

Committee Name and Date of Committee Meeting

Cabinet – 07 August 2023

Report Title

Rotherham Markets & Library Redevelopment

Is this a Key Decision and has it been included on the Forward Plan?

Yes

Strategic Director Approving Submission of the Report

Paul Woodcock, Strategic Director of Regeneration and Environment

Report Author(s)

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Ward(s) Affected

Boston Castle

Report Summary

This report details the proposed redevelopment of the Rotherham Markets Complex and new library, located in the town centre of Rotherham, including an update on progress to date, a summary of the proposals, delivery programme, and sequencing. The report also seeks authority to award an enabling works contract.

Recommendations

That Cabinet:

1. Note the progress to date on Rotherham Markets and Library redevelopment.
2. Approve the enabling works for the Rotherham Markets and Library development, as detailed in Appendix 2 of this report.
3. Delegate authority to the Strategic Director of Regeneration of Environment, in consultation with the S151 Officer and the Cabinet Member for Jobs and Local Economy, to award contract(s) for the works up to the values detailed in Appendix 2.

List of Appendices Included

- Appendix 1 Redevelopment Plan
- Appendix 2 Enabling works scope (exempt)
- Appendix 3 Consultation Summary
- Appendix 4 Equalities Impact Assessment
- Appendix 5 Carbon Impact Assessment

Background Papers

[Scrutiny Review Recommendations - Markets: Engagement and Recovery – 07 June 2022](#)

[Consultation on a New Library Strategy 2020 – 2025 Cabinet Report– 20 May 2019](#)

[Consultation and engagement on a Library Strategy and future service delivery model Cabinet Report – 20 January 2020](#)

[Recommendation from Cabinet – The new Library Strategy 2021 – 2026 and Action Plan for the Libraries and Neighbourhood Hubs Service – 11 November 2020](#)

Consideration by any other Council Committee, Scrutiny or Advisory Panel

No

Council Approval Required

No

Exempt from the Press and Public

An exemption is sought for (Appendix 2 – Enabling Works scope) under Paragraph 3 (Information relating to the financial or business affairs of any particular person (including the authority holding that information)) of Part I of Schedule 12A of the Local Government Act 1972 is requested as this appendix contains sensitive commercial information with regards to commercial agreements which could disadvantage the Council in any negotiations if the information were to be made public.

It is considered that the public interest in maintaining the exemption would outweigh the public interest in disclosing the information, as the parties' commercial interests could be prejudiced by disclosure of commercial information.

Rotherham Markets and Library Redevelopment

1. Background

- 1.1 Rotherham is a market town, a place with a long history and association with Market's since the 13th Century. As a result of this, the Market has played an important role in the development of the Town and helped forge its current identity and character.
- 1.2 Rotherham Markets has undergone a significant number of phases of development, reflecting the changing demands and requirements throughout its long history.
- 1.3 The current Rotherham Markets complex is among the most significant built infrastructure within Rotherham town centre, supporting 350 local businesses and a programme of events, street markets and themed markets.
- 1.4 This important site is currently under-utilised and its structure and layout acts as a barrier, rather than offering connection with the residential communities to the east of the town centre and the 3000+ student and academic population immediately adjacent to it.

Town Centre Masterplan

- 1.5 The redevelopment and repurposing of the Rotherham Markets Complex was identified as a key project in the adopted 2017 Rotherham Town Centre Masterplan (TCM).
- 1.6 The TCM acknowledges the important role the complex plays in the town centre, in addition to the long-standing aspiration of the Council to modernise and improve the facility. The Markets complex is further identified as requiring significant investment and modernisation to ensure it can provide for anticipated future demand in addition to continuing to perform its key role in the town centre as an economic and social activity hub.

New Central Library relocation

- 1.7 The emerging concept designs for the redevelopment of the Markets complex were adapted to incorporate a new Central Library following a comprehensive process to identify a suitable town centre location.
- 1.8 This proposed relocation was confirmed following the adoption of the Council's Library Strategy 2021 – 2026 in November 2020 after an 18-month programme of consultation and engagement.
- 1.9 To identify the best location for the new town centre library, a site assessment process was initiated in January 2019 and 12 new locations for a central library were considered. These options were evaluated taking into account key criteria such as cost; visibility; location; parking and capacity.

