

NOT FOR PUBLICATION by virtue of Paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972 and it is not in the public interest to disclose the information because it would affect the Council's position in a contractual situation.

## **Delegated Officer Report**

**Decision Maker: Emma Barton – Deputy Chief Executive**

**Date of Decision: 24<sup>th</sup> October 2023**

**Subject: Changing Places Provision – Chadderton Town Hall & Failsworth Town Hall**

**Report Author: Emma Cockcroft, Project Manager – Property & Projects**

**Ward(s): Chadderton North & Failsworth West**

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**Reason for the decision:**

This report seeks approval for the acceptance of the most economically advantageous and methodologically sound tender submission in relation to the installation of a Changing Places toilet facilities at Chadderton Town Hall and Failsworth Town Hall. Installation of a changing places facility at Royton Town Hall will be delivered through the current principal Contractor, Seddons.

These contract award follows agreement from DLUHC to reallocate funding from Spindles to include in previous funding allocations, reducing the council's own capital funding to approx. £19,000 to cover the shortfall from the grant funding to deliver the works. Approval is needed to accept and claim £150k of grant funding allocated to these schemes.

**Summary:**

In August 2022 the Department for Levelling Up, Housing and Communities (DLUHC) issued a limited time call to eligible authorities to apply for capital funding to install Changing Places toilet facilities where there is currently a lack of provision.

Changing Places facilities should be provided in buildings and locations where large numbers of people may visit such as sport & leisure facilities, cultural centres, shopping centres, key public buildings, and educational establishments.

Both town halls are key public buildings. Chadderton Town Hall operates as an events venue and is home to Oldham Council Registrars Service. Failsworth Town Hall includes a public library, café and the Council's District and Placed Based Initiative Teams.

In February 2023 the Council received confirmation of a grant award of £125k for the installation of three Changing Places toilets. Following the award, the delivery team reviewed the costs and timescales for delivery of the three schemes and regrettably due to the increased costs since submission of the original application, this was deemed unachievable. A revision to the original application was submitted to reduce the scope of work and allocate the award across two Changing Places Toilets. This request was agreed by DLUHC on 01<sup>st</sup> June 2023.

In addition, and under a separate application, Royton Town Hall was also awarded a grant of £25,000.00 by DLUHC, making the total allocation £150,000.

In order to claim the external funding, installation of the Changing Places facility has to be completed by March 2024.

This report seeks approval to award the tender for the works relating to the installation of a Changing Places toilet at Chadderton Town Hall, Middleton Road, Oldham and Failsworth Town Hall, Oldham Road, Failsworth, Oldham.

In respect of Chadderton Town Hall, E Smith and Son were the only tender returned. Tendered costs in respect of the proposed works are as follows:

<b>Activity</b>	<b>(£)</b>
Preliminaries	3,969.00
Schedule of Work	38,681.19
Mechanical Installation	22,770.60
Electrical Installation	21,029.12
<b>Total</b>	<b>86,449.91</b>

Regarding Failsworth Town Hall, J Greenwood (Builders) Limited have been identified as the preferred and most economic contractor following the tender evaluation process.

Tendered costs in respect of the proposed works are as follows:

<b>Activity</b>	<b>(£)</b>
Preliminaries	19,133.00
Schedule of Work	42,833.00
Mechanical Installation	9,845.00
Electrical Installation	18,057.00
<b>Total</b>	<b>89,868.00</b>

Royton Town Hall estimated costs are as follows (awaiting formal breakdown from Principal Contractor):

<b>Activity</b>	<b>(£)</b>
Preliminaries	1,500.00
Schedule of Work	21,000.00
Mechanical Installation	14,500.00
Electrical Installation	6,000.00
<b>Total</b>	<b>43,000.00</b>

Due to the tendered costs being in excess of the grant funding (shortfall of £16,449.91 for Chadderton, £34,868.00 for Failsworth and £18,000.00 for Royton), the Council made a request to DLUHC to divert the grant funding from two schemes that are unable to progress within the required timescale (Spindles & The Old Library - £25,000 each) to these projects, resulting in the Council only contributing £19,317.91. This request was approved by DLUHC on 19<sup>th</sup> October 2023.

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

Option 1 is to accept the tendered prices and proceed with the installation of the Changing Places toilets and claim the grant funding with the Council contributing additional amount to secure developments.

