



Delegated Cabinet Member Decision **Oldham** Report **Council**

Decision Maker and Portfolio area:	Councillor Sean Fielding, Leader of the Council
Date of Decision:	17 September 2018
Subject:	Annie Kenney statue
Report Author:	Heather Moore, Strategy, Partnerships and Policy Manager
Ward(s) Affected:	Coldhurst

Reason for the decision: To ensure that the statue of Annie Kenney is installed in 2018 to commemorate the centenary year of the Representation of the People Act.

Summary: The Annie Kenney Memorial Fund Committee is proposing to gift the Council with the money that has been raised through their public funding efforts. This to date totals £24k.

The money will be given to the Council without condition.

The Council proposes to use the money to install a statue of Annie Kenney in Oldham Town Centre, as part of commemorating the centenary year of the Representation of the People Act.

The Council intends to commission the statue and take ownership and responsibility of the asset, as part of the public realm within Oldham Town Centre.

As part of the regeneration of the Old Town Hall, a public square was built and a plinth was installed at the steps of the Old Town Hall, where it is proposed that the statue of Annie Kenney will be homed.

The total cost of the statue is £30,143 and the Annie Kenney Memorial Fund Committee is continuing fundraising efforts whilst the

commissioning and installation of the statue commences, in order to ensure that the Council receives the full costs required.

It is proposed to commission Leander Architectural to produce the statue, because the design maquette has already been prepared by this company and approved by the Annie Kenney Memorial Fund Committee. Therefore, the Council in taking the project forward, would need to commission the statue from the same company. In light of this, it is proposed to seek an exemption from the Contract Procedure Rules under Rules 21.3 (a) and 21.3 (c) so that Leander Architectural can be commissioned to create the Annie Kenney statue.

It is also proposed that the Council will support an opening launch by having some Annie Kenney material on display in our WW1 exhibition that should coincide with the unveiling.

The statue will be placed on the Council's asset register and the ongoing maintenance will be funded through the Town Centre Management budget, like other public art in the town.

What are the alternative option(s) to be considered? Please give the reason(s) for recommendation(s):

To utilise the funding for other initiatives, however, the Council has built a plinth in the town centre to home the statue and therefore proposes to use the money to install the statue.

Recommendation(s):

That an exemption from the Council's Contract Procedure Rules be approved under Rules 21.3 (a) and 21.3 (c) and that Leander Architectural be commissioned to create the statue of Annie Kenney.

Implications:

What are the financial implications?

Capital

The total costs to create the statue of Annie Kenney will be £30,143. The funding for the project will be made available from Funds yet to be Allocated within the capital programme. However, it is proposed that the £24,000 of funds raised will be a third party contribution from the Annie Kenney Memorial Fund Committee to the capital programme, and will

therefore increase the balance of funds yet to be allocated. Fund raising will continue with the aim of providing further contributions to support expenditure incurred within the Council's capital programme.

The donated funds will be freely given, no ownership of the asset will be retained by the Annie Kenney Memorial Fund Committee. The Council will be procuring the works and will retain ownership of the asset, maintain and insure the asset. Any VAT charged to the Council during commission and ongoing maintenance will be fully recoverable

Revenue

Ongoing maintenance of the statue will be met from within the town centre management existing budgets.

The costs of an opening launch at Gallery Oldham following the installation of the statue will be met from a combination of existing resources within the Galleries budget and resources that may be made available from the Anne Kenney Memorial Fund committee who will look to lead on this.

(Sadrul Alam)

What are the *procurement* implications?

Strategic Sourcing approve the recommendations of this report, in particular, that in this instance, the Council's Contract Procedure Rules can be waived under clauses 21.3 (a) and 21.3 (c)

What are the *legal* implications?

An exemption from the Council's Contract Procedure Rules can only be granted in exceptional circumstances. The circumstances outlined in the body of the report are exceptional owing to the fact that the design work for the statue has been completed and approved by the Annie Kenney Memorial Fundraising Committee. (Elizabeth Cunningham Doyle)

What are the *Human Resources* implications?

n/a

Equality and Diversity Impact

n/a

Assessment attached or not required because (please give reason)

What are the property implications n/a


Risks: The total cost of the statue is £30,143, and this cost will be included within the Council's capital programme. However, the Annie Kenney Memorial Fund Committee, which has made a contribution of £24,000 to capital expenditure incurred by the Council, is continuing fundraising efforts with the aim of increasing its contribution towards the Council capital spending. The risk to the Council is that it takes some time for the additional contributions to be generated.

Has the relevant Legal Officer confirmed that the recommendations within this report are lawful and comply with the Council's Constitution? Yes

Has the relevant Finance Officer confirmed that any expenditure referred to within this report is consistent with the Council's budget? Yes

Are any of the recommendations within this report contrary to the Policy Framework of the Council? No

Reason(s) for exemption from publication: n/a

Report Author Sign-off:	
Rebekah Sutcliffe, Strategic Director of Reform	
Date:	25 th September 2018

In consultation with the Leader of the Council



Date: 3.10.18