

DECISION ITEM

| REPORT OF | MEETING | DATE | ITEM NO |
|---|----------------------------------|------------------|---------|
| DEVELOPMENT SERVICES DIRECTORATE | OPERATIONAL MANAGEMENT COMMITTEE | 17 DECEMBER 2019 | 4 |
| FAIRHAVEN AND CHURCH SCAR PUBLIC REALM WORKS | | | |

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

SUMMARY

The report provides details of a fully-funded budget increase in respect of the Fairhaven and Church Scar Coast Public Realm Works Scheme within the existing approved Capital Programme for 2019/20 in the sum of £115,000, to be met in full from the available revenue funding for Coast Protection Repairs and Maintenance in the total sum of £82,000 (£32,000 in 2019/20 and £50,000 for 2020/21), together with a virement in the sum of £33,000 from the Fairhaven and Church Scar Coast Protection Capital Scheme.

Additionally, the report sets out the procurement proposal for the various public realm elements of the project which includes a request to waive contract procedure rules, in accordance with the constitution, and to appoint Mollington Contracts Ltd to deliver the seating indents at Fairhaven and Church Scar. This will enable the council to deliver the project on time for opening the area to the public and achieving a bespoke design scheme.

The report also outlines the approach to the delivery of the public realm elements and car park barrier on the entrance to Stanner Bank car park.

This will enable the public realm elements and the Stanner Bank car park entrance scheme to be delivered in the same timeframe as the Coastal Defence Scheme at Fairhaven, Church Scar and Granny's Bay and enable the area to be opened in line with public expectation.

RECOMMENDATIONS

The Committee is requested to:

1. Recommend to the Finance and Democracy Committee approval of a fully-funded budget Increase in respect of the Fairhaven and Church Scar Coast Public Realm Works Scheme within the existing approved Capital Programme for 2019/20 in the sum of £115,000, to be met in full from the available revenue funding for Coast Protection Repairs and Maintenance in the total sum of £82,000 (£32,000 in 2019/20 and £50,000 for 2020/21), together with a virement in the sum of £33,000 from the Fairhaven and Church Scar Coast Protection Capital Scheme;
2. Subject to 1 above, approve the commencement of the proposed public realm works to Church Scar and Fairhaven promenade and the entrance to Stanner Bank car park as detailed in Table 3 in the sum of £525,000, with the works being funded from the approved Fairhaven and Church Scar Public Realm budget and the Stanner Bank car park scheme which are both within the Councils approved capital programme for 2019/20 to a combined value of £410,000, with the remaining £115,000 being funded as set out in 1 above;
3. Approve the drawdown of £375,000 of the total funding for the Fairhaven and Church Scar Coast Protection Public Realm Scheme and £50,000 of the total funding for the Stanner Bank car park barrier scheme (both projects are in the 2019/20 approved capital programme) with drawdown of £100,000 for

the Fairhaven and Church Scar Coast Protection Public Realm Scheme having been previously approved by this Committee in November 2018;

4. Note the procurement approach proposed to deliver the various public realm elements as detailed in sections 8-16 of this report and Authorise the engagement of VBA Ltd to design and construct the entrance to Stanner Bank car park at a price of £303,000; and
5. Authorise that contract procedure procedures are waived in accordance with the constitution to engage Mollington Contracts Limited to deliver the seating indents at Fairhaven and Church Scar to a value of £95,000 on the basis that it would be inadvisable to have two main contractors working on the same site and to meet the project time frames for re-opening to the public.

SUMMARY OF PREVIOUS DECISIONS

Operational Management Committee at its meeting on 12th September 2017 resolved:

1. To approve expenditure in the sum of £19.83m in respect of the Fairhaven to Church Scar Coast Protection Scheme which was included within the approved Capital Programme in the total sum of £19.83m; and
2. To authorise that a contract to be entered into with the Preferred Bidder, VBA Joint Venture Ltd, for the detailed design and construction of the Fairhaven to Church Scar Coast Protection Scheme.

Full Council at its meeting on 4th December 2017 resolved:

1. To approve a funded budget increase for 2018/19 in the sum of £360k in respect of the Fairhaven and Church Scar Coast Protection Scheme, that was within the approved Capital Programme, to provide public realm enhancements to the core coast protection scheme;
2. To confirm that the two funded budget increases in the total sum of £480k (£360k in 2018/19 and £120k in 2019/20) would be met from the Capital Investment Reserve; and
3. To note that reports detailing each of the elements of work to draw down the funds would be provided to the respective programme committee (Operational Management Committee or the Tourism and Leisure Committee) in due course.