Option 2 to is to decline the grant funding. This option means the Council would miss an opportunity to provide safe, accessible facilities to its residents, risking significant reputational damage.

Option 1 is the preferred option as this delivers the best accessible facilities for people with complex and multiple needs, improving their quality of life by enabling them and their carers to stay longer and participate in more activities.

***Consultation: including any conflict of interest declared by relevant Cabinet Member consulted.***

N/A

***Recommendation(s):***

Option 1 is the preferred option as this delivers the best accessible facilities for people with complex and multiple needs, improving their quality of life by enabling them and their carers to stay out longer and participate in more activities.

***Implications:***

***What are the financial implications?***

OMBC has been granted an award of £150,000 from The Department for Levelling Up, Housing and Communities (DLUHC) for Chadderton, Failsworth and Royton Town Halls, and this is to be used on Changing Places capital works.

The costs highlighted in this report total £219,318 and this shows there is a shortfall of £69,318.

The proposal in this report is to seek approval from DLUHC to divert other agreed changing places grant funding from 2 current approved capital schemes, Old Library (£25,000) and Spindles (£25,000). This has now been approved the shortfall will be £19,318.

The table below shows the available funds within the Corporate Asset Management funding:

	23-24	24-25	25-26	26-27	Total
Resource Allocation	9,130,100	1,000,000	1,000,000	1,000,000	12,130,100
Committed schemes	8,829,908	707,500	440,000	460,000	10,437,408
Required funding	69,318	0	0	0	69,318
Available Resources	<b>230,874</b>	<b>292,500</b>	<b>560,000</b>	<b>540,000</b>	<b>1,623,374</b>

This shows that there are sufficient resources to fund the worst-case scenario, where the transfer of budget is approved.

(Jamie Kelly)

**What are the legal implications?**

There has been a Mini Competition in accordance with Oldham Council's Construction and Highways Works and Services Framework inviting bids from those suppliers appointed to Lot 14 and the proposed awards comply with the terms of the Framework and the Public Contracts regulations. The terms of the resulting contracts will be JCT Intermediate Building Contract with Contractor Design with amendments which is an appropriate industry standard contract and provides for an acceptable level of risk.

(Mark Hope, Legal and Democratic Services)

**What are the procurement implications?**

A Mini Competition Tender exercise was undertaken via the (CHWSF) Construction and Highways Works and Services Framework Agreement 2019 under Lot 14 Minor Works - Building Repairs / Maintenance / New Build / Extensions / Refurbishment to comply with the requirements as per stated in the OMBC Contract Procedure Rules. Both opportunities were advertised on The Chest portal. The Commercial Procurement Unit supports the recommendations to award the contracts to the preferred bidders. This was done through a robust evaluation process, which was clearly set out in the Mini Competition documents.

(Irfan Oomer – Commercial Procurement Unit)

**What are the Human Resources implications?**

N/A

**Oldham Impact Assessment Completed?**

Please see appendix 1.

**What are the property implications?**

Installation of the changing places facilities into our public buildings will provide better facilities but are likely to have a very limited impact on asset value. Installations may have a minor negative impact on revenue costs as the equipment will require regular servicing and maintenance to keep it functional and safe.

Katy Webster – AD Property & Projects

**Risks:**

The grant funding conditions will need to be complied with including that the schemes need to be in place by March 2024. The procurement appears to have been via a mini competition which is in line with the Council's requirement. The balance will be ensuring there are adequate accessible facilities available within the borough which is very important for the residents with complex and multiple needs with the potential for the Council to provide top up funding for the grant. The Council will need to ensure that the contractors appointed have adequate insurance in place.

Vicki Gallacher (Head of Insurance and Information Management)

**Co-operative Implications:**

Installation of the Changing Places toilets within town halls is recommended as town halls within Oldham are fundamental assets within the borough that are being used to deliver multi-agency services for residents. It is essential for our assets to provide adequate toilet facilities that represents good value for money for residents.

(Mahmuda Khanom, Policy Support Officer).

**Community cohesion disorder implications in accordance with Section 17 of the Crime and Disorder Act 1998**

The installation will have effective access control through the use of a radar key, which should limit the potential for illegitimate usage. Therefore, the scheme should not contribute towards criminality within the area or increase the fear of crime.

