

Portfolio Holder Report

The portfolio holder will make a decision on this item after seven days have elapsed (including the date of publication).

Report of:	Portfolio Holder	Date
Marianne Hesketh, Corporate Director Communities	Councillor Lesley McKay, Resources Portfolio Holder	13 July 2023

Fleetwood Market additional improvement Works
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1. Purpose of report

- 1.1 To ensure additional improvement works at Fleetwood Market are completed in 2023/24 as part of the existing contract.

2. Outcomes

- 2.1 The investment will deliver additional security to a key council asset, provide additional match funding towards the Public Sector Decarbonisation Scheme grant secured in 2022/23 and the UK Shared Prosperity Funding (UKSPF) grant allocation.
- 2.2 Removes the requirement for further disruption to the market in the next financial year. All additional works will be completed within 2023/24.

3. Recommendations

- 3.1 That approval is given to bring forward Capital Funding of £357,000, originally earmarked for roof replacement works from the Planned Maintenance Schedule in 2024/25 and reallocate to additional improvement works at Fleetwood market. A breakdown of the additional works (including contingencies) in the table below highlights where this funding is proposed to be reallocated and brought forward.
- 3.2 That the scheme, costing £357,000 is added to the Council's 2023/24 Capital Programme, funded from capital receipts.
- 3.3 That approval is given to proceed with the work under the exemption to Contract Procedures contained within the Financial Regulations and Financial Procedure Rules on the grounds that exceptions apply where the goods works or services constitute an extension or variation of an existing contract or are required urgently, or the goods/materials, works or services consist of repairs to, or the supply of parts for existing proprietary plant or equipment.

4. Background

- 4.1** Fleetwood Market is going through an exciting period of rejuvenation as we carry out significant improvement works to support its future as a key attraction in Wyre. The ongoing enhancement works are expected to be completed later in the year.
- 4.2** As part of Wyre Council's ambition to achieve net zero carbon emissions, grant funding of £999,468 was secured by the council from the Public Sector Decarbonisation Scheme in 2022/23. This is allowing energy efficiency works at the market to be carried out, including the installation of renewable energy technologies and removing fossil fuel gas heating.
- 4.3** The council are also investing over £2million to carry out repairs and reinstate the historic features of the nineteenth century Market Hall, partly funded by the High Streets Heritage Action Zone (HSHAZ) grant sourced via Historic England (HE) (£505,672 (originally £512,136 but now slightly reduced)) and UKSPF (£411,904 (originally £264,000 and subsequently increased in the investment plan)), with the council contributing £2,010,296 (originally £2,025,516). The original figures can be seen in the report that was approved by Council on 27 October 2022.
- 4.4** This will greatly improve the appearance of the market and ensure the continued life of the building through the delivery of significant enhancement works.
- 4.5** Further to the Council report taken on 27 October 2022, there is now an opportunity to bring forward the funding for roof replacement works originally scheduled for 2024/25 and reallocate the monies for additional photovoltaic panels, fitting new internal shutters (in the Birdcage and Annex), the removal of the Victoria Street canopy (Annex), improvements to the existing rainwater goods, groundworks and steel frameworks required to facilitate the proposed glazing and new doors, gull management (physical measures), the provision of external lighting and additional preliminaries to meet the extension of time costs to be incurred (see Project Budget table below).
- 4.6** The capital funding will complement the additional UKSPF funding of £147,904 going into enhancing the Annex Hall and office accommodation to attract additional traders/leaseholders and improve the visitor experience to Fleetwood Market. The S.151 Officer, in conjunction with the Corporate Director Communities have authorised this change to the investment plan in line with the approval previously given in October.

5. Key issues and proposals

5.1 Project Budget

The project budget required to deliver the works is outlined below.

Item	£
Internal Shutters (Birdcage and Annex)	111,500
Emergency/External Lighting/Signage/Fencing/Gates	37,000
Uplift in quantity of Photovoltaic panels (Annex Roof)	24,000
Gull Management Measures – Outside of Breeding Season (September-March)	13,500
Removal of Existing Canopy / Signage (Annex-Victoria St)	14,000
Groundworks (Birdcage and Annex)	20,000
Improvements to Rainwater Goods (Guttering etc)	6,000
Steel Framework (Annex) to facilitate new doors/glazing installations	9,000
Extension of Time (for the additional works)	40,000
Replace roller shutters to internal units (approx. 20 No.)	35,000
Contingencies	47,000
TOTAL	357,000