Operational Management Committee 13th November 2018 resolved:

1. To approve the proposed works to Church Scar promenade in the sum of £100,000 as detailed in the report, with the works being funded from the approved Fairhaven and Church Scar Public Realm budget which is within the Councils approved capital programme for 2018/19; and
2. To authorise the commissioning of the detailed design and construction of the seating areas to VBA Ltd subject to agreeing a price that is within the £100k budget for this purpose. Otherwise the work would be tendered to suitably qualified and experienced contractors and awarded to the lowest bidder, subject to the £100k maximum budget for this purpose.

CORPORATE PRIORITIES

| | |
|--|---|
| Spending your money in the most efficient way to achieve excellent services (Value for Money) | ✓ |
| Delivering the services that customers expect of an excellent council (Clean and Green) | ✓ |
| Working with all partners (Vibrant Economy) | ✓ |
| To make sure Fylde continues to be one of the most desirable places to live (A Great Place to Live) | ✓ |
| Promoting Fylde as a great destination to visit (A Great Place to Visit) | ✓ |

REPORT

BACKGROUND AND STRATEGIC CONTEXT

1. The Council are currently in the process of delivering a £21.83m replacement hard coastal defence scheme at Fairhaven, Granny's Bay and Church Scar, the details of the scheme have been reported to this committee.
2. The Operational Management Committee received a report in September 2017 which approved entering into a contract with VBA Joint Venture Ltd to design and construct Fairhaven to Church Scar Coast Protection Scheme.
3. As noted in the minutes of the Operational Management Committee meeting of 14th March 2017 the public realm enhancements to the core sea defence scheme cannot be funded from the Environment Agency Flood Defence Grant in Aid (FDGiA).
4. In December 2017 Council approved a funded budget increase for 2018/19 in the sum of £360,000 in respect of the Fairhaven and Church Scar Coast Protection Scheme, for the public realm enhancements, this is in the approved capital programme (Table 1).
5. In November 2018 The Operational Management Committee approved a capital bid in the sum of £50,000 for a car park barrier system on the entrance to Stanner Bank Car Park, this was ratified at Full Council on the 5th March 2019 and is within the approved capital programme (Table 2).
6. The coast defence scheme remains under budget and ahead of programme. Church Scar Promenade is due to re-open to the public in April 2020. The additional works at Granny's Bay are contracted to be complete in December 2020.

Table 1 – Summary of the proposed public realm works at Fairhaven and Church Scar

| Element of work | Description of need/work | Cost (£000) |
|---|--|-------------|
| Remodelling entrance | Remodeling of the Stanner Bank Car Park entrance covering an area around 1,300m2 to compliment the overall coastal defence project. Entrance to be narrowed with landscape to marry in with the Green at Granny's Bay. Surface treatments to match coastal defence designs, Carriageway 6 m wide with a buff coloured chip. Promenade to be 5.5 m concrete exposed aggregate finish. Revised car parking entrance/layout provided. | 140 |
| Benches Fairhaven Promenade | Provision of bespoke seating to compliment the wider landscape. Seating to be designed and constructed of quality materials which are durable and long lasting. Designs and numbers of benches to be agreed as part of discharge of the planning conditions. | 150 |
| Benches at Church Scar | Creation of bespoke scallop shaped seating areas with two concrete benches with timber slats. The rear of the Seating area to be created using timber sleepers laid vertically. Land to the rear of the benches to be married in with the sleeper wall. | 50 |
| Provision of service ducting to Mawson lookout (estimate) | Provision of ducting to allow for future services connection to a potential structure/building on or around the Mawson lookout. | 20 |
| Total of public realm works | | £360 |

Table 2 - Proposed car park barrier at Stanner Bank Car Park

| Element of work | Description of need/work | Cost (£000) |
|------------------------------|---|-------------|
| Provision of Traffic barrier | Provision of Car Park Barrier on the entrance to Stanner Bank Car Park. | 50 |
| | | £50 |

7. The procurement and delivery of the public realm elements and the barrier system has been subject to the following factors:
- The available budget
 - Inability to agree a price with the main contractor to deliver the seating areas at Church Scar
 - The requirement for the main contractor to deliver the remodelled entrance to Stanner Bank Car Park
 - Programme to ensure Church Scar opens to the public on 31st March 2020 with seating areas
 - Changes to the bench locations at Fairhaven