(Phil Bonworth – Community Safety Services)

**Environmental and Health & Safety Implications**

As an employer/duty holder, Oldham Council has a statutory duty to ensure so far as is reasonably practicable, the health, safety and welfare at work of all its employees, and that persons not in his employment who may be affected by their work, are not exposed to risks to their health or safety. Oldham Council's Health and Safety Team have no objections to the content of this report as we have been assured that all contractors will have signed up to construction line. Specific risk assessments and other safety documentation will still need to be checked for individual jobs/projects during the planning/construction phases of any works

(Neil Crabtree, Head of Public Protection).

**IT Implications**

None - Lindsey Al-Basri (Head of IT projects)

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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

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**Reason(s) for exemption from publication:** Information relating to the financial or business affairs of the Council.

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**There are no background papers for this report.**

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<b>Report Author Sign-off:</b>	
	Project Manager
<b>Date:</b>	24 <sup>th</sup> October 2023

Approved by:

Signed :  Date: 25.10.23

Emma Barton – Deputy Chief Executive (Place)

In consultation with Cllr Arooj Shah – Leader of the Council and Portfolio Holder for Reform and Regeneration

Signed :  Date: 03.10.23

Cllr Arooj Shah– Leader of the Council and Portfolio Holder for Reform and Regeneration

## RECORD OF INDIVIDUAL EXECUTIVE DECISION MADE BY AN OFFICER

Decision Maker	Decision Type	Date
Emma Barton Deputy Chief Executive (Place)	Administrative Decision 24	24 <sup>th</sup> October 2023

### Changing Places Provision – Chadderton Town Hall & Failsworth Town Hall

<b>Exempt/Confidential Report</b>	<p><b>Yes</b></p> <p><i>3. Information relating to the financial or business affairs of any particular person (including the authority holding that information)</i></p> <p><i>It would affect the Council's position in a contractual situation.</i></p>	
<b>Key Decision <sup>1</sup></b>		<b>No</b>

### Decision (s) <sup>2</sup>

This report seeks approval for the acceptance of the most economically advantageous and methodologically sound tender submission in relation to the installation of a Changing Places toilet facility at Chadderton Town Hall, Middleton Road, Chadderton, Oldham and Failsworth Town Hall, Oldham Road, Failsworth, Oldham.

<sup>1</sup> If the decision is Key Please use Key Decision Template.

<sup>2</sup> Brief details of the decision should be inserted. This note must set out the substance of the decision, options considered and the reason for deciding on the chosen option, although care must be taken not to disclose any confidential or exempt information. Please include proposed timescales for commencement and / or completion of implementation as appropriate.



In August 2022 The Department for Levelling Up, Housing and Communities (DLUHC) issued a limited time call to eligible authorities to apply for capital funding to install Changing Places toilet facilities where there is currently a lack of provision.

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Option 2 is to decline the grant funding. This option means the Council would miss an opportunity to provide safe, accessible facilities to its residents, risking significant reputational damage.

### **Reasons for the decision(s)<sup>3</sup>**

Option 1 is the preferred option as this delivers the best accessible facilities for people with complex and multiple needs, improving their quality of life by enabling them and their carers to stay longer and participate in more activities.

### **Options/Alternatives considered <sup>4</sup>**

Option 1 is to accept the tendered prices and proceed with the installation of the Changing Places toilets and claim the grant funding with the Council contributing additional amount to secure developments.

Option 2 is to decline the grant funding. This option means the Council would miss an opportunity to provide safe, accessible facilities to its residents, risking significant reputational damage.

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<sup>3</sup> Reasons for the decision must be given.

<sup>4</sup> Options must be given.

