

CANNOCK CHASE DISTRICT COUNCIL

CABINET

19 OCTOBER 2006

REPORT OF CHIEF EXECUTIVE

PORFOLIO LEADER – CULTURE & SPORT

RUGELEY SWIMMING POOL - APPLICATION FOR PERMISSION TO SPEND

1. Purpose of Report

- 1.1 To update Cabinet of progress to date in respect of the new Rugeley Swimming Pool.
- 1.2 To seek approval for permission to spend in relation to the new Rugeley Swimming Pool.

2. Recommendations

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| <ul style="list-style-type: none">2.1 That Cabinet note the current progress position relating to the new Rugeley Swimming Pool.2.2 That the cost of the project being within budgetary provision and approved by Council, Cabinet grant permission to spend to enable the project to move forward to the next stages. |
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3. Key Issue – Permission to Spend

- 3.1 In order to facilitate the new Rugeley Swimming Pool project moving forward to the next stages, it is now necessary for Cabinet to consider the granting of permission to spend.
- 3.2 The supplementary estimate to meet the increased costs for the new Rugeley Swimming Pool Capital Scheme was approved by on 27th September 2006. Thus, the total estimated cost of the project is £4,246,500.
- 3.3 Work has been completed by the Lead Consultants up to and including RIBA Stage D (final design approval) and invoices have been received for £100,581.65 for completed work to date.
- 3.4 The tender exercise to appoint the Preferred Lead Contractor has commenced and the short listing of candidates will take place over the next few months following evaluation of pre-qualification questionnaires.
- 3.5 To meet the identified costs, the Council are exploring all available opportunities to maximise external grant funding, working closely with partner organisations and pursuing the use of additional Section 106 Agreements and capital receipts. However, should these not be realised before the completion of the project, financing would need to be provided through prudential borrowing.

REPORT INDEX

Background	Section 1
Details of Matters to be Considered i.e. Options Considered, Outcome of Consultations etc.	Section 2
Contribution to CHASE	Section 3
Section 17 (Crime Prevention) Implications	Section 4
Human Rights Act Implications	Section 5
Data Protection Act Implications	Section 6
Risk Management Implications	Section 7
Legal Implications	Section 8
Financial Implications	Section 9
Resource Implications	Section 10
Conclusion	Section 11
List of Background Papers	Section 12
Annexes to the Report:	
Outline Project Timetable	Annex 1

Section 1

Background

This project involves the construction of a new swimming pool, alterations to the existing leisure centre and removal of the existing adjacent 13 metre College swimming pool in Rugeley.

Lead Consultants / Architects SMC Charter Architects Ltd were appointed via the requisite EU tendering process in July 2006. Options have been further developed for the design and location of the swimming pool, which will join the existing Rugeley Leisure Centre, following an initial Feasibility Study exercise.

The project is an approved scheme currently in the Council's Capital Programme, however permission to spend is requested to meet all costs of the project.

It is anticipated that a Planning Application for the design will be lodged in October 2006 which will involve further public consultation.

The tender process for the Preferred Lead Contractor has commenced and will be completed in December 2006 with the aim of starting construction in April 2007 and completing the project in March 2008. A full outline project timetable is attached as Annex 1.

Section 2

Details of Matters to be Considered

The matter requiring consideration at this point is the application for permission to spend for the new Rugeley Swimming Pool project.

Section 3

Contribution to CHASE

These additional community facilities will further support the aim of the Council to develop a healthier and more active community. The proposed development will enable greater use by local residents, schools and colleges. The proposed facility will be developed utilising as much as possible sustainable materials and include energy efficient plant and machinery.

Section 4

Section 17 Implications

construction of the new swimming pool **Section 5**

Human Rights Act Implications

There are no identified implications in respect of the Human Rights Act.

Section 6

Data Protection Implications

There are no identified implications in respect of the Data Protection Act.

Section 7

Risk Management Implications

SMC Charter Architects were appointed as the Lead Consultants on this project in July 2006 and have subsequently performed, as far as the Council is able to determine at this time, their duties diligently and to project deadlines. The work undertaken so far has produced comprehensive RIBA Stage C and Stage D progress reports including detailed information from the architects, quantity surveyors, mechanical, electrical, structural and civil engineers resulting in receipt of invoices totalling £100,581.65 for work completed to date.

Granting permission to spend approval will ensure that:

- a) These invoices will be paid and thus reduce the risk of the organisation being charged interest or worse case scenario being sued for payment
- b) Further progress on the pool continues in line with the project plan and milestone dates.

Section 8

Legal Implications

The Council has entered into a binding contract with the Lead Consultant in relation to the provision of professional services concerning the Rugeley Swimming Pool. Such services have enabled the Council to progress the project with the aim to complete the same within the agreed timetable.

Inevitably the Council will be liable to pay for the services provided by the Lead Consultant in accordance with the agreed fees and stage payments timetable.

At this time, there are no factors or issues known which would entitle the Council to refuse payment of the fees or any part thereof being sought by the Lead Consultant.

The Council is under a contractual obligation to pay the said fees. Failure to do so could result in interest being charged on any outstanding fees and proceedings being commenced by the Lead Consultant for the recovery of the fees owed.

Section 9

Financial Implications

The capital scheme and financing have been approved by Council on 27th September 2006 as follows:

Capital Cost:	£4,246,500
Financing:	£
Contributions and Grants	1,750,000

Capital Receipts	250,000
Prudential Borrowing	<u>2,246,500</u>
	<u>4,246,500</u>

The prudential costs of borrowing have been built into revenue budgets which gives rise to a resultant need to find equivalent savings in revenue as part of the delivering change process to accommodate these revenue costs.

Section 10

Resource Implications

The Rugeley Swimming Pool project is being co-ordinated by two dedicated Officers from the Strategic Projects Team within the Culture and Major Projects Division.

Section 11

Conclusion

That Cabinet consider all the information provided within the report, and determines if permission to spend approval for the Rugeley Swimming Pool project should be granted.

Section 12

BACKGROUND PAPERS

Report to Council on 15th June 2006 on new Rugeley Swimming Pool Various Issues

Report to Council on 27th September 2006 on Rugeley Swimming Pool

SMC Charter Architects – Stage D Report –September 2006

SMC Charter Architects – Stage C Report – August 2006

Annexes

Annex 1

Rugeley Swimming Pool – Outline Project Timetable
Proposed Milestone Dates – From SMC Charter Project Plan

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|---|--------------|
| 1. Agreement of Design Brief | January 06 |
| 2. Appointment of Design Team (Feasibility) | February 06 |
| 3. Appointment of Full Design Team | July 06 |
| 4. Outline Designs and Costs Prepared | August 06 |
| 5. Agreement by Council to Proceed | September 06 |
| 6. Commence Preferred Contractor Tender | September 06 |
| 7. Submission of Planning Permission Appl'n | October 06 |
| 8. RIBA Stage E Report | December 06 |
| 9. Appointment of Preferred Contractor | December 06 |
| 10. Receipt of Planning Permission | January 07 |
| 11. Start on Site | April 07 |
| 12. Completion of Construction | March 08 |