SCHEME DETAILS

8. The main contractor VBA Joint Venture Ltd has provided a quotation of £303k to design and construct the remodelling of the Stanner Bank Car Park entrance covering an area around 1,300m² to compliment the overall coastal defence project and incorporating the Stanner Bank car park barrier system. The original design of the Stanner Bank car park entrance is included as Appendix 1 to this report, it will be redesigned to incorporate the car park barrier system.
9. The original budget for remodelling of Stanner Bank Car Park entrance plus the provision of a car park barrier system was set at £190,000, this included £140,000 to remodel the entrance and £50,000 to introduce a car park barrier system. VBA Joint Venture Ltd provided the estimate of £140,000 to remodel the entrance excluding the car park barrier.
10. The quotation of £303,000 (including the car park barrier system/payment machines) has now been submitted and evaluated by an independent Quantity Surveyor to provide validation that the quote is consistent with current market rates. The original VBA Joint Venture Ltd quotation of £140,000 provided in 2017 (which excluded the car park barrier system/payment machines) was time limited. This quotation was not independently assessed and validated. The works could not be commissioned at the time due to unresolved issues around the potential relocation of the kiosk building and introduction of alternative car park management arrangements.
11. VBA Joint Venture Ltd have been commissioned to deliver the coastal defences at Fairhaven, Church Scar and Granny's Bay. The Stanner Bank Car Park entrance is the main entrance to the Fairhaven section of the Coastal Defence Scheme, there are logistical, operational and financial reasons to use the onsite contractor to deliver the public realm and car park entrance elements of the project. Advantages include; continuity in terms of quality workmanship and sourcing of materials; existing onsite infrastructure; delivery simultaneously, and seamlessly, with completion of the sea defence works; and an existing effective working relationship.
12. Under the terms and conditions of the contract with VBA Joint Venture Limited, for any additional works priced the council has 10 working days to accept or reject the main contractors offer from the date it is submitted. The quote for the additional public realm and car park entrance works was received on November 28th, 2019 and will expire on December 12th, 2019. However, VBA have agreed to extend this period to allow time for approval to be obtained under the committee system.
13. The project board selected an alternative bench style to those proposed in the original planning consent, supplied by Artform Urban Furniture Limited who are the only supplier of the bench style in the UK. As a result of the proprietary bespoke nature of the benches, the delivery lead time and the fact that the seating areas at Church Scar must be in position for 31st March 2020, the benches have been ordered at a cost of £117,000. This is £17,000 more than the original budget agreed in November 2018 by this committee and represents part of the increased expenditure however, the Project Board which includes the Vice Chairman of the committee agreed that the benches were the most appropriate in design and quality.
14. The project board also selected a waste bin style which is supplied by Glasdon which have been ordered at a cost of £10,000.
15. The Council has been unable to agree an acceptable price with the main contractor to deliver the seating areas at Church Scar which has resulted in changes to the seating detail. The large art deco style concrete structures situated on the promenade were too large and did not represent the best solution or value for

money. The Board felt it would be better to keep the promenade clear and set the seating back into the landscape. A commission is almost complete with Mollington Contracts Limited, a sub contractor of VBA Joint Venture Ltd, to deliver the exposed aggregate promenade surfacing as well as the seating indents in an exposed aggregate to match the promenade at Fairhaven and Church Scar and to install the seats and bins. The work includes 9 indents and installation of 10 benches at Church Scar, with 21 indents and the installation of 23 benches at Fairhaven including a substantial indent at Mawson's Lookout. The cost of this commission is estimated at £95,000, it is proposed to award the works to Mollington Contracts Limited for the following reasons; to avoid two main contractors operating on the same site; to deliver the project in time for opening to the public; and to ensure a seamless quality of work. The final quote from Mollington Contracts Limited is to be received by December 13th which will be reported to the committee.

PROCUREMENT AND VALUE FOR MONEY

16. The current contract with VBA provides the mechanism to ensure that the Council only pays reasonably incurred costs for any further works. Notwithstanding this the Council has the right to procure goods and works in line with the Council's procurement policy. Table 3 highlights the procurement route for delivering the public realm elements of the project.

Table 3

| Description | Procurement Path | Value (£000) |
|---|--|--------------|
| Stanner Bank car park entrance | Procured under the main VBA contract | £303 |
| Purchase Artform Benches | Procured under the Council's exempt contract rules. Direct award where the goods are of a proprietary nature | £117 |
| Purchase of Bins | Procured under the Council's small contract procedure rules where the value is less than £10,000 | £9.8 |
| Seating areas Church Scar and Fairhaven | Direct Award as the Council can't have two main contractors working on the same site at the same time. | £95 |

COST OF SCHEME AND METHOD OF FINANCING

17. The original budget for the public realm scheme which is in the 2019/2020 capital programme is included in Table 4, with details of the revised cost of the public realm works as well as the proposed financing arrangements in Table 5.

