

Decision Report - Executive Decision

Forward Plan Reference: FP/22/10/02

Decision Date - 24/05/23

Key Decision - yes



Wellington Library Refurbishment - Contract Award

Executive Member(s): Cllr Ros Wyke - Lead Member for Prosperity Assets and Development and Cllr Federica Smith-Roberts - Lead Member for Communities, Housing, and Culture.

Local Member(s) and Division: Cllr Marcus Barr, Cllr Andrew Govier

Lead Officer: Ollie Woodhams, Service Director Strategic Asset Management

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1. Summary / Background

- a. Wellington library is owned by the Council and requires comprehensive refurbishment. Elements of the fabric of the building and its thermal efficiency are poor, and the building is not fit for purpose. In particular; the first and second floors of the building have not been fully useable for some time due to fire safety and access issues, the entrance at the library is not accessible to wheelchair users, and the rear extension has been deemed structurally unsafe. Options for potential alternative sites for providing a library service in Wellington have been assessed over a number of years, and the most cost-effective and viable option is to refurbish the existing site.
- b. Development of the refurbishment proposals has reached the stage where design has been as fully developed as possible, planning permission has been submitted and is likely to be granted in July 2023, the works tender submissions have been sought and evaluated and the Council is now in a position to recommend the preferred contractor to carry out the refurbishment works in line with the programme below.
- c. The works are anticipated to take place from August 2023 to April 2024 at the Wellington library site, during which time the library service will relocate and operate a temporary service from 55 North Street, Wellington which is due to open to the public on 26 June 2023.

2. Recommendations

The Executive Lead Member for Prosperity, Assets and Development and the Executive Lead Member for Communities:

- a.** Approve the recommendation to appoint the contractor on the advertised conditions of contract following tender review and evaluation for the refurbishment of Wellington library outlined in Confidential Appendix A
- b.** Approve a total capital project spend of £1.442m for the refurbishment and accessibility works.
- c.** Acknowledge that the library fit out costs are being procured separately and have been subject to Non-Key Decisions and tendering processes, with delegated authority for this element granted to the Head of Service, Somerset Libraries.
- d.** Agrees the case for applying the exempt information provision as set out in the Local Government Act 1972, Schedule 12A and therefore to treat the attached confidential report (see Appendix A & B) and its appendices in confidence, as they contain information relating to the financial or business affairs of the Council, and the case for the public interest in maintaining the exemption outweighs the public interest in disclosing that information.

3. Reasons for recommendations

3.1 The refurbishment works to the library building are ready to proceed in line with the preferred contractor's mobilisation and works programme now that the tender evaluations are complete. Party Wall Agreements with neighbouring properties have been secured. It is anticipated that the library and public health services could be operational for their customers in the refurbished building Summer 2024. The investment will create a building that is fit for purpose for the future, enabling us to deliver more than a single service from the building, working with complementary Council and partner services considering the future of local government over the coming years. We have scoped other service and partner needs for future use of the building and are keeping stakeholders updated with the project's progress.

3.2 Appendices A & B contain exempt information. "Exempt information" is defined by Section 100 of the Local Government Act 1972 and by Schedule 12A to that Act. The information in Appendix A is exempt information because it is considered to fall within paragraph 3 of Schedule 12A: "Information relating to the financial or business affairs of any particular person (including the authority holding that information)". The public interest test has been applied and in this instance, it is considered that the public

interest in maintaining the exemption outweighs the public interest in disclosing the information.

4. Other options considered

4.1 The relocation of the library to another suitable site in Wellington has been scoped and considered on a number of different occasions over recent years, the most recent opportunity being during 2021, when securing appropriate terms with a potential landlord could not be achieved. In addition, the Council's Estates team carried out an extensive search of vacant building suitable options in the town during the summer of 2021 with the overwhelming conclusion that available options simply did not provide the right quantum of footprint for the library's needs. Officers recommended the investment of capital into the current building to address condition and accessibility issues, and a formal decision to progress the project on the current site followed.

5. Links to Council Vision, Business Plan and Medium-Term Financial Strategy

5.1 This project touches on all 4 aspects of the Somerset Council Plan, as the library and associated complementary services will assist in improving people's lives, connect the community, enable partnership working and provide information, advice and guidance to the customers of the services delivered from the site.

5.2 In relation to the Somerset Council Plan 2023-2027 this project will deliver against the following Priorities:

- A Greener, More Sustainable Somerset – a number of features of the refurbishment design of the building ensure that the asset is far more thermally efficient wherever the building constraint allow, moving us towards the transition to zero carbon.
- A Healthy and Caring Somerset – partner services operating out of the refurbished library will promote health and wellbeing services to the citizens of Wellington

5.3 The project will support a number of the objectives of Somerset Council's Asset Management Strategy.

6. Financial and Risk Implications

6.1 The capital budget has been secured to fund the current cost plan - a breakdown of costs is set out in confidential Appendix A.