The process concluded that the preferred option was to relocate the central library to the site of the existing Guardian Centre, which is part of the Markets complex.

Design development

- 1.10 Following announcement of the Future High Street Fund (FHSF) in 2019, concept plans were further developed and costed to support the submission of a Council bid to redevelop Rotherham Markets and relocate the Central Library from Riverside House. The Council's FHSF bid, including a range of other TCM projects, was successful with over £8m secured towards the Markets & Library project. The Council allocated additional capital resource to the scheme in 2021, allowing the designs to be taken to the next stage of development.
- 1.11 The Council's Improving Places Select Commission undertook a review of Rotherham Markets and the emerging redevelopment proposals as reported at the meeting held 7 June 2022. A range of recommendations were made, with those relating to the redevelopment proposals identified below:
- *That the service avail case studies and resources available in the libraries of the National Association of British Market Authorities (NABMA) and the National Market Traders Federation (NMTF) to inform the strategic refresh of Rotherham markets.*
 - *In view of relevant expert advice in respect of sustaining a market during redevelopment works, that retaining traders through the redevelopment phase be considered top priority.*
 - *That any re-design of markets spaces duly consider usability and aesthetics, availing market research to optimise spaces for inclusiveness and accessibility, and to make the offer especially attractive to students and young people.*
 - *That consideration be given to how the redesign and operation of the market may best cater to the needs and interests of younger generations by strengthening links with Rotherham & North Notts (RNN) Group student populations and extending opportunities to new entrepreneurs through the Young Traders Scheme.*
- 1.12 Detailed designs were completed in mid-2022 in advance of the submission of a planning application. This planning application, RB2022/0881, was granted conditionally on 03 November 2022.
- 1.13 Alongside the determination of the planning application the Council undertook a procurement exercise to identify and secure a contractor under a two-stage design and build approach. Following a competitive process, Henry Boot Construction were appointed to finalise designs for the redevelopment and to confirm development costs based on these designs.
- 1.14 Technical designs were completed in June 2023 and a tender exercise is now underway, being led by Henry Boot Construction accessing their extensive supply base, with support from the Council. This process is programmed to be completed in September 2023, allowing for the preparation and consideration of a final construction cost to deliver the Markets Redevelopment.

Proposals summary

- 1.16 Appendix 1 provides an overview of the current redevelopment plans for the Rotherham Markets complex. This includes:
- A refurbished and modernised Indoor Market whilst maintaining the traditional Market atmosphere and current trading space.
 - A new centrally located food hub to accommodate independent food retailers with a large, shared seating area.
 - Demolition of the current Outdoor Covered Market canopy and substantial refurbishment works including the provision of a new roof, delivering an enclosed flexible space.
 - Delivery of a new Rotherham Central Library including a café, meeting rooms, flexible gallery space, and a maker's space.
 - Extensive improvements to all public realm surrounding the complex, including the delivery of a new tiered landscaping area opposite Rotherham College and a focal meeting point in the town centre at Market Square.
 - Provision of office and meeting space for potential use by the third sector and voluntary organisations.
 - Works to all public entrances enhancing accessibility and movement through the complex.

2. Key Issues

Delivery programme

- 2.1 The final elements of the redevelopment plans are currently being prepared, with a range of packages already out to market to allow for pricing and feedback from specialist subcontractors.
- 2.2 The delivery programme for the redevelopment has been developed to ensure the construction works are sequenced in the most efficient and effective way, requiring a mobilisation on site in September 2023. In order to establish and agree the most competitive contract sum with the Main Contractor, pricing from subcontractors for various works packages is ongoing. This exercise needs to be as accurate as possible to avoid variations to the overall cost and length of programme, to ensure the best value for money is delivered.
- 2.3 To facilitate this, it is proposed that an enabling works contract is prepared and agreed ahead of the main contract works, that allows project momentum to be maintained while final designs and costs are refined. The value of the enabling works contract will be taken off the final Contract Sum. This approach follows the same format as that implemented for the Forge Island development in the town centre.
- 2.4 The scope of the enabling works proposed is detailed further in Appendix 2 of this report, it is proposed they will comprise the following:

- Site set up including upper floors of adjacent building for site accommodation and welfare facilities. Site hoarding and access established.
- Service yard established on Eastwood Lane.
- Asbestos removal and demolition of Guardian Centre and installation of hoarding to Drummond Street.
- Works associated with adjusting and upgrading incoming services
- Outdoor Covered Market (OCM) – Services strip-out, slab strengthening and drainage repairs. Installation of new foundations and steel structure.
- Enabling Works Design Fees
- Up front orders for equipment to avoid inflation costs and/or lead-in that could be extensive.

