

<b>Subject:</b>	Rossendale LUF Regeneration Programme – Temple Court Market Stage 3 Design Approval (Temple Court Market, Bacup)	<b>Status:</b>	For Publication
<b>Report to:</b>	Cabinet	<b>Date:</b>	22nd May 2024
<b>Report of:</b>	Director of Economic Development	<b>Lead Member:</b>	Economic Development
<b>Key Decision:</b>	<input checked="" type="checkbox"/> Forward Plan <input checked="" type="checkbox"/>	General Exception <input type="checkbox"/>	Special Urgency <input type="checkbox"/>
<b>Equality Impact Assessment:</b>	Required: No	Attached:	No
<b>Biodiversity Impact Assessment:</b>	Required: No	Attached:	No
<b>Contact Officer:</b>	Sean O'Hagan	<b>Telephone:</b>	01706 252568
<b>Email:</b>	seanohagan@rossendalebc.gov.uk		

## Recommendations

1. To approve the RIBA Stage 3 design of the Temple Court Market in order to proceed with the planning application.
2. To Delegate Authority to the Director of Economic Development, Head of Legal Services and in consultation with the Lead Member for Regeneration to procure and appoint a market management organisation for Temple Court Market.
3. To Delegate Authority to the Director of Economic Development, Head of Legal Services in consultation with the Lead Member for Regeneration to procure and appoint the most economically advantageous relevant construction contracts to deliver Temple Court Market.

## 1. EXECUTIVE SUMMARY

- 1.1 Levelling Up is a key Government policy to promote economic growth and tackle the gap between income levels in the regions compared to more prosperous areas. As funding has now been approved, the delivery of the Capital Levelling Up Fund (CLUF) Programme is key to meeting those needs, and supports delivery of the Council priority – **A Thriving Local Economy**.
- 1.2 From the full £21.25m budget, £7.8m has been earmarked for the Temple Court Market, Bacup and a further £455,127.00 has been earmarked for the Public Realm works on Union Street in Bacup. Combined there is a £8.38m budget for Bacup.
- 1