- 5.2** The existing external shutters are now showing their age with their position and appearance visually diminishing Fleetwood's town centre which is also within the surrounding Conservation area. The figure above allows for the installation of an internal concertina type shutter, which will be far easier to open and close than the existing external shutter boxes. The external lighting is being added following a recommendation from Lancashire Police (Designing Out Crime).
- 5.3** The additional photovoltaic panels rebalance the potential annual electricity generation as a result of the array being relocated from the flat Birdcage Roof to the sloping Annex roof.
- 5.4** The gull management measures are to prevent future maintenance issues at the market. Physically excluding birds is the best way of preventing or minimising problems caused by gulls. In the long-term this will be far more cost-effective and successful than year on-year management. There are a wide variety of products available to prevent birds from nesting, including netting or wiring to deter the use of potential nest sites, anti-nesting spikes and target hardening of key areas such as chimney pots or guttering/roof valleys. All exclusion measures do need to be appropriately maintained to ensure that they remain effective and do not cause welfare problems (e.g., entanglement).

Financial Year	PROJECT FUNDING SOURCE				Notes	TOTAL
	Wyre Council Capital Investment	Historic England High Street Heritage Action Zone (HSHAZ)	Public Sector Decarbonisation Scheme (PSDS)	UK Shared Prosperity Fund (UKSPF)		£
	£	£	£	£		£
2022/23	30,604	57,189	71,584	31,658	All Fees (Architect/Structural Engineer/Quantity Surveyor/Project Management/MEP/Surveys/Building Control/Planning)	191,035
	779,603	377,940	868,927	131,083	Contract Spend	2,157,553
	2,381		58,957	17,662	Works/Other Expenditure outside of the Main Contract	79,000
2022/23 TOTAL	£812,588	£435,129	£999,468	£180,403		2,427,588
2023/24	77,802			12,001	All Fees (Current Actual+Commitments)	89,803
	103,361				Contract Wyre (PSDS) Match (Committed)	103,361
	1,016,544	70,543		102,000	Contract (Commitment)	1,189,087
				117,500	Contract (Commitment) - Agreed 07/06/2023	117,500
2023/24 TOTAL	1,197,707	70,543	£0	231,501		1,499,751
CUMULATIVE TOTAL	2,010,295	505,672	999,468	411,904		3,927,339
2023/24	357,000				2024/25 Funding Brought Forward & Re-allocated	357,000
GRAND TOTALS	2,367,295	505,672	999,468	411,904		4,284,339

5.5 The table above highlights the total investment in the Market. The additional element in relation to the Principal Contractor is shown under Wyre's contribution and totals £357,000.

6. Delegated functions

- 6.1** The matters referred to in this report are also considered under the following executive functions delegated to the Resources Portfolio Holder (as set out in Part 3 of the council's constitution):" To consider departures from Rules relating to financial and contractual matters if appropriate", on the grounds that "The goods works or services constitute an extension or variation of an existing contract or are required urgently, or the goods/materials, works or services consist of repairs to, or the supply of parts for existing proprietary plant or equipment".

Financial and legal implications	
Finance	The cost of the works totalling £357,000 (including contingency) as itemised at 5.1 will be added to the 2023/24 capital programme and will be funded from existing capital receipts. The remaining estimated balance on capital receipts will be £4.016m.
Legal	The additional works and cost as set out in the body of the report will be added into the existing main works contract with the Contractor as a variation to the Contract. The current contract value is below the UK procurement threshold for works, which allows for minor variations or modifications of up to 15% to be added to the contact without further notice. The additional works recommended in this report represent an increase of 9% of the original contract value and therefore falls within the thresholds that can be added as a variation/modification to the contract as agreed between the parties.

Other risks/implications: checklist

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with a x.

risks/implications	✓ / x
community safety	✓
equality and diversity	x
sustainability	✓
health and safety	✓

risks/implications	✓ / x
asset management	✓
climate change	✓
ICT	x
data protection	x

Processing Personal Data

In addition to considering data protection along with the other risks/ implications, the report author will need to decide if a 'privacy impact assessment (PIA)' is also required. If the decision(s) recommended in this report will result in the collection and processing of personal

data for the first time (i.e. purchase of a new system, a new working arrangement with a third party) a PIA will need to have been completed and signed off by Data Protection Officer before the decision is taken in compliance with the Data Protection Act 2018.

report author	telephone no.	email	date
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List of background papers:		
name of document	date	where available for inspection
Fleetwood Market Improvement Works – Report to Council	27.10.2022	Wyre Council Website

List of appendices

None