

Cabinet – 27 April 2016

Goscote Lane Corridor: Open Space Improvements – Contract Award

Portfolio: Councillor Andrew: Economy Infrastructure and Development

Related portfolios: Councillor Harrison: Clean and Green

Service: Economy and Environment: Regeneration & Development

Wards: Blakenall; Bloxwich East

Key decision: Yes

Forward plan: Yes

1. Summary

- 1.1 Walsall Housing Group (whg) has been awarded £8.8 million through the Black Country Growth Deal to support housing delivery and environmental enhancements in the Goscote Lane Corridor regeneration area. By April 2016 the Council will have entered into a back-to-back sub-grant agreement with whg to deliver open space improvement works on land known as the Lea and Swannies Field and within the adjoining canal corridor. Whilst these open spaces are wholly located in the Blakenall ward, improvements to outdoor recreational facilities will have a wider catchment and positive resident impact for adjoining wards.
- 1.2 The Council are required to obtain planning consent for the open space improvement works that are not classed as permitted development. The planning application for the works was submitted to Walsall Local Planning Authority in March 2016 and is due to be determined by the end of April 2016. In parallel, an OJEU compliant open procurement process for landscape contractor appointment commenced from 30th March 2016, with tenders to be returned by 10th May 2016 following the planning determination.
- 1.3 In order to meet the delivery timescales and spend profile requirements of the grant agreement, the landscape contract(s) need to be awarded in June 2016 to enable contractor mobilisation and works to commence in July 2016. Cabinet approval is therefore sought to delegate authority to the Executive Director for Economy & Environment to accept the tender(s) and to award, sign or authorise the signing of the landscape contract(s) for the open space works. The contract(s) will be strategic contracts, with the value estimated to be above £500,000 but less than the EU threshold for Works.

2. Recommendations

- 2.1 That Cabinet delegate authority to the Executive Director for Economy & Environment in consultation with the Cabinet Member for Economy Infrastructure and Development to accept the tender(s) and award the contract(s) for the open space improvement works at land known as the Lea and Swannies Field, up to a value of £1.3 million, for the period June 2016 to 30th June 2017, following the outcome of the procurement exercise.
- 2.2 That Cabinet delegates authority to the Executive Director for Economy & Environment in consultation with the Cabinet Member for Economy Infrastructure and Development to sign or authorise the sealing of contracts, deeds or other documents in relation to the open space improvement works delivery.

3. Report detail

- 3.1 Following the submission of the Black Country Strategic Economic Plan (SEP) to Government in April 2014, the Black Country Local Enterprise Partnership (LEP) agreed the Growth Deal with the Government in July 2014, worth over £138m. On behalf of the Black Country LEP, the Council act as the Accountable Body for the Growth Deal. Following a joint bid by the Council and Walsall Housing Group (whg), the Goscote Lane Corridor regeneration area is one of the approved Black Country 'Sites for Growth' projects within the Growth Deal. whg has been awarded £8.8 million in total through the Growth Deal to support housing delivery and environmental enhancements in the regeneration area. whg entered into a grant agreement with the Council in November 2015.
- 3.2 The Goscote Lane corridor has been part of 10 year collaborative programme between the Council and whg through the Strategic Regeneration Framework (SRF), with regeneration aspirations set out in the Goscote Lane Corridor Regeneration Framework (2007) and Masterplan Design Guide (2010 & updated 2012). The delivery of the residential redevelopment commenced on-site in 2014/15, where whg and their developer, Keepmoat are developing out 412 new homes at Waters Keep (formerly Poets Estate) as part of the phased 3-year programme. In parallel, whg have also selected a preferred developer partner for the redevelopment of former Goscote estate following a procurement process, with works expected to commence in late 2016/17 on circa 300 new homes (subject to contract award and planning). Circa £7 million of the total Growth Deal grant award will be used by whg to directly support the housing development and environmental improvements at the former Goscote estate. The remaining £1.8 million will be used by whg on environmental improvements at Waters Keep (£0.5 million) and within the regeneration area (£1.3 million).
- 3.3 Located central to the two housing developments are the Council-owned and managed open spaces, known locally as the Lea and Swannies Field, which are intersected by the Wyrley and Essington Canal. Given the proximity, the open spaces and canal corridor are key to supporting and sustaining the regeneration aspirations for the area and providing an improved and well maintained environment for existing and new residents, both now and into the future. As such the partners acknowledge that a programme of environmental enhancement across these open spaces and canal area are required. As the majority land owner, the Council are therefore due to enter into a back-to-back

sub-grant agreement with whg for £1.3 million funding from the Growth Deal award to be spent in the 2016/17 financial year on open space improvements. The Council will also enter into a license arrangement with the Canal & River Trust (C&RT) to carry out improvement works on their land within the corridor.

