

NOT FOR PUBLICATION by virtue of Paragraph(s) <> 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:** Paul Clifford – Director of Economy

**Date of Decision:** 26<sup>th</sup> July 2024

**Subject:** Castleshaw Centre - Pitched Roof Replacement & Associated Works

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

**Ward (s):** Saddleworth North

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**Reason for the decision:** This report seeks approval for the acceptance of the most economically advantageous tender submission in relation to the pitched roof replacement and associated works at the Castleshaw Centre, Waterworks Road, Delph and to enter into a contract with the successful tenderer utilising the £165,000 capital grant funding awarded from the Youth Investment Fund.

**Summary:** In October 2023, Oldham Council successfully secured £165,000 capital grant funding from the Youth Investment Fund to replace the pitched slate roof at the Castleshaw Centre.

The existing roof is in poor condition and needs to be replaced to ensure the building is fit for purpose and ensure its long-term viability to deliver youth work and youth activities.

The funding received includes:  
£125,000 for roof works  
£15,000 towards Project Management costs  
£10,000 for associated overheads (including alternative delivery venue costs, any incidental

costs incurred during refurbishment and decoration etc).  
£15,000 contingency.

A condition of the grant is that the funding must be spent by December 2024.

This report seeks approval to award a contract to E Smith & Son for the works relating to the replacement of the pitched roof and associated works at the Castleshaw Centre following the successful completion of the mini competition process under Lot 14 of the Construction and Highways Works and Services Framework Agreement (CHWSFA).

E Smith & Son were the only organisation to submit a tender in response to the Council's invitation to take part in a mini competition. Tendered costs in respect of the proposed works are as follows:

<b>Activity</b>	<b>(£)</b>
Preliminaries	9,614.00
Schedule of Work	102,338.45
Mechanical Installation	23,663.20
Electrical Installation	9,101.40
Project Management Fees	15,000.00
<b>Total</b>	<b>159,717.05</b>

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

Option 1 is to accept the tendered costs and proceed with the replacement of the pitched roof and associated works and to enter into a Call-Off Contract for the works with E Smith & Son under Lot 14 of the CHWSF.

Option 2 is do nothing / defer the works. This is not considered a viable option due to the poor condition of the existing roof.

Without these works being undertaken the centre will continue to deteriorate, increasing its costs to the Council and potentially ceasing to be a useable asset, resulting in a loss of provision to Oldham's children and young people.

Option 1 is the preferred option as this delivers a permanent solution to the ongoing leaks and damage being experienced due to the poor condition of the existing roof.

These works will ensure a valuable asset is maintained for future use by children and young people.

Undertaking these works will reduce the burden of future capital investment and reduce likely revenue costs associated with routine repairs.

The proposed works will be undertaken with little or no costs to the Council.

Failure to undertake these works could result in the loss of an educational provision.

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

N/A

***Recommendation(s):***

To accept the tender submitted by E Smith & Son in relation to the Council's invitation, to approve the tendered costs and to enter into a Call – Off Contract with E Smith & Son, largely on the advertised terms and conditions for the replacement of the pitched roof and associated works.

**Implications:**

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

The £160k costs of the roof works will be capital expenditure and will be a charge to the Corporate Landlord Capital Programme. The costs can be financed from within the £165k YIF capital grant allocation.

(James Postle)

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

Rule 4 of the Council's Contract Procedure Rules (CPRs) requires that an open tender for works is undertaken where the proposed contract has a value which is below the relevant financial threshold under the Public Contract Regulations 2015. Alternatively, the Council can commission the required works under a procurement compliant Framework Agreement.

The Council's Construction and Highway Works & Services Framework Agreement (CHWSFA) covers Responsive & Planned Building Repairs, Construction Services and Highway Works with the flexibility to include additional Works and Services to the scope.

Lot 14 covers Minor Works - Building Repairs / Maintenance / New Build / Extensions / Refurbishment and requires that a mini competition is undertaken under the Lot where the contract value will exceed £50k.

Therefore, provided the Commercial Procurement Unit confirms that the mini competition has been undertaken in accordance with the requirements of the CHWSFA and the mini competition documents, the scoring and award criteria have been correctly applied and that a contract largely in the advertised form will be put in place with the successful bidder, there are no known legal implications to the proposed action.