Table 4 – Original Budget

| Element of Work | Budget (£000) |
|------------------------------|---------------|
| Remodelled Entrance | £140 |
| Benches Fairhaven Promenade | £150 |
| Benches Church Scar | £50 |
| Provision of Service Ducting | £20 |
| Provision of Traffic Barrier | £50 |
| Total | £410 |

Table 5 – The Revised Budget and Funding

| Public Realm Total Project Costs | | Funding Source | | |
|--|-------------|---------------------|-------------------------|--|
| Item | Cost (£000) | Public Realm Budget | *FDGiA Grant – Virement | Fylde Council Coastal Defence Revenue Budget |
| Stanner Bank Car Park Entrance | £303 | £303 | | |
| Benches Purchase | £117 | £107 | | £10 |
| Bins Purchase | £10 | | £10 | |
| Seating Area's Church Scar and Fairhaven | £95 | | £23 | £72 |
| Total | £525 | £410 | £33 | £82 |

* FDGiA – Flood Defence Grant in Aid

18. If the Committee approves the use of the financing proposal in Table 5 for the costed work, it will be possible to deliver all the public realm works using the main contractor and the appointed sub-contractor.

FUTURE REVENUE BUDGET IMPACT

19. The coastal defence maintenance will be undertaken by the contractor for the first year, after which the Council's Technical Services team will maintain the facility using the coastal defence revenue maintenance budget. Maintenance for the car park barrier will be overseen by the Council's Parking Services team, if the installation of a barrier will result in an increase in the level of income for the car park which will be used to meet any additional revenue costs, including maintenance and out-of-hours support.

RISK ASSESSMENT

20. The Scheme is a medium risk project as a result of the delivery and performance of the main contractor and other stakeholders and continues to be managed as such.

VIABLE ALTERNATIVES

21. The Planning Consent identifies the seating areas as a specific condition, alternative locations would have to be agreed with the Local Planning Authority. Changes to the layout of the car park entrance will be agreed with the Local Planning Authority.
22. If the contract to deliver the seating indents at Church Scar and Fairhaven and install the benches is subject to tender, the work would need to be carried out when the main project is complete, this would result in the commitment for opening the footpath to the public being delayed and work would start again on site in September 2020.
23. If the contract for designing and constructing the car park entrance and barrier is subject to tender the work would be carried out in September 2020 leaving a situation where the coastal defences at Fairhaven are completed and the entrance to the car park would remain unaltered with a difference in levels at the entrance and no infrastructure to implement car park charges.

OBJECTIVES, OUTPUTS AND OUTCOMES

24. The objectives, outputs and outcomes of the public realm scheme is to ensure the entrance to Stanner Bank Car Park is landscaped and finished to the same high standard as the rest of the car park and surrounding landscape and create a distinctive feature with quality seating areas.

CONCLUSION

25. The Committee is requested to recommend to the Finance and Democracy Committee approval of a fully funded budget Increase in the sum of £115k in 2019/20 in respect of the Fairhaven and Church Scar Coast

Public Realm Works as detailed within this report, and to authorise the drawdown of the remaining £375,000 in respect of the Fairhaven and Church Scar Coast Protection Public Realm Scheme and £50,000 in respect of the Stanner Bank Car Park Barrier scheme, both schemes being within the Council's 2019/20 approved capital programme, with drawdown of £100,000 of the Fairhaven and Church Scar Coast Protection Public Realm Scheme having been previously approved by this Committee in November 2018.

| IMPLICATIONS | |
|---|--|
| Finance | The Committee recommends to the Finance and Democracy Committee approval of a Capital Funded Budget Increase in 2019/20 to the sum of £115k for the Fairhaven and Church Scar Coast Public Realm Works to be met in full by a combination of £82k from the Coast Protection Repairs and Maintenance Revenue funding, together with a virement of £33k from the Fairhaven and Church Scar Coast Protection Scheme, and subject to this approval further requests to the Operational Management Committee to authorise the commencement of the scheme expenditure as detailed within the report. |
| Legal | None arising from this report |
| Community Safety | None arising from this report |
| Human Rights and Equalities | None arising from this report |
| Sustainability and Environmental Impact | None arising from this report |
| Health & Safety and Risk Management | None arising from this report |

| LEAD AUTHOR | CONTACT DETAILS | DATE |
|-------------|---|--------------------------------|
| Darren Bell | Darren.Bell@fylde.gov.uk 01253 658465 | 21 st November 2019 |

| BACKGROUND PAPERS | | |
|-------------------|---------|---|
| Name of document | Date | Where available for inspection |
| Planning Consent | 21/4/17 | https://www3.fylde.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal= FYLDE_DCAPR_47511 |

Attached documents –

Appendix 1 – Remodelled Stanner Bank Car Park Entrance

Appendix 1 – Remodelled Stanner Bank Car Park Entrance (within red boundary)