- 3.4 Following local consultation, and in partnership with whg, the Council have submitted a planning application to the Local Planning Authority for the open space improvement works on the Lea and Swannies Field. This application includes proposed improvements to entrances, paths, boundary treatment and the installation of new outdoor recreational equipment, such as play areas, skate park, football pitch, trim trail and multi-use games area (see Open Space Masterplan in Appendix 1). The application is due to be determined by Planning Committee in April 2016.
- 3.5 The conditions of the grant award require the Council to evidence works completed by 30th June 2017 through quarterly claims, with the final claim to be returned by whg by 20th July 2017. The works therefore need to commence on-site in summer 2016 to ensure that the improvements are delivered and grant claimed within the funding period. The commencement of the procurement process to appoint landscape contractor(s) and award date has been driven by the mandatory procurement timescales and the required start-on-site date (subject to planning).
- 3.6 An Invitation to Tender (ITT) was issued on 30th March 2016 through the Council's In-Tend e-procurement system, with a closing date for bid returns as 10th May 2016 (post the planning determination to allow for potential amendments). The contract will be awarded in two separate lots – Lot 1: The Lea and Lot 2: Swannies Field and Canal Corridor. Suppliers are eligible to submit bids for one or both lots and each lot can be awarded to the same tenderer if determined by the evaluation outcome.
- 3.7 The tender evaluation criteria is weighted 30% of the score being available for Quality criteria and 70% for the Price, based on the need to manage within the grant budget and commitment to ensure quality sustainable works. The Quality will be assessed using quality questions relating to project team, methodology, experience/case studies, project programme and cost/risk with the assessment completed by officers within Regeneration and Development against a set scoring criteria. The contract will be awarded to the bidder with the highest overall score.

4. Council priorities

- 4.1 The Council's Corporate Plan 2015-2019 seeks to improve lives and life chances for everyone who lives and works in the borough of Walsall and in so doing minimise the help that residents need from the state. The delivery of the open space improvement works located within the Goscote Lane regeneration corridor seeks to support the Council's priorities for:
 - Improving health and well-being
 - Creating Safe, Sustainable and Inclusive Communities

5. Risk management

- 5.1 The procurement process will be carried out in compliance with all necessary procurement and contract regulations and rules. Legal Services and Procurement will work with the service area to ensure the conduct of a compliant procurement process and that appropriate written contracts in a form approved by the Head of Legal and Democratic Services shall be made and executed in accordance with the Council's Contract Rules.
- 5.2 Seeking delegated authority to award the contract(s) following the procurement process outcome will ensure that the works are delivered within the timescales of the grant agreement and that the grant is not lost/allocated for alternative works.

6. Financial implications

- 6.1 The costs of the landscape contract(s) (up to a value of £1.3 million) will be fully met through the grant award that whg and the Council have secured as part of the Black Country Growth Deal. Payments and cashflow will be managed by the Council with the grant claimed from whg based on evidence of completed works. The Council's fees for project managing and overseeing delivery of the contract within the Regeneration and Development service area, as well as supporting site survey work, detailed design and planning application fees are also eligible expenditure under the grant award.
- 6.2 The Council currently manages and carries out the on-going maintenance for the Lea and Swannies Field within existing revenue budget allowances. It is acknowledged that the proposed improvements to the open space would require an increased maintenance specification and associated revenue. Appropriate resource allowances have been made by the Clean & Green service within the 2016/17 budget setting process to account for maintenance of the proposed works that are delivered in year. Once the proposed works are fully complete, from 2017/18 onwards, it is estimated that the annual minimum maintenance cost for the site will be approximately £31,000. There will therefore be a revenue resource implication in the short/medium term, and although Clean and Green are exploring budget efficiencies or alternative longer-term options for managing maintenance responsibilities at this site, to carry out increased maintenance on this site would need to be at the expense of other maintenance activities within the service area.

7. Legal implications

- 7.1 All contractual arrangements must be procured in compliance with the Public Contracts Regulations 2015, if applicable; and with the Council's Contract Rules. The landscape contractor(s) are being procured through an open tender procedure compliant with EU legislation and the Contract Rules, in consultation with the Council's Procurement team. Delegated authority to the Executive Director for Economy & Environment to accept the tender(s) and award the contracts for the open space improvement works is sought in line with Contract Rules no. 8, 12, 13 and 17.

7.2 The Council's Legal Services team have been consulted regarding a back-to-back sub-grant agreement between the Council and whg, to the main November 2015 grant agreement between whg and the Council, for the open space improvement works.

7.3 A JCLI Landscape Works Contract will be put in place with the preferred contractor(s); this is a standard form of agreement and conditions of contract for landscape works.