Capital costs

2.5 As the design has advanced through more detailed phases, the cost plan for the redevelopment has evolved through several detailed iterations. The final cost plan will be presented to Cabinet (scheduled for November 2023) prior to full commencement of the main scheme.

2.6 Appendix 2 of this report, provided as an exempt document due to the commercially sensitive information within, details the costs for the proposed enabling works contract. Those costs are within the available budget for this approved project.

3. Options considered and recommended proposal

Option 1 – Award Enabling Works Contract (Recommended)

3.1 Awarding an enabling works contract ahead of a main contracts award is the recommended option. This will facilitate the current programme being achieved and therefore avoid unnecessary additional costs related to inflation and other market pressures.

3.2 The main risk considered with this approach, is the impact of delivering the proposed scope of enabling works on the Markets Complex and ability of impacted services if the main works do not proceed. It is deemed that the scope of works proposed would not harm the ability of the Markets service to carry out their responsibilities and the likelihood of the main works not being delivered is low due to the importance of the Markets and Library redevelopment within the Council's regeneration programme.

3.3 A further risk for consideration is elements of the enabling works scope being delivered that would be deemed surplus if the main works are subsequently not delivered. The proposed scope has been carefully considered and prepared to minimise items that would fall into this category; however it should be noted some are unavoidable. The perceived benefits of adopting the enabling works approach are deemed to outweigh the risks in this instance.

3.4 It is proposed that delegated authority is granted to the Strategic Director of Regeneration and Environment (R&E), in consultation with the Section 151

Officer and portfolio holder, to award the Stage 2 Enabling Works Contract with Henry Boot Construction Ltd in August 2023.

- 3.5 A further Cabinet report is scheduled for November 2023, regarding the decision to award the remaining Stage 2 Main Works contract based on the final Contract Sum.
- 3.6 This would be subject to Henry Boot Construction concluding a successful tendering exercise within their supply chain. This entails the full redevelopment of the Markets complex within the capital budget available.

Option 2 – Delay until Full Award (Not Recommended)

- 3.7 The alternative option considered is to wait until the final Contract Sum is known, before awarding the full Stage 2 Works Contract (including Enabling Works) at the November 2023 Cabinet to Henry Boot Construction.
- 3.8 This would result in a delay to mobilisation on site, estimated to be in the region of 3-4 months. A delay of this nature will result in increased costs being incurred to deliver the same full scope of works, due to inflationary and markets pressures resulting from an extended overall programme.

Option 3 – Do not proceed (Not Recommended)

- 3.9 If the Council does not proceed with the construction works, this would result in the non-delivery of the redevelopment project and the benefits highlighted in this report not being realised. The Markets complex is a Council owned asset, with responsibility sitting with the Council for the buildings general upkeep. The complex was constructed in 1971 and if the redevelopment project does not proceed, the Council will still be required to invest in the infrastructure on site or consider an alternative use for the complex moving forwards.
- 3.10 Failure to deliver the redevelopment of the Rotherham Markets Complex is considered to present significant risk to achieving the Council's wider regeneration aims for the Borough, notably the objective to provide a transformed and rejuvenated Rotherham town centre.
- 3.11 It is recommended therefore that Cabinet:
1. Note the progress to date on Rotherham Markets & Library redevelopment.
 2. Approve the enabling works for the Rotherham Markets & Library development, as detailed in Appendix 2 of this report.
 3. Delegate authority to the Strategic Director of Regeneration of Environment, in consultation with the S151 Officer and the Cabinet Member for Jobs and Local Economy, to award contract(s) for the works and up to the values detailed in Appendix 2.

