

Open Spaces Sub- Committee

Report Title:	Tender to replace the Elms Park Play Area
Meeting Date:	23 October 2023
Contact Officer:	Mandy Sturdy, Town Clerk

Purpose of the Report

1. To share for discussion and approval the annotated tender paperwork for works to replace the play area in Elms Park.

Confidential Attachments:

- a. ITT – Elms Playground – November 2023 – With OSWG Feedback
- b. ELMS Park Play Area Schedule 5 – Pricing Schedule
- c. Tender Response Form - OSWG Comments

Action Required

2. To read the attached, confidential papers prior to the meeting, to discuss and agree any changes during the meeting whilst the public are excluded; This is to ensure there can be no advantage to any specific Contractor.
 - a. To **move**: That under Section 1, Paragraph 2 of The Public Bodies (Admission to Meetings) Act 1960 the press and public be excluded from the meeting for the following items of business BECAUSE publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted.

Background

3. At a meeting of the Full Council on 8 August 2023 a resolution was passed following a recommendation from a meeting of the Community Leisure and Recreation Committee on 18 July 2023. It was **resolved** that:
 - a. **The Council approves drawing down up to £100k from the investment fund as a loan to forward fund the shortfall to deliver a replacement play park in Elms Park before 2025.**
 - b. **The Council increases to £400K the delegated spend by CLR/OSSC on the total project for all the alterations to Elms Park.**

Resource Appraisal

4. £100K from capital finance reserves.
5. Officer and committee time to manage the procurement process.
6. Officer time to manage publicity (Communications)

Risk Assessment

7. Not complying with government procurement rules (PCR 2015) could bring the council into disrepute. A robust process is being proposed and will include the use of the Government Contract Finder.
8. If the Park is not upgraded the play area could become dangerous and fall into disrepair. This would impact the community as well as the reputation of the council.

Legal Powers:

- Local Government Act 1972 101 (1) (a) & (2)
- Public Health Act 1875 s164
- Local Government (Miscellaneous Provision) Act 1976, s19
- Parish Councils Act 1957 s3
- Highways act 1980 s301

Recommendation

It is recommended that:

- i) ***The committee agree the final wording and schedule for the tender documents, the process and timeline to enable officers to progress with the project to replace the play area in Elms Park.***