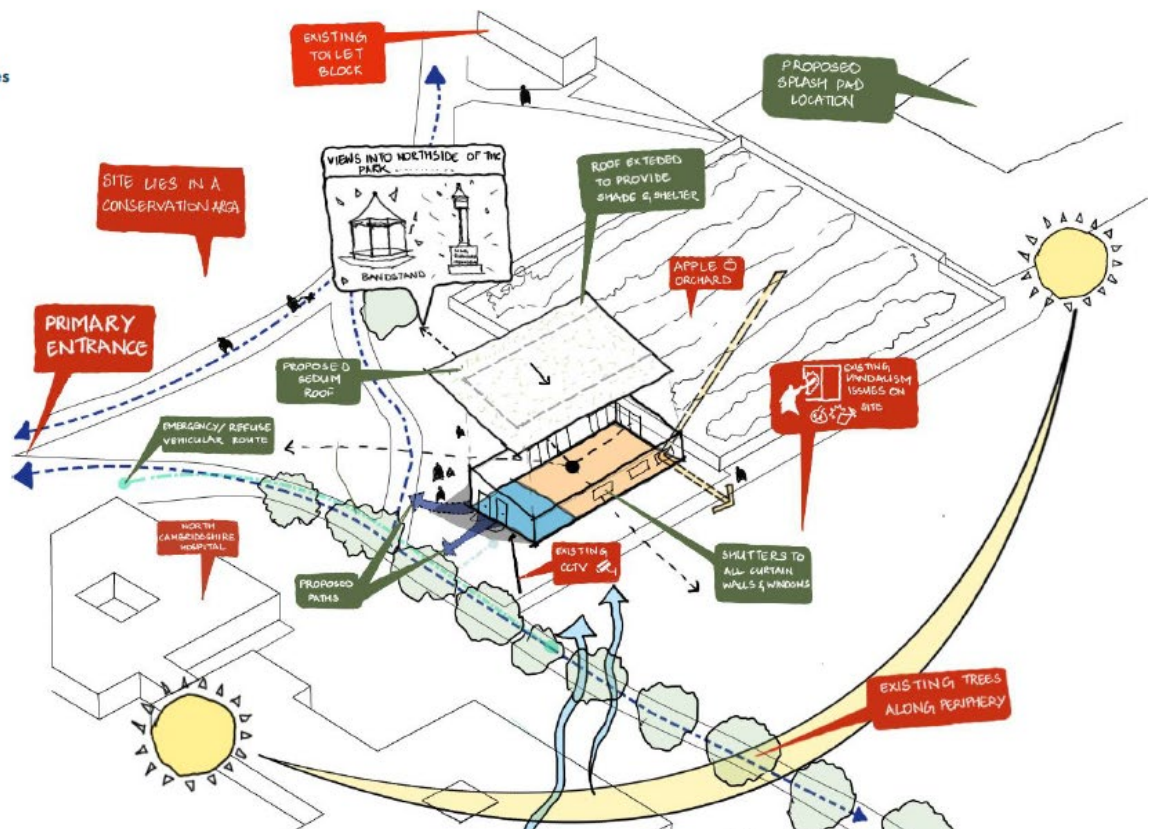
2.2 Proposed Floor Plan



9.2 How the design fits into Wisbech Park and sits within the conservation area

2. Design

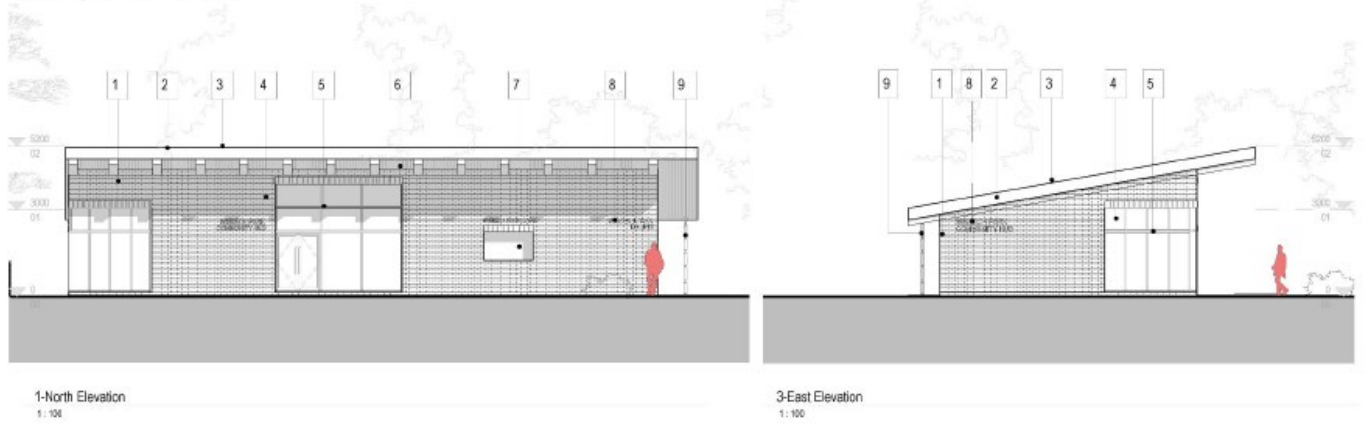
2.3 Design Principles



9.3 Elevations

2. Design

2.4 Proposed Elevations



9.4 Café area



9.5 Multi-purpose community room



9.6 3D View



9.7 Aerial view