Additional revenue costs of c. £38,000 will be met from within the Strategic Asset Management directorate revenue budget.

6.2 Bids that are not compliant or outside the affordability envelope have not been evaluated. The ongoing impacts and risks of inflation increases as a result of global supply chain impacts following Brexit, Covid and the war in Ukraine will be closely monitored and mitigated where possible by investigating alternative suppliers and procuring materials early if possible. The impacts and risks of these global factors on the project will be managed by the contractor, who will ensure that refurbishment works are carried out in line with all relevant construction risk assessments. Any risk of delay to handover of the facility due to unforeseen factors during refurbishment will be managed by the Council, including the use of project contingency. One of the factors that supports this eventuality is that the temporary decant facility is in the ownership of the Council and is within its asset control.

Likelihood	4	Impact	3	Risk Score	12
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7. Legal Implications

7.1 The Council has procured the project in line with the Council's Contract Procedure Rules. The Council's Procurement team have advised on the procurement route. The need for Party Wall Agreements with the neighbouring landowners has been managed by the design consultants on the Council's behalf. The former Strategic Commissioning Group and Financial Challenge Board have approved various gateways on this project. The contractor will be appointed on the terms of the NEC3 Engineering and Construction Contract (ECC) which is an industry standard construction contract. Under the ECC, the contractor is entitled to additional costs incurred as a result of defined 'compensation events', including if the Council changes its specification for the works. If the contractor fails to complete the works by the contractual completion date, the contractor is required to pay liquidated damages to the Council for each day that completion is delayed.

8. HR Implications

There are no TUPE or HR consultations required in relation to this decision. Staff and customers affected by the temporary relocation of the library service have been kept informed and updated throughout the project lifecycle through the project service leads.

9. Other Implications:

9.1 Equalities Implications

Equalities Officers have been included throughout the design of the refurbished library located at Fore Street and as relevant in relation to the temporary decant facility at 55 North Street. The design of the refurbished library incorporates Part M regulations in relation to building fabric elements (doorways, bathroom, flooring, lighting). A new accessible fully compliant access ramp into the library, mitigating the risk of disability discrimination claims, along with the inclusion of a fully compliant access lift ground to first and second floors is included in the scope of works.

The design of the refurbished library delivery space and its fit out has already and will continue to factor in customer flow, various customer access needs and ensures the maximum amount of flexibility as future needs for library service delivery become known over time. Please see full Equalities Impact Assessment at the end of this Decision paper.

9.2 Community Safety Implications

There are no known impacts as result of delivering this project.

9.3 Climate Change and Sustainability Implications

A number of decarbonisation design features supporting the Council's Climate Emergency strategy have been incorporated into the design of the refurbished library to support its long-term thermal efficiency. These measures include:

- Roof insulation
- Air Source Heat Pump
- Double glazing
- Replacing old single-story extension with thermally efficient new building

These measures will have a positive impact on reducing the building's carbon emissions for the longer term, will minimise the impact on the environment and Climate Change.

9.4 Health and Safety Implications

The design of the refurbished library has taken into account various health and safety factors and is compliant with Health and Safety legislation. The design of the facility will minimise the risk of ill-health or injury to employees, volunteers, service users, visitors, members of the public and suppliers. The Council's Health and Safety team have been consulted in relation to the overall design and function of the short stay 'touch down' back-office facilities for employees. Employees using the touch down desks will be advised that they should do so for no longer than 1.5-2 hours duration due to ergonomics as these desks are not fully kitted out with monitors.

Safe and secure access will be provided to maintain the glazed roof panels. This will only be required to use for an annual inspection or in the case of a repair.

Various health and safety and facilities measures for all service occupants and visitors have been reviewed and will be briefed to the library staff who will be working from the temporary decant library facility throughout the refurbishment period of the substantive library.

9.5 Health and Wellbeing Implications

Once the library has been refurbished, the Wellington Public Health team will be delivering various drop in and face to face services from the bookable meeting room on a weekly basis for the residents in the Wellington area. Up until now the Public Health team has been delivering their services from a separate paid for location in Wellington. Delivering public health services from a single point of delivery will have a positive impact on health and wellbeing and will seek to prevent ill health and reduce health and social inequalities across the local population. Public Health will not be required to pay for the hire of the bookable room at the library so the Council will save money on hire costs. It is also the intention of the Taunton Deane and West Primary Care Network to deliver health coaching and other demedicalisation / nonclinical activities from the library, freeing up the local GP surgeries to focus on clinical activities.