Advice from Legal Services on the form of agreement should be sought as and when needed.

Sarah Orrell – Commercial & Procurement Solicitor

What are the **procurement** implications?

Procurement and the internal stakeholder reviewed all the current framework options available for this piece of work. It was then decided that the Highways & Construction Framework - Lot 14 - Building Repairs / Maintenance / New Build / Extensions / Refurbishment was the preferred option. This framework consisted of five suppliers E Smith & Son, F Parkinson Ltd, J Greenwood Builders Limited, Connor Ltd and Westshield Limited, out of the five suppliers only one submitted a bid which was E Smith & Son.

E Smith and Son's tender price is within budget of what the council was going to spend on this piece of work and demonstrates value for money and a cost saving for the Council.

What are the **Human Resources** implications?

N/A

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

Not required as no negative impact to children and young people.

What are the **property** implications

Accepting the tender from E Smith & Son and progressing with the replacement of the roof means that the future of the building is secured and service provision will be retained going

forward. The works are to be funded via a grant and not from the Corporate Landlord budget. Undertaking these works will reduce the burden of future capital investment and reduce likely revenue costs associated with routine repairs.

(Alison Evans – Corporate Estates Manager)

**Risk assessments:**

The legal and procurement comments are documented separately in this report. The appointment of the contractor following the tender exercise is required in order to progress the repairs to the pitched roof at the Castleshaw Centre. There could be reputation risks if the building is not refurbished in a reasonable time period as it could mean a loss of provision in the borough. The service should ensure that the contractors appointed to carry out the works have appropriate insurance and risk assessments in place to carry out the work. The service should ensure that all grant conditions are complied with too including the completion of the project and spend by December 2024.

Vicki Gallacher (Head of Insurance and Information Governance)

**Co-operative implications**

The recommended proposals set out in this report set out a clear path towards replacing the roof at the Castleshaw Centre. By achieving this the centre will be able to continue to deliver youth work and youth activities for residents. Providing these types of services which improve residents' lives and wellbeing is in line with our cooperative agenda.

(James Mulvaney, Policy Manager)

**IT implications**

There are no IT implications with this initiative.

Lindsey Al-Basri (IT Head of Projects)

**Environmental and Health and Safety implications**

Checks would have to be made on the contractor to make sure they haven't had any Health and Safety Enforcement notices served on them.

They also have to have suitable insurance in place as well as risk assessments and safe systems of work.

(Samantha Cox Environmental Health Manager)

**Community cohesions, including crime and disorder implications**

The Castleshaw Centre provides a valuable offer for children and young people, allowing them to engage in activities they may otherwise not have the opportunity to experience. Having such a

local offer is crucial to enabling children and young people to experience positive activities. There is empirical evidence that sport and physical activity is a protective factor in the diversion of children and young people from involvement in crime and disorder and positive experiences can support children and young people who have experienced trauma and adverse lived experiences.

(Lorraine Kenny – Head of Community Safety Services)

The Castleshaw Centre is a resource that provides opportunities for children and young people, often from a range of diverse backgrounds, to come together to participate in meaningful activities. The proposal to replace the roof will ensure that the facility continues to be utilised for this purpose and supports the Council’s efforts to promote community cohesion.

(Natalie Downs, Stronger Communities Manager)

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

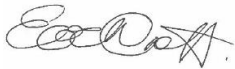
Has the relevant Finance Officer confirmed that any expenditure referred to within this report is consistent with the Council’s budget? Yes

Are any of the recommendations within this report contrary to the Policy Framework of the Council? Yes

**Reason(s) for exemption from publication:** 3. Information relating to the financial or business affairs of any particular person including the Council

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

Title	Available from
Castleshaw Centre - Roof Replacement	Jodie Barber – Head of Service (Youth Service & Outdoor and Environmental Education Service)

<b>Report Author Sign-off:</b>	
<b>Date:</b>	26 <sup>th</sup> July 2024

Please list and attach any appendices:-

<b>Appendix number or letter</b>	<b>Description</b>
A	Castleshaw Roof Replacement Report for the acceptance of the grant monies and delegated approval for all procurement and tender activities.

In consultation with Paul Clifford, Director of Economy

Signed :



Date: 15/08/24