8. Property implications

8.1 The delivery of the open space improvement works on the Lea and Swannies Field will enhance the Council's asset. It is however acknowledged that this would also result in a greater maintenance requirement. Through consultation it has been agreed that the Council's Clean & Green service will continue to manage the enhanced open spaces in the short/medium term. However longer-term options for the maintenance of the borough-wide open space portfolio as part of wider budget efficiencies are being explored, which includes the Lea and Swannies Field.

9. Health and wellbeing implications

9.1 Improving the overall use of and access to the green space and canal corridor as per the open space improvement works seeks to support the health and wellbeing agenda by:

- Supporting regeneration and improving quality of life by providing visually attractive and useable green spaces near to where people live;
- Providing opportunities for people of all ages to partake in informal recreation or walking along paths and the canal corridor;
- Sustaining and enhancing existing flora and fauna; and
- Producing a community resource to encourage local cohesion and positive interaction.

10. Staffing implications

10.1 The preparation of the open space improvements masterplan, planning application and tender documentation has been led by officers within the Regeneration and Development service. Once awarded, the contract(s) delivery will continue to be managed by the service area, with support from other areas (e.g. procurement, legal and clean & green) as required.

11. Equality implications

11.1 The Council's Contract Rule 17.3.5 states that under every contract made by the Council, the Council requires an acceptable equality policy compliant with the provisions of the Equalities Act 2010 (i.e. in respect of race, gender, disability, age, sexual orientation and religion/belief). An assessment of the bidder(s) equality policy will therefore be undertaken as part of the procurement evaluation process.

- 11.2 When commissioning and procuring the services, as a minimum, we will include contract conditions which:
- Prohibit the contractor from unlawfully discriminating under the Equality Act
 - Require contractors to take all reasonable steps to ensure that staff, suppliers and subcontractors meet their obligations under the Equality Act.

12. Consultation

- 12.1 The procurement process and contract award(s) for the improvement works is being undertaken in consultation with Procurement and Legal services. Statutory consultation by the local planning authority as part of the planning application process has also been undertaken.
- 12.2 Wider local consultation on the open space masterplan and detailed design was completed as part of the pre-planning application stage. This included a resident survey on the draft open space plan undertaken in May-April 2015 through door-to-door outreach and events in the local area, where residents opinions on prioritising what improvements should be made were sought. As part of this survey views were also received from the key local community groups, namely the Goscote Community Action Group (CAG) and the Friends around the Lea (TFATL). Engagement has also continued through the Goscote CAG in finalising the masterplan design.
- 12.3 In preparing the final masterplan design key stakeholders from across the Council, including Clean & Green, Pollution Control, Highways, Natural Environment and Community Safety, have also been consulted.

Background papers

Planning application no. 16/0264/FL

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Simon Neilson
Executive Director

7 April 2016



Councillor Andrew
Deputy Leader and Portfolio holder

14 April 2016

Appendix 1

Open Space Improvement Masterplan



KEY

- Existing woodland trees and scrub
- Existing hedges
- Areas of longer grass
- Areas of mown grass
- Areas of improved football pitches
- Existing path upgraded
- Proposed new path
- Proposed stepped ramp
- Upgrade canal towpath
- Disabled fishing peg
- Signage - Country Park style notice board to restore existing signs
- Proposed WHG Planting
- Alteration pond
- Proposed awais
- Native woodland tree planting (post-trainer sizes) with marker posts
- Proposed tarmac skate route
- Proposed Multi-Use Games area
- Proposed new play area
- Additional proposed small play area
- Steel trim ball style furniture
- TBM Trail Equipment
- Disabled tarmac playground removed and grassed over
- Proposed areas of previously maintained grass
- MUGA - 30m x 15m with graffiti wall
- New use for area of existing tarmac such as picnic area
- New Drainage system
- Sign post or similar approved to assist vehicle access
- Existing carpark to be retained and improved
- Native Promenade Willow Area
- Mounding
- Green Oak Bulbouts

Walsall Council
 REGENERATION - DELIVERY & DEVELOPMENT
 PROJECT: GOSCOTE GREENSPACE - SWANNIES FIELD & THE LEA
 DRAWING TITLE: BLOCK PLAN / MASTERPLAN
 SCALE: 1:1000 @ A0 SHEET SIZE
 DRAWN BY: JS
 APPROVED BY: CONSULTATION
 DRAWING No.: RDD42094
 ISSUE: CONSULTATION
 REVISION:
 DATE: JAN 2016
 DATE: OCT 2015
 DATE: JULY 2015
 DATE: MAR 2015
 DATE: JAN 2012
 DATE: DEC 2011

Goscote Greenspace Infrastructure - Swannies Field and The Lea



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