

**Oldham Borough Council
Record of Decision**



1. **TITLE:** Performance Space consultant fee reconciliation

2. **SERVICE AREA** Economy Directorate

3. **PURPOSE OF DECISION**

On 15th November 2021 Cabinet authorised a formal agreement and award of the contract for professional services for an Architect led multi-disciplinary design team to Bloom Procurement Services Limited who, in turn, appointed Feilden Clegg Bradley Studios (FCBS) for completion of the design for the new Performance Space (RIBA 2-3) and submission of the Planning and Listed Building Consent applications.

The commission, at the time of the original appointment, was based on an agreed resource commitment timeline which aimed to complete RIBA stage 3 by June 2022.

The project development journey for the new theatre has been complex, with a number of factors influencing consultant support and fee outcome.

Following delays to the theatre project and further commitments from the design team to input into wider considerations by the Council and stakeholders, a further and final additional fee supplement is required.

4. **DECISION MADE BY:** Director of Economy

5. **DECISION:**

RESOLVED - Option 1 (recommended) – agree to the final fees and for the consultancy services to date for the theatre design at the Union Street location. That: The project development journey for the new theatre has been complex, with a number of factors influencing consultant support and fee structure. Although the next steps for the theatre remain in discussion it has become necessary to finalise the consultant support and the fee position for this design. The only additional fee payment to be approved is for FCBS outstanding January 2024 fee of £51,710.

6. **REASON FOR DECISION**

Option 1 - Option 1 (recommended) – agree to the final fees and for the consultancy services to date for the theatre design at the Union Street location

The project development journey for the new theatre has been complex, with a number of factors influencing consultant support and fee structure. Although the next steps for the theatre remain in discussion it has become necessary to finalise the consultant support and the fee position for this design. The only additional fee payment to be approved is for FCBS outstanding January 2024 fee of £51,710.

Option 2 – Do not agree to the additional fees and structure for the consultancy services to date.

For this option the payment outstanding for FCBS, for work carried out, would not be paid. This could potentially lead to a dispute with the consultant team and render further support, that may be required in the short term, difficult to access.



7. ALTERNATIVE OPTIONS CONSIDERED

Option 2 – Do not agree to the additional fees and structure for the consultancy services to date.

For this option the payment outstanding for FCBS, for work carried out, would not be paid. This could potentially lead to a dispute with the consultant team and render further support, that may be required in the short term, difficult to access.

8. INTERESTS AND NATURE OF INTERESTS DECLARED

None

9. PRINCIPAL GROUPS CONSULTED:

None

10. DOCUMENT CONSIDERED: Performance Space consultant fee reconciliation