

Key Decision Required:	NO	In the Forward Plan:	NO
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NOVEMBER 2018

**JOINT REPORT OF PORTFOLIO HOLDER FOR FINANCE AND CORPORATE
RESOURCE AND PORTFOLIO HOLDER FOR LEISURE AND TOURISM.**

**A.3 ADDITIONAL FUNDING FOR USE OF EXTERNAL CONTRACTOR TO
REFURBISH ROSEMARY ROAD PUBLIC CONVENIENCE CLACTON-
ON-SEA**

(Report prepared by Ian Taylor)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To formally record the background to the need to change the contracting arrangements for the refurbishment of the Rosemary Road public convenience Clacton-on-Sea and to record the resultant increase in cost of up to £25,000.

EXECUTIVE SUMMARY

The report to Cabinet dated 14 September 2018 proposed changes to the earlier decisions in respect of refurbishment of the Rosemary Road public convenience Clacton-on-Sea, primarily to not bring forward charging arrangements at this time.

The report stated work was anticipated to be undertaken in-house at agreed cost of up to £70,000.

However, unforeseen changes to the work programme of the in-house service, primarily associated with the transformation programme required a delay to commencing the project anticipated for the autumn of 2018 until February 2019 or longer increasing the risk of closing the only town centre public convenience in the run up to Easter and the busy summer period.

At the date of the report switching from in-house to an external provider it was not expected that there would be an increase in overall project cost due to a reduction of the original specification for the works. This was based on an evaluation of other recently commissioned works.

However, following a competitive procurement exercise seeking quotations for the work the most competitive quote was some £25,000 above the estimated costs meaning that an additional sum of up to £25,000 was required to complete the refurbishment.

There is a total capital allocation of £140,000 for the refurbishment of public

conveniences and the demolition of public toilets deemed surplus to requirement. £70,000 allocated to the Rosemary Road refurbishment and £70,000 for further unidentified works elsewhere.

As a consequence of some of the former public conveniences deemed surplus to requirements no longer requiring demolition as alternative uses are being found, some of the requirements for the remaining £70,000 will not be required and can be offset, mitigating the impact of using the additional £25,000.

Given the timescales for the project works and the need to avoid the busy Christmas season, Easter and Summer seasons, the decision was taken to progress with the works as a matter of urgency.

It may also be possible to further mitigate this additional expenditure by carefully managing future projects. This could be by improved procurement of materials, using in-house services at a later date for work.

RECOMMENDATION(S)

That the Portfolio Holder for Finance and Corporate Resource and the Portfolio Holder for Tourism and Leisure agree:

- a) To increase the Rosemary Road Capital Project by £25,000 to £95,000 in 2018/2019.
subject to a) above:**
- b) To utilise up to £25,000 of the remaining capital reserve of £70,000 set aside for the public convenience refurbishment / demolition.**

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

The recommendations if approved will contribute to the following corporate priorities:

Our Council / Our Community

- Deliver High Quality Affordable Services
- Make the most of our Assets
- Support the vulnerable
- Transform the way we work

Our Opportunities

Supports

- Vision for economic growth and prosperity
- Our Coast
- Tourism

Our Challenges

- Improving poor infrastructure

- Reducing budgets while delivering key services

Our Values

- Innovative, flexible professional staff committed to delivering excellence

FINANCE, OTHER RESOURCES AND RISK

The use of up to £25,000 set aside for further public convenience refurbishment and / demolition may impact on the speed and possible scope for further refurbishments and demolition if required, but it is hoped that any additional costs can be offset by reduced decommissioning costs arising from some of the closures. Some savings relating to the remaining £70,000 reserve have already been realised arising from the premises no longer requiring demolition as a result of alternative uses being found for them.

The service is confident that with careful management of public conveniences and future proposed refurbishments the impact of using some of this reserve can be further minimised.

The agreed strategy for public conveniences in Tendring has already generated future ongoing revenue savings for the service and is enabling a reduction in maintenance costs.

The service will plan and programme in-house services for future refurbishments to generate savings where possible.

LEGAL

In coming to decisions in relation to management of assets, the Council must act in accordance with its statutory duties and responsibilities. Under case law following Section 120 of Local Government Act 1972, the Council is obliged to ensure that the management of its assets are for the benefit of the district. The refurbishment of public conveniences in Clacton town centre is for the benefit of the District and its visitors and there are no restrictions within the Council's legal title of this land.

The procurement process has been undertaken in accordance with the Council's Procurement Rules as set out in Part 5 of the Council's Constitution.

OTHER IMPLICATIONS

Consideration has been given to the implications of the recommendations proposed and any significant issues are set out below.