**Conflict of Interest declared<sup>5</sup> - None.**



**(Emma Barton - Deputy Chief Executive (Place))**



**(In consultation with Cllr Arooj Shah – Leader of Oldham Council – Reform and Regeneration)**

**Decision made pursuant to:**

- a) General delegation under the Council's officer scheme of delegation. Non-contract decisions up to £250k.**

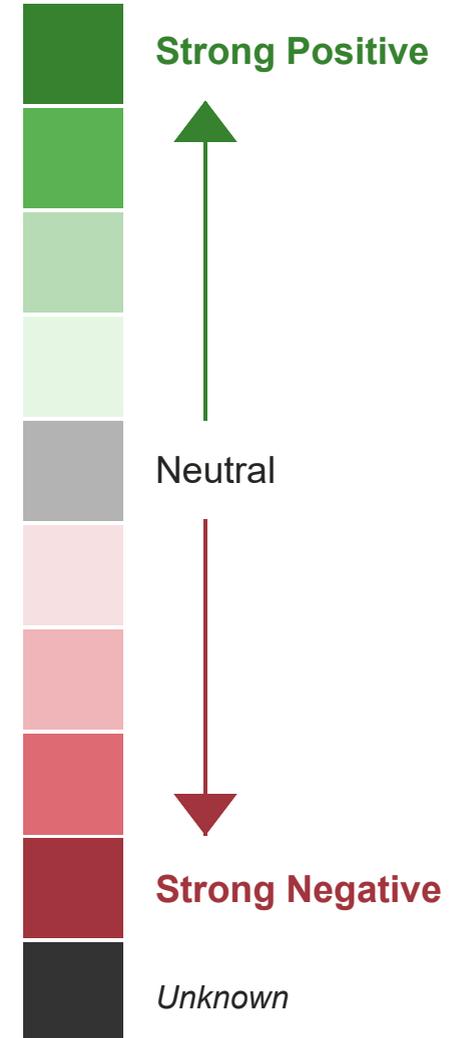
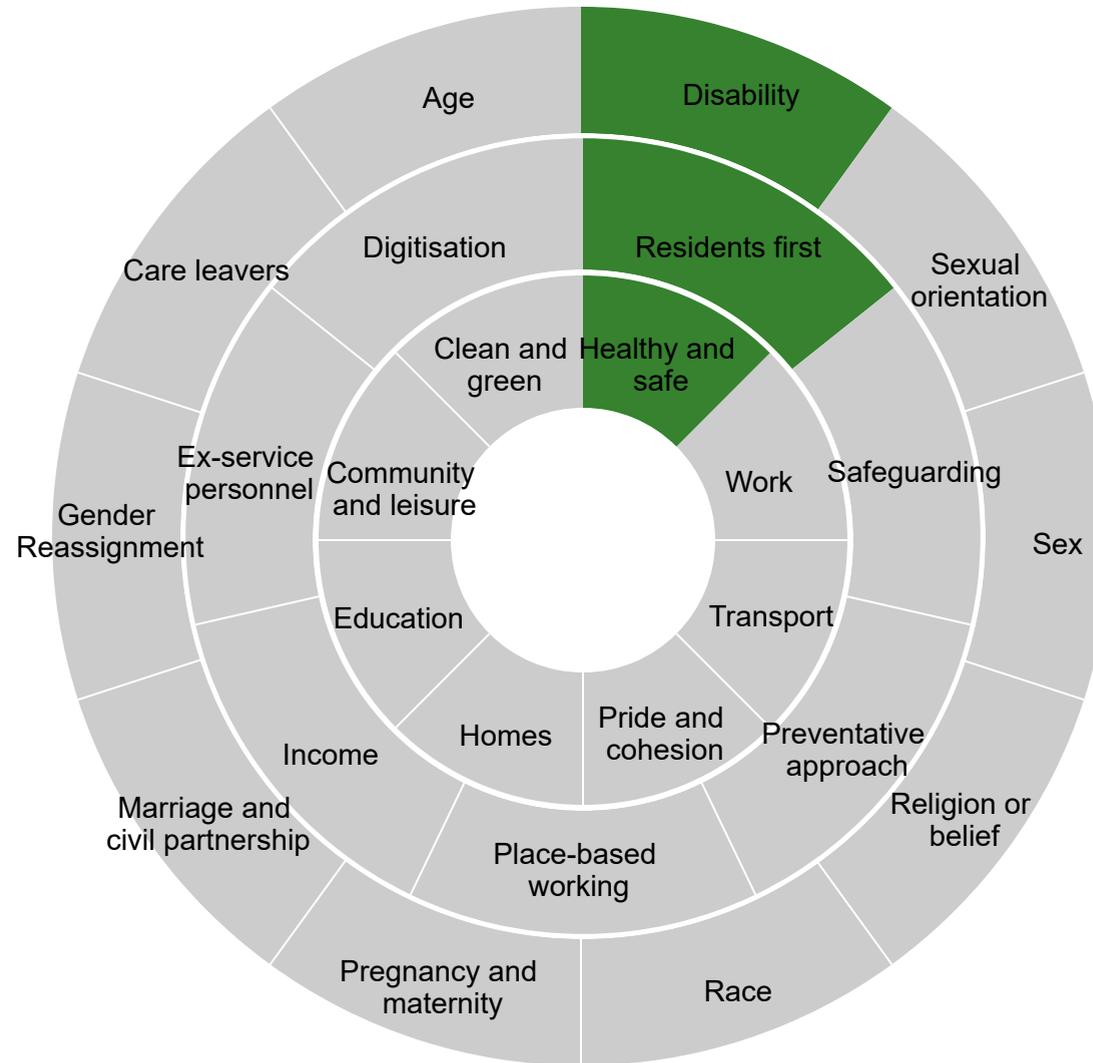
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<sup>5</sup> If none, please state none. No Member having a disclosable pecuniary interest or officer having an interest in any matter (whether pecuniary or otherwise required to be declared) should take a decision in relation to that matter. Other interests of a non-disqualifying nature should be recorded here. Any dispensation in place in relation to the matter should also be recorded here. This may include other elected Members, officers, stakeholders and the local community.

