

7 September 2017

Update on the new Walsall Town Centre Market project

Ward(s) St Matthews

Portfolios:

Councillor Jeavons – Deputy Leader and Regeneration

Councillor Jones – Clean and Green

Executive Summary:

This report provides an overview of the progress to date of the delivery of the new Walsall Town Centre Market. This update follows previous reports to both Cabinet and the Council's scrutiny process. It sets out the main activities that have been undertaken since the awarding of planning consent in March 2015 and provides an insight into the methodology being taken to implement the project, outlining the key constraints and proposed way forward.

Reason for scrutiny:

To provide the Committee with an update on progress of the delivery of the new Walsall Town Centre Market. The project has been overseen by the Council's scrutiny processes since 2012 and there is continued interest in the delivery of this important capital investment in the town centre.

Recommendation:

That, Corporate and Public Services Overview Committee note the content of this report.

Background papers:

- 23 January 2013 Cabinet 'Review of the Town Centre Market Report of the Regeneration Scrutiny and Performance Panel'
- 23rd January 2014 Regeneration Scrutiny Panel 'Walsall Market Feasibility Study'
- 6th March 2014 Regeneration Scrutiny Panel 'Walsall Market Feasibility Study'
- 22nd April 2014 Regeneration Scrutiny and Performance Panel 'Walsall Market Feasibility Study'
- 30th April 2014 Cabinet 'Response to the Regeneration Scrutiny and Performance Panel Report on Walsall Market Feasibility Study'
- 4th September 2014 Regeneration Scrutiny and Performance Panel 'Walsall Market Feasibility Study'

Resource and legal considerations:

Council in February 2014 approved, as part of the 2014/15 Capital Programme, a project budget of £2million to deliver the new Walsall Town Centre Market. This budget was informed by a previous feasibility and cost plan exercise undertaken by external experts appointed to undertake a high-level design layout, obtain a planning approval for the market and produce an associate cost estimate. The £2million was awarded to the project to both cover the costs of professional fees and works. To date £90,000 has been expended of the £2million budget with this expenditure been associated with additional design and feasibility fees (see report detail).

There are no direct legal considerations associated with this report, however a set out in the report detail section, there are procurement considerations as part of the appointment of a professional team alongside the contractor(s). There are also further planning considerations that will need to be worked through as the project continues to evolve (see report detail).

Citizen impact:

Walsall Town Centre Market is an important asset within the Town Centre, offering a service to residents, and supporting businesses to thrive. As demonstrated through the evidence base provided as part of the planning application (reference 14/1871/FL) determined in March 2015, the market adds to the vitality and vibrancy of the Town Centre's offer.

Environmental impact:

The improvements proposed by the project will serve to enhance the environmental amenity of the market and the wider Bridge area of the town centre. Enhancing the town centre's public realm remains a corporate priority and supports the delivery of the Walsall Town Centre Area Action Plan. The Walsall Town Centre Market project provides for a first stage of public realm improvements in the Town Centre and provides a design standard and pallet for further capital programme investments.

Performance management:

See above.

Equality Implications:

None arising from this report

Consultation:

Throughout the preparation and implementation of this project, a number of consultation exercises have been carried out, and the Market Traders Association (MTA) are engaged in regular briefings on progress. The MTA are aware of the difficulties in delivering the project (see Report Detail) but are also aware that the Council is committed to delivering this investment at the earliest and most practicable opportunity. As the project moves towards implementation on-site further awareness raising will be undertaken with residents and businesses alike.

Contact Officer:

Jo Nugent
Place Development Manager
 01922 654752
joanne.nugent@walsall.gov.uk

Report:-

- 1.1 At its meeting 30 April 2014 Cabinet resolved to support the submission of a planning application for a permanent location for Walsall Town Centre Market. Planning consent was granted in March 2015 to relocate and improve the historic Walsall Town Centre Market to a permanent location on The Bridge. The awarding of planning consent followed an extensive period of consultation with key stakeholders to inform the design and layout of the Market and a level of due diligence undertaken to give comfort that, further to more detailed design being undertaken, the project was deliverable (in both cost and design terms). Alongside the work undertaken to resolve a new location and design for Walsall Market, work was commenced to consider site and facility options for market storage; drawing on examples of best practice from other markets across the country.
- 1.2 As set out in the report to Cabinet 30 April 2014, it was always the intention of the Council to procure additional professional advice and a contractor to take forward the implementation of the Market project post the determination of the planning application. Cabinet resolved to delegate the appointment of a professional design team to take forward the detailed design of the project through to tender preparation and the procurement of a contractor to undertake the works on site. The purpose of this detailed design work was to fully test the buildability of the project.
- 1.3 Following the granting of planning consent a procurement exercise was undertaken to appoint a new external design team to undertake due diligence on the project (the market and market storage options), this same design team undertook further site surveys to identify any unknown physical constraints at the time the planning application was prepared. Work was also commenced on the feasibility and business case of the market storage facility.
- 1.4 The process identified a small number of constraints that could have an impact on the consented design layout e.g. the distance between building lines and proposed stall locations only identified through a full topographic survey. The design team were also able to take the previous design commentary from the Market Traders consultation and offer their consideration of design improvements that may serve to further overcome outstanding design concerns.
- 1.5 The team that was appointed to prepare the due diligence was then invited to prepare their full fee proposal, in line with a pre-existing OJEU compliant framework fee schedule: This was to take the project forward to completion if site. A fee proposal was put forward and tested against the Council's value for money policies and it was resolved that this was not in line. Further procurement advice was sought from the Council's procurement team and alternative OJEU compliant frameworks were identified. A further process was undertaken to consider value for money with a number of frameworks accessed and fee proposals obtained. This was a process that inevitably took more time than anticipated and which has subsequently impacted upon the delivery timescales.

- 1.6 Also during the period of time when the procurement options were being considered, the Regeneration and Development Service saw a significant change in key personnel including the project manager. These changes in the available resource also impacted upon the pace of implementation, and the reduction in resource has effected the project. That said, momentum on the project has continued with the resources available.
- 1.7 The project is now sufficiently re-resourced that it is anticipated that good progress can now be made to implement the next steps of the project. In mid-2017 it was resolved that the best procurement option for the appointment of a design team was to separate the two work streams- the market relocation and the market storage-; commission design and contractor teams separately; and run the projects in parallel to one another but not necessarily with the same milestone dates. It was resolved that the expertise needed to take both projects forward could be met by different professional disciplines.
- 1.8 It has been resolved that the Planning, Engineering and Transportation Service will take forward the market relocation project; the Major Projects Minor Improvements Team will undertake the project management role working closely with the Markets Service, and their design expertise will be supplemented by early contractor engagement. Procurement of the contractor relationship is being worked through at the time of writing this report but suitable contractor frameworks will be available to the project. It is hoped that early contractor engagement will lead to time savings further into the implementation process, and contractor appointment will be based on value for money including experience of delivering similar public realm and market design experience.
- 1.9 It has also been resolved that the expertise to test the feasibility, requirements and business case for the market storage facility is best done externally through a framework consultant. At the time of writing this report the formal appointment process is underway with the necessary approvals being sought to instruct the recommencement of this work stream.
- 1.10 Over the next 2-3 months the design teams will continue to engage with the MTA and other key stakeholders to take forward the detailed design and where necessary, incorporate design improvements. The extent to which the design improvements can be delivered within the existing planning permission will be resolved with the Local Planning Authority and early advice has recommended that any design improvements should be dealt with through a section 73 application. An initial review of the revised implementation timescales now place the project being on-site in spring 2018 and the same up to 12month delivery programme anticipated.