

## REPORT TO CABINET

**20 February 2019**

<b>Subject:</b>	<b>West Smethwick Park – Heritage Lottery Funded Restoration Project Capital works</b>
<b>Presenting Cabinet Member:</b>	<b>Councillor Bill Gavan - Cabinet Member for Leisure and Commonwealth Games</b>
<b>Director:</b>	<b>Executive Director - Neighbourhoods –Dr Alison Knight</b>
<b>Contribution towards Vision 2030:</b>	
<b>Key Decision:</b>	Yes
<b>Forward Plan (28-day notice) Reference:</b>	SMBC09/01/2019
<b>Cabinet Member Approval and Date:</b>	Councillor Bill Gavan
<b>Director Approval:</b>	Executive Director – Neighbourhoods – Dr Alison Knight
<b>Reason for Urgency:</b>	Urgency provisions do not apply.
<b>Exempt Information Ref:</b>	Exemption provisions do not apply.
<b>Ward Councillor (s) Consulted (if applicable)</b>	Councillor Zahoor Ahmed Councillor Babu Bawa OBE Councillor Samiya Akhter
<b>Scrutiny Consultation Considered?</b>	Scrutiny have not been consulted.
<b>Contact Officer(s):</b>	Darren Jones, Parks Manager <a href="mailto:darren_jones@sandwell.gov.uk">darren_jones@sandwell.gov.uk</a>

## **DECISION RECOMMENDATIONS**

### **That Cabinet:**

1. Authorise the Director - Regeneration and Growth, in consultation with the Executive Director – Resources, prepare tendering documentation and procure separate contractors, in accordance with The Public Contracts Regulations 2015 and the Council's Procurement and Contract Procedure Rules, working on behalf of the Council, to deliver phases 1 and 2 of the restoration of West Smethwick Park.
2. Authorise the Director - Regeneration and Growth to award separate contracts for phases 1 and 2 of the restoration of West Smethwick Park, to the successful contractors.
3. Authorise the Director of Law and Governance to enter into or execute under seal any documentation in relation to the award of phases 1 and 2 of the restoration of West Smethwick Park, subject to 2 above.

### **1. PURPOSE OF THE REPORT**

- 1.1 To seek approval to procure, award and enter into separate contracts with contractors to deliver phases 1 and 2 of the restoration of West Smethwick Park on behalf of the Council.

### **2. IMPLICATION FOR THE COUNCIL'S AMBITION**

- 2.1 Ambition 2 - Sandwell is a place where we live healthy lives and live them for longer, and where those of us who are vulnerable feel respected and cared for.
- 2.2 Ambition 5 - Our communities are built on mutual respect and taking care of each other, supported by all the agencies that ensure we feel safe and protected in our homes and local neighbourhoods.
- 2.3 Ambition 7 - We now have many new homes to meet a full range of housing needs in attractive neighbourhoods and close to key transport routes.
- 2.4 Ambition 8 - Our distinctive towns and neighbourhoods are successful centres of community life, leisure and entertainment where people increasingly choose to bring up their families.

### **3. BACKGROUND AND MAIN CONSIDERATIONS**

- 3.1 This report seeks the approval to procure, award and enter into separate contracts with contractors to carry out phases 1 and 2 of the restoration of West Smethwick Park.
- 3.2 Both phases of the project will follow separate competitive tendering processes, both in accordance with The Public Contracts Regulations 2015 and the Council's Procurement and Contract Procedure Rules, to select appropriate contractors to deliver the works.
- 3.3 Phase 1 comprises the works to the historic features within the park and is programmed to start on site in July 2019.
- 3.4 Phase 2 comprises the works to the new pavilion and restoration of the remainder of the park and is programmed to start on site in January 2020.
- 3.5 On 22 February 2017, the Cabinet approved the application to the Heritage Lottery Fund for a grant of £4.493m towards the total project value of £5.172m for the restoration of West Smethwick Park. Minute number 42/17.
- 3.6 The Council has received notification from the Heritage Lottery Fund that their application for funding has been approved, with an award of £4.493m towards the total project value of £5.172m.
- 3.7 The West Smethwick Park Project Board and Heritage Lottery Fund have agreed and confirmed to undertake the construction work in two phases to align with their programme.

