

## **Delegated Officer Report**

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| <b>Decision Maker:</b>   | Nasir Dad, Director of Environment   |
| <b>Date of Decision:</b> | 04 January 2024  |
| <b>Subject:</b>          | Proposal to award the contract to asset 1169 for safety surfacing repairs and resurfacing. |
| <b>Report Author:</b>    | <b>Sean Mitchell</b>   |
| <b>Ward (s):</b>         | Waterhead  |

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**Reason for the decision:** To award a contract to Nova Sport to carry out safety surfacing work and removal of defunct surfacing within the play area at Waterhead Park. This will be funded from S106 funding.

The need for this scheme arises from defunct and failing safety surfaces, meaning play equipment has had to be removed. The funds would enable the play area to be brought back to full use and the after-care cost of repairing and maintaining the play area site would be covered by the revenue s106 contribution. The scheme also includes some landscaping improvements on site to enhance the natural features around the play area.

**Summary:** The s106 contribution from Parkfield House is to be used to fund play space resurfacing works in Waterhead Park and its future maintenance. The carpet matting in the play is damaged and needs replacing. Therefore, this safety surfacing will be replaced with tiger mulch rubber safety surface, enabling play equipment to be reinstalled and improving the play value of the site. This will be carried out in sections:

- 1, Remove carpet (6m x 6m) from under supernova roundabout site & dispose
- 2, Junior Play Area (no wall) Supply and install bounded rubber mulch surface at 40mm depth in Green/ brown mix, allowing for key cut edges,

and install Rubber mulch (302.5m<sup>2</sup>) over the existing wet pour.

3, Infant area, remove carpet under the swings & 4 way see saw (7.5m x 4.5m & 7m x 4m)

4, Supply and install bounded rubber mulch surface at 40mm in Green/ brown mix Allowing for key cut edges and install Rubber mulch (174 m<sup>2</sup>) over the existing wet pour pods.

5, Landscaping improvements carried out on site to enhance the natural features around the play area.

#### Current Position

An open procurement route was followed in accordance with Oldham Council's Contract Procedure Rules. The Request for Quotation (RFQ) was advertised on the Chest e-procurement portal, closing date of 12 October 2023. Six compliant bids were submitted, in accordance with the Council's Contract Procedure Rules, the evaluation of the tender submissions sought to identify the submission offering the best value, based upon a combination of economy, efficiency and effectiveness. The tender evaluation was undertaken by Emma Wall (Category Manager), Sean Mitchell (Green Space Officer) and Mark Salway (Green Space Officer – Play Development). The outcome of the evaluation process was that Nova Sport submitted the tender offering the most economically advantageous package in relation to technical ability and cost. The cost of the project is £32,999.99.

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

Option1 – Award the contract to Nova Sport following a compliant procurement process. This will enable the Council to reopen the play area fully, and therefore increasing the play value of the site and encouraging children and young people to be active. The improvements to the site will also encourage more residents, especially families to use the site and be more active.

Option 2 – Do not replace safety surfacing. Instead monitor the play equipment and remove when the other areas start to fail. This would decrease the play value and overall use of the wider park. There is also a risk that the developer's contribution would have to be

returned to the developer if not used to enhance the play area in Waterhead Park.

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

**Recommendation(s):**

Option1 – Award the contract to Nova Sport following a compliant procurement process. This will enable the Council to reopen the play area fully, increasing the play value of the site and encouraging children and young people to be active. The improvements to the site will also encourage more residents, especially families to use the site and be more active.

**Implications:**

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

The cost to award Nova Sport the contract to deliver safety surfacing work and removal of defunct surfacing within the play area at Waterhead Park, will cost circa £33k and will be capital expenditure.

The works will be funded from the 'Waterhead Play space' scheme within the 2023/24 Environmental Services Capital Programme, which will be financed by Section 106 funding.

(John Edisbury)

*What are the **legal** implications?*

The proposals are an appropriate use of the S106 funding. (A Evans)

*What are the **procurement** implications?*

The Commercial Procurement Unit supports the recommendation outlined in this report. The quotation exercise has been carried out compliantly in line with the Council's Contract Procedure Rules. (Emma Wall, Category Manager)

*What are the **Human Resources** implications?*

*No HR implications.*

*(Catherine Reed, Strategic Workforce Partner)*

***Equality Impact** attached or not required because (please give reason)*

Yes

What are the **property** implications

*There are no property implications with regard to this matter  
(Alison Evans – Principal Estates Surveyor)*

**Risks:**

*The preferred option complies with Section 106 of the Town and Country Planning Act 1990 which will assist in mitigating the impacts of the development proposal at Parkfield House. Any risks associated with the implementation of the scheme will be dealt with by Environmental Services and selected contractor as part of the Risk Assessment Method Statements (RAMS) to be developed for the scheme. The repair and refurbishment at Waterhead Park will mitigate with any financial, reputational, and safety risks arising from the failing safety services at the location. Surfaces and play equipment should continue to be inspected and repaired in line with the current inspections policies and action.*

*Vicki Gallacher (Head of Insurance and Information Governance)*

**Co-operative Implications**

The project will enable the play area to be brought back to full use. Away from home, playgrounds are the most popular spaces for outdoor play at least once a week, closely followed by green spaces, and they are also the third most adventurous place for children's play. Play is also fundamental to the development of pupils' physical and mental health. (Jonathan Downs – Corporate Policy Lead)

**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 persons not in its 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 the contractor has been selected following the Council's contract procedure rules. 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).

No Environmental Implications (Andy Hunt)

**IT Implications**

*None*

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

**List of Background Papers under Section 100D of the Local Government Act 1972:**

| Title | Available from |
|-------|----------------|
| n/a   |                |

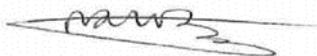
**There are no background papers for this report**

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| <b>Report Author Sign-off:</b> |  |
| S Mitchell                     |  |
| <b>Date:</b>                   |  |
| 4/1/2024                       |  |

Please list and attach any appendices:-

| Appendix number or letter | Description              |
|---------------------------|--------------------------|
| 1                         | Impact assessment report |

Signed:



Director of Economy

Date: 5 January 2024

## Appendix 1



IAReport\_SeanMitchel  
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