4. Consultation on proposal

- 4.1 Throughout the entire design period, extensive engagement has been undertaken on emerging proposals with a wide range of stakeholders including, with business currently operating and trading from within the Markets complex itself. A summary document detailing engagement is attached as Appendix 3.
- 4.2 Engagement with businesses operating within the Markets complex will continue through the redevelopment period with a range of relocations, both temporary and permanent, required to facilitate the planned works. Acknowledging this challenging and disruptive period, the Council has already approved a rent concession (as agreed as in the March 2023 budget report) of 50% for market traders to be implemented from the Summer of 2023 and to be continued throughout the construction programmes duration.

5. Timetable and Accountability for Implementing this Decision

- 5.1 Tender evaluation report and officer delegated decision to be prepared for approval in August 2023 to enter into the Stage 2 enabling works construction contract.
- 5.2 Construction activity for the enabling works identified in Appendix 2 to commence on site in September 2023.
- 5.3 Tender evaluation report and officer delegated decision to be prepared for Cabinet approval in November 2023 to enter into the Stage 2 main works construction contract.

6. Financial and Procurement Advice and Implications

- 6.1 As an update report there are no direct procurement implications. The award of the 2-Stage design and build contract to Henry Boot Construction included the enabling works as part of its scope and was undertaken in compliance with the Public Contracts Regulations 2015 (as amended) and the Council's own Financial and Procurement Procedure Rules.
- 6.2 The financial implications of the proposed enabling works contract are detailed within the exempt appendix and are contained within the approval Capital Programme budget for this project. As such there is no additional budget requirement as a result of the proposal to enter into the enabling works contract.

7. Legal Advice and Implications

- 7.1 As stated in the body of the report an appropriate and lawful procurement exercise has been undertaken in respect of 2-Stage design and build contract to Henry Boot Construction. A comprehensive contract in respect of the enabling works will be completed with the relevant contractor, specifying the Council's requirements.
- 7.2 Section 9D of the Local Government Act 2000 requires that all functions of a local authority are the responsibility of the executive unless otherwise specified in regulations. The discharge of functions in relation to the project set out in the

report are not specified within those regulations as to not be functions of the executive. Therefore, this is an executive power to be exercised by the Cabinet.

8. Human Resources Advice and Implications

8.1 There are no direct human resources implications arising from this report.

9. Implications for Children and Young People and Vulnerable Adults

9.1 There are no direct implications for Children and Young People and Vulnerable adults arising from this report.

10. Equalities and Human Rights Advice and Implications

10.1 A screening assessment and an Equality Analysis Form is attached.

10.2 Further consultation will be ongoing with protected characteristic groups to inform the operation and accessibility of the scheme and to monitor the ongoing equalities impact of the development.

11. Implications for CO2 Emissions and Climate Change

11.1 A carbon impact assessment is attached. The development is expected to achieve a BREEAM rating range from Good/Very Good and is located on a site that is within walking distance of the bus interchange, tram train and railway station.

12. Implications for Partners

12.1 There are no direct impacts from this decision on the delivery of services by partners. The delivery of the Rotherham Markets & Library scheme is widely seen as an important catalyst in regenerating Rotherham town centre and progress towards delivery is likely to be welcomed by partners

13. Risks and Mitigation

13.1 A comprehensive risk register has been prepared for this project and is monitored and updated by the Council's Building Design Team acting as Principal Designer for the redevelopment. Henry Boot Construction also maintain their own construction risk register that is shared with the Council, this focuses on programme and construction related challenges and mitigations. In addition the further risks are outlined in the Report above.

13.2 Impact on existing Council services operating on the current site is a considered risk with this decision. This risk will be mitigated through ensuring that the final scope of works included in the enabling works contract will not harm or impact the ability of the Markets service to carry out their responsibilities.

14. Accountable Officers

James Green, Regeneration & Development Manager

Approvals obtained on behalf of Statutory Officers: -

	Named Officer	Date
Chief Executive	Sharon Kemp	24/07/23
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	21/07/23
Assistant Director, Legal Services (Monitoring Officer)	Phil Horsfield	21/07/23

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