### **4. THE CURRENT POSITION**

- 4.1 On 22 February 2017, the Cabinet approved the allocation of match funding of £0.550m from the Council's centrally earmarked balances to support the restoration of West Smethwick Park. Minute No. 42/17. Further approval was given to approve conditions placed on the Council by the Heritage Lottery Fund on 16th May 2018. As part of this report Cabinet approved the use of the capital receipt from the sale of the depot land to fund the Council's contribution towards the scheme. Minute No. 74/18.

### **5. CONSULTATION (CUSTOMERS AND OTHER STAKEHOLDERS)**

- 5.1 Internal consultations with key officers from Planning, Highways, Legal Services and Finance have been undertaken.

5.2 To inform proposals for the restoration works of the park the Council in conjunction with the Friends of West Smethwick Park and St Albans Community Association conducted both online surveys and face-to-face surveys at drop in events.

5.3 The following have been consulted on the proposals for the restoration project:

- Local Ward Councillors;
- Sandwell Community Providership Project Officer;
  
- Sandwell Neighbourhood Officer;
- Resident and Friends and Neighbours Community Support; and
- Manager, Soho/Victoria Friends and Neighbours CIC.

5.4 The following groups have also been consulted:

- Friends of West Smethwick Park;
- St Albans;
- Black Country in Motion;
- Motiv8;
- Sandwell Neighbourhoods Team;
- IRIS;
- Community Champions;
- Holly Lodge School;
- Public Health Sandwell;
- SCVO;
- Smethwick Neighbourhood Providership;
- Youth Services;
- North Smethwick Development Trust;
- Love Your Neighbour;
- My Time Active;
- West Smethwick Enterprise;
- Trident Reach the People;
- Bangladeshi Women's Association;
- Creative Academies;
- CEAL;
- Community Connect Foundation;
- Orchard Centre; and
- Health Watch Sandwell.

## 6. ALTERNATIVE OPTIONS

- 6.1 The council could alternatively take no action to meet the grant conditions and lose £4.493m of lottery funding towards the re-development of West Smethwick Park.

## 7. STRATEGIC RESOURCE IMPLICATIONS

- 7.1 The estimated cost of the works to phase 1 is **£0.350m**.
- 7.2 The estimated cost of the works to phase 2 is **£3.833m**.
- 7.3 The scheme has been appraised by the Strategic Investment Unit and achieved a score of 81%.
- 7.4 On 22 February 2017, the Cabinet approved the allocation of match funding of £0.550m from the Council's centrally earmarked balances to support the restoration of West Smethwick Park. Minute number 42/17. Further approval was given to approve conditions placed on the Council by the Heritage Lottery Fund on 16th May 2018. As part of this report Cabinet approved the use of the capital receipt from the sale of the depot land to fund the Council's contribution towards the scheme. Minute number 74/18.
- 7.5 Total Cost of Project £5.172m
- Financed as follows:-
- |                                |         |
|--------------------------------|---------|
| Heritage Lottery Funding (HLF) | £4.493m |
| Corporate Resources            | £0.550m |
| Parks Revenue Contribution     | £0.129m |
- 7.6 The Council's property maintenance account will be responsible for the repair and maintenance of the new pavilion building with the exception of the internal finishes and cafeteria. Sandwell Leisure Trust have been awarded the contract for the management of the pavilion and will be required to maintain the internal spaces of both the new pavilion and existing Sons of Rest (William Lees Building).

## 8. LEGAL AND GOVERNANCE CONSIDERATIONS

- 8.1 Advice will be taken from the Council's Procurement and Legal Services to ensure that The Public Contracts Regulations 2015 and the Council's Procurement and Contract Procedure Rules are complied with.