9.6 Social Value

By investing in the refurbishment of the Wellington library, this Decision and project supports the following Social Value priority areas:

- Improving health and wellbeing, maintaining independence, and reducing inequalities of local Wellington residents and employees
- Helping build community capacity and playing an active role in the local community, especially in those areas and communities with the greatest need, through the library, registration and public health services being offered from the library building.
- Improving thermal efficiency of Council's estate
- Contractor will be accountable for their social value calculator inputs from their tender.

10. Scrutiny comments / recommendations:

The proposed decision has not been considered by a Scrutiny Committee.

11. Background

11.1 The Council has developed a refurbishment scheme for the Wellington library which supports the Council's Climate Emergency Strategy approved in November 2020 and incorporates design measures to be implemented which will significantly improve the thermal efficiency of the building. For further information on these measures please see paragraph 13.3 above.

11.2 The Library and other Council services and partners have been working with the Strategic Asset Management Department to develop proposals which will see capital investment in the library provision in the town and improve and modernise this facility for community use. The plans will see the current library ground floor building professionally extended at the rear to make optimal use of the available space so that services, partners and customers can make use of a bookable meeting room as well as other back-office functions that are safe. The first and second floors of the library building will also be brought back into operational use for some customer delivery and back-office accommodation. The planning application for the refurbishment was submitted in 10/22 for consideration and is due to be granted in June 2023 once the 3 ecology surveys have taken place in May 2023. Any planning conditions documented will be complied with and actioned accordingly by the Council and the contractor.

11.3 In addition to the library service, other Council services that will be supported and regular users of the Minehead library will be the Council's Public Health and Social Care services along with its NHS Primary Care Network partner. A number of staff desks will be available in the library back office for Council service colleagues working in the Wellington area.

11.4 Below is a summary of the high-level project milestones, with anticipated activities and expected dates highlighted:

- Non Key Decision for Design Package and advance approval to go out to tender – [28/04/22]
- Stage 2 Concept Design – [20/07/22]
- Planning application submitted – [10/22]
- Financial Challenge Board approval to proceed to tender – [01/11/22]
- Stage 3 Design complete and approved – [23/11/22]
- Tender documents finalised – [24/11/22]
- Preparation for library closure & decant – [07/09/22 to 26/06/23]
- Invitation to Tender, Evaluation, Moderation – [25/11/22 to 19/04/23]
- Library service closes at Fore Street – [6 May 2023]
- Key Decision [24 May 2023]
- Suppliers informed – [25th May 2023]
- Standstill period –[25th May – 8th June 2034]
- Asbestos surveys at library [6 June – 8 July 2023]
- Temporary library service opens at 55 North Street [26 June 2023]
- Ecology surveys at Fore Street site [May/June 2023]
- Planning Consent approval [July 2023 expected]
- Contracts signed – [26 June – 14 July 2023]
- Contractor mobilisation – [17 July – 11 August 2023]
- Refurbishment period (35 weeks) – [14 August 2023 – 12 April 2024]
- Service fit out – [April/May 2024]
- Services operational in refurbished building – expected [Summer 2024]

11.5 As indicated within the schedule above, to enable the contractor to have full control of the library building for the refurbishment, the library service has been required to relocate their services to a temporary decant facility for the duration of the works. The library will be opening at its temporary location, 55 North Street, on 26/06/2023 and have notified their customers, website and social media sites. This will continue as the project progresses and plans to move back to the completed facility are developed.

11.6 The tender was procured through open tender on the Supplying the Southwest portal. Seven compliant tenders were evaluated. The preferred contractor has indicated that they anticipate being able to hand over the completed building in line with the dates above.

Background Papers

31. Set out the details of any reference documents you have used in producing this report. If there are none please state 'none'

Appendices

- **Confidential Appendix A: Tender Evaluation**
- **Confidential Appendix B: Budget Summary**




Sign off

	Officer Name	Date Completed
Legal & Governance Implications	Russell Inglis - Legal	16/05/23
Communications	Alyn Jones - Executive Director - Strategy, Workforce & Localities	16/05/23
Finance & Procurement	Nicola Hix - Service Director, Finance & Procurement	16/05/23
Workforce	Chris Squire - Service Director - Workforce	10/05/23
Asset Management	Oliver Woodhams - Strategic Assets Management	15/05/23
Executive Director / Senior Manager	Jason Vaughan - Executive Director - Resources & Corporate Services	16/05/23
Strategy & Performance	Alyn Jones - Executive Director - Strategy, Workforce & Localities	16/05/23