The proposals, if agreed, will support the Council's vision to make the most of our assets, to improve poor infrastructure and to support its vision for economic growth and prosperity by supporting the town centre of Clacton.

Consultation/Public Engagement – The proposal if agreed will support Clacton town centre at a difficult time for town centres in Tendring generally.

Recent evidence received by the Council and from feedback directly to services

within the Council supports a view that ensuring a timely and efficient refurbishment of this key town centre asset town centre would be popular at this time.

Crime and Disorder – Improving assets is part of a wider strategy to combat anti-social behaviour by improving the appearance of public realm, generating increased pride, awareness and responsibility for our District. There is a clear correlation between neat well managed assets and lower crime as opposed to poorly maintained assets.

Equality and Diversity / Health Inequalities – The proposal if agreed will support existing Council policies and further support the most vulnerable members of the community, raising the profile and reputation of the Council. The refurbishment will include improved disabled provision and baby changing facilities.

Area or Ward affected – Pier Ward

PART 3 – SUPPORTING INFORMATION

BACKGROUND

Tendring District Council like all local authorities is not obligated to provide public conveniences but is able to provide them if it chooses to do so.

Traditionally Tendring has provided a high number of public conveniences. However many were introduced into areas when demand for their use was different and generally higher than today and are in locations, or housed in buildings that are old, or no longer fit for purpose.

At a meeting on 16th June 2017 Cabinet adopted a strategy for public conveniences in Tendring along with proposals for the rationalisation and improvement of existing provision and delegated further details to officers to facilitate the delivery.

Cabinet noted that additional reports may be brought forward to consider further refurbishments in accordance with the Strategy.

Previous reports to Cabinet indicated use of in-house services to refurbish Rosemary Road toilets in Clacton-on-Sea at a cost of £70,000 but due to increased demands on the in-house service the use of the building and engineering team to complete this work was not possible within viable timescales.

CURRENT POSITION

The public toilets in Rosemary Road are the busiest year round public convenience facilities in Tendring. These toilets are subject to frequent misuse and were identified in the public convenience Strategy as in need of refurbishment.

The Cabinet decision on the 16th June 2017 agreed the refurbishment of this public convenience and allocated £70,000 for the purpose.

The decision also set aside a further £70,000 in reserves for the refurbishment of additional facilities throughout the District.

There was an agreement with in-house services to undertake the necessary work at Rosemary Road due to commence in the autumn of 2018.

Unforeseen changes to the work programme of the in-house service required a delay to commencing the project anticipated for the autumn of 2018 until February 2019 or longer.

With a high number of prime retail closures in Clacton town centre including Marks and Spencer it is considered important to go ahead with this refurbishment sooner rather than later.

The available in-house service option for the refurbishment was delayed until at least February 2019 with no specific start date available at this time.

There was a high risk of work not commencing until later with an associated risk of work not completed in time for the busy Easter and Bank Holiday period.

The refurbishment of Rosemary Road toilets in Clacton will benefit Clacton town centre, promoting town centre rejuvenation as well as supporting the existing and future visitor economy. A refurbished modern town centre public convenience in Clacton will also reduce future operating costs.

OPTIONS CONSIDERED AND PROPOSAL

Options considered have been to reduce the standard of the refurbishment further. However doing this will limit opportunities for future revenue savings from the new infrastructure and will potentially reduce the positive impact of a high quality refurbishment to a well-used and popular public service.

Another option was to postpone the project until such time as the in-house service was available.

The in-house team are fully committed to other projects in the Council and were unable to provide specific start and completion dates due to concerns over other commitments.

Therefore the proposal is to proceed with the refurbishment accepting the additional cost of up to £25,000 from the capital reserve for public convenience refurbishments / demolition, with the aim of offsetting much of this additional cost from future efficiencies when procuring works to public convenience improvements and by seeking alternative use for buildings earmarked for demolition where possible.

CONCLUSION AND WAY AHEAD

The recommendations if agreed will ensure the provision of high quality facilities in

an important location within the District and make an important contribution to meeting the aims and objectives of the previously agreed public convenience Strategy for Tendring.

Work on this refurbishment has commenced with considerable onus on the contractor for an early completion date.

The decision in September 2018 to not introduce charging at the Rosemary Road public conveniences did not provide for sufficient delegation in the event of project costs increasing from that previously agreed.

Therefore agreement for the use of up to £25,000 from the capital reserve earmarked for public conveniences will ensure there are sufficient funds available to the service on completion.

APPENDICES
None
BACKGROUND PAPERS FOR THE DECISION
None