- 8.2 The provisions of the Public Services (Social Value) Act 2013 are included within this tender. These provisions are monitored and delivered through a series of indicators which seek to provide added Social Value outside of the physical improvement to people's homes. Examples of this include community/school activities, apprenticeships and local employment.
- 8.3 Following the award of grant funding by the Heritage Lottery Fund the Council entered into a formal legal agreement with the Heritage Lottery Fund on 21<sup>st</sup> June 2018. Terms and Conditions attached to the agreement allow the Heritage Lottery Fund to claw back grant money if the Council do not meet the required grant conditions.
- 8.4 Following an OJEU procurement process carried out by the Council's Parks and Countryside Services, Urban Design and Building Services were awarded the commission for the delivery of professional services associated with the delivery of the project.
- 8.5 The corporate risk management strategy has been complied with to identify and assess the risks associated with this project. A project risk register has been developed which is managed by the project board.

## **9. EQUALITY IMPACT ASSESSMENT**

- 9.1 An initial Equality Impact Assessment (EIA) has been carried out by the service area for the proposals. No issues have been identified which impact on a particular group and therefore a full EIA is not required.

## **10. DATA PROTECTION IMPACT ASSESSMENT**

- 10.1 The collection and sharing of data with the successful contractors will be in accordance with the General Data Protection Regulation (GDPR).

## **11. CRIME AND DISORDER AND RISK ASSESSMENT**

- 11.1 The design for the works will consider crime and disorder and where possible design out any potential risks. The police have been consulted as part of the project.
- 11.2 The capital improvements to the park infrastructure include complementary youth facilities that will contribute to an overall reduction in youth crime and disorder within the area.
- 11.3 The new pavilion and key historic features within the park will be monitored by CCTV cameras and the main drive will be illuminated by low energy consuming LED lighting columns.

- 11.4 The project includes a designated area near to the pool for overnight fishing, resulting in an increased presence within the park over the evening period.
- 11.5 The planned work to the perimeter of the park has been designed to utilise horticultural planting to restrict unauthorised access and encampments.

## 12. **SUSTAINABILITY OF PROPOSALS**

- 12.1 Sandwell Leisure Trust has been awarded the contract for the operation and ongoing service delivery for the new pavilion and existing Sons of Rest (William Lees Building). The contract is for 10 years with an option to break in year 5. For the first 5 years of the contract the provider will be supported by the Heritage Lottery Fund grant specifically relating to the delivery of activities in the park and pavilion. After year 5 the operation and ongoing service delivery of the pavilion will be expected to be self-funding.

## 13. **HEALTH AND WELLBEING IMPLICATIONS (INCLUDING SOCIAL VALUE)**

- 13.1 The new pavilion provider will host a number of healthy activities focusing on the park as a venue for promoting health and physical activity and making the local area a better place to live.
- 13.2 The provider will deliver a range of activities both within the new pavilion and the park itself to meet the conditions of the HLF grant, and will include the following examples.

### Outdoor activities

- Walking activities – nature walks, couch to 5k;
- Physical activities including running, cycling, boot camp, gym sessions;
- Children’s activities – toddler tumble, after school club; and
- Sports activities - football, rugby and netball.

### Indoor activities

- Healthy eating and healthy living;
- Physical activities including martial arts, dance; and
- Children’s activities – mobile soft play.

**14. IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND**

- 14.1 Upon its construction, the new community pavilion will be added to the Council Asset Management Register.
- 14.2 Existing historical features will be refurbished as part of the restoration project, including the airmen memorial, James Chance memorial, drinking fountain and all the remaining gateway features.

**15. CONCLUSIONS AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS**

- 15.1 The procurement of these contracts will allow the Council to access the grant from the Heritage Lottery Fund, thereby providing significant investment in to West Smethwick Park.

**16. BACKGROUND PAPERS**

- 16.1 Refer to Cabinet Minute 42/17 and 74/18

**Alison Knight**  
**Executive Director – Neighbourhoods**