# Changing Places

completed/last updated by Emma Cockcroft on 23/10/2023

Portfolio	
Regeneration and Housing	
Directorate	
PEG (Place and Economic Growth)	
Service/Team	
PEG - Economy	
Is this IA related to a Budget Reduction proposal?	<input type="checkbox"/> No



# Equality Characteristics

Category	Impact	Likely	Duration	Impact Score	Comment
Age	Neutral	Very Likely	Long Term	0	
Care leavers	Neutral	Very Likely	Long Term	0	
Gender Reassignment	Neutral	Very Likely	Long Term	0	
Marriage and civil partnership	Neutral	Very Likely	Long Term	0	
Pregnancy and maternity	Neutral	Very Likely	Long Term	0	
Race	Neutral	Very Likely	Long Term	0	
Religion or belief	Neutral	Very Likely	Long Term	0	
Sex	Neutral	Very Likely	Long Term	0	
Sexual orientation	Neutral	Very Likely	Long Term	0	
Disability	Strong Positive	Very Likely	Long Term	8	Delivers the best accessible facilities for people with complex and multiple needs, improving their quality of life.

## Corporate Priorities

Category	Impact	Likely	Duration	Impact Score	Comment
Digitisation	Neutral	Very Likely	Long Term	0	
Ex-service personnel	Neutral	Very Likely	Long Term	0	
Income	Neutral	Very Likely	Long Term	0	
Place-based working	Neutral	Very Likely	Long Term	0	
Preventative approach	Neutral	Very Likely	Long Term	0	
Safeguarding	Neutral	Very Likely	Long Term	0	
Residents first	Strong Positive	Very Likely	Long Term	8	Provides the best accessible facilities for people with complex and multiple needs.

## Future Oldham Aims

Category	Impact	Likely	Duration	Impact Score	Comment
Clean and green	Neutral	Very Likely	Long Term	0	
Community and leisure	Neutral	Very Likely	Long Term	0	
Education	Neutral	Very Likely	Long Term	0	
Homes	Neutral	Very Likely	Long Term	0	
Pride and cohesion	Neutral	Very Likely	Long Term	0	
Transport	Neutral	Very Likely	Long Term	0	
Work	Neutral	Very Likely	Long Term	0	
Healthy and safe	Strong Positive	Very Likely	Long Term	8	Delivers the best accessible facilities for people with complex and multiple needs, improving their quality of life.

## Negative Impacts

Category	Impact	Likely	Duration	Impact Score	What action can be taken to mitigate the potential negative impacts?	Action(s)	Owner(s)	Timescale(s)	If the negative impacts can't be mitigated, why should the project/decision proceed?
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# Strong Positive Impacts that are Possible

Category	Impact	Likely	Duration	Impact Score	What action can be taken to increase the likelihood that positive impacts are realised?	Action(s)	Owner(s)	Timescale(s)
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