Community, Culture & Library Services	Chris Hall - Executive Director, Community Services Elizabeth Dawson - Service Director, Culture Darren Smart - Strategic Manager, Library Services	16/05/23
Executive Lead Member	Cllr Ros Wyke, Lead Member for Prosperity, Development, and Assets	16/05/23
Executive Lead Member	Cllr Federica Smith-Roberts, Lead Member for Communities, Housing, and Culture	16/05/23
Consulted:	Councillor Name	
Local Division Members	Cllr Marcus Barr, Wellington Cllr Andrew Govier, Wellington	15/05/23 15/05/23
Opposition Lead Member	Cllr Mark Healey, Opposition Lead Member for Prosperity, Assets, and Development	15/05/23
Opposition Lead Member	Cllr Andy Dingwall, Opposition Lead Member for Communities, Housing, and Culture	03/05/23
Scrutiny Chair	Cllr Bob Filmer, Scrutiny for Resources & Corporate Services	16/05/23

Somerset Equality Impact Assessment

Before completing this EIA please ensure you have read the EIA guidance notes – available from your Equality Officer or www.somerset.gov.uk/impactassessment

Organisation prepared for (mark as appropriate)	 Somerset Council		 Somerset		 NHS Somerset NHS Foundation Trust	
Version	2.0		Date Completed	13.04.23		
Description of what is being impact assessed						
Refurbishment of Wellington library and its impact on employees and customers of the library						
Evidence						
What data/information have you used to assess how this policy/service might impact on protected groups? Sources such as the Office of National Statistics , Somerset Intelligence Partnership , Somerset’s Joint Strategic Needs Analysis (JSNA) , Staff and/or area profiles , should be detailed here						
Working knowledge of the development of the design with the project stakeholders, consideration of the temporary decant requirements, feedback from service leads on local customer needs						

Who have you consulted with to assess possible impact on protected groups and what have they told you? If you have not consulted other people, please explain why?

Affected service leads, Council workstream leads (facilities management, ICT, property, equalities)

Analysis of impact on protected groups

The Public Sector Equality Duty requires us to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. Consider how this policy/service will achieve these aims. In the table below, using the evidence outlined above and your own understanding, detail what considerations and potential impacts against each of the three aims of the Public Sector Equality Duty. Based on this information, make an assessment of the likely outcome, before you have implemented any mitigation.

Protected group	Summary of impact	Negative outcome	Neutral outcome	Positive outcome
Age	<ul style="list-style-type: none"> There are no known negative impacts on this protected characteristic 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	<ul style="list-style-type: none"> Various accessibility factors have been incorporated into the redesigned library building which should have a positive impact on users of the building. These include flooring, automated door openings, lighting, finishes, flow through the building, a new compliant access entry into the building, accessible bathroom, new compliant lift enabling access to 1st and 2nd floors 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Gender reassignment	<ul style="list-style-type: none"> • There are no known negative impacts on this protected characteristic 	□	□	□
Marriage and civil partnership	<ul style="list-style-type: none"> • There are no known negative impacts on this protected characteristic 	□	□	□
Pregnancy and maternity	<ul style="list-style-type: none"> • There are no known negative impacts on this protected characteristic 	□	□	□
Race and ethnicity	<ul style="list-style-type: none"> • There are no known negative impacts on this protected characteristic 	□	□	□
Religion or belief	<ul style="list-style-type: none"> • There are no known negative impacts on this protected characteristic 	□	□	□
Sex	<ul style="list-style-type: none"> • There are no known negative impacts on this protected characteristic 	□	□	□

Sexual orientation	<ul style="list-style-type: none"> • There are no known negative impacts on this protected characteristic 	☐	☐	☐
Armed Forces (including serving personnel, families and veterans)	<ul style="list-style-type: none"> • There are no known negative impacts on this protected characteristic 	☐	☐	☐
Other, e.g. carers, low income, rurality/isolation, etc.	<ul style="list-style-type: none"> • There are no known negative impacts on this protected characteristic 	☐	☐	☐

Negative outcomes action plan

Where you have ascertained that there will potentially be negative outcomes, you are required to mitigate the impact of these. Please detail below the actions that you intend to take.

Action taken/to be taken	Date	Person responsible	How will it be monitored?	Action complete
Ensure the accessibility elements identified will be implemented	30/04/2024	Carrie Russell	Site visits and highlight reports	☐
	Select date			☐

If negative impacts remain, please provide an explanation below.

Completed by:	Carrie Russell
Date	04.04.23
Signed off by:	Sian Powell
Date	04.04.23
Equality Lead sign off name:	Tom Rutland
Equality Lead sign off date:	11 May 2023
To be reviewed by: (officer name)	Carrie Russell
Review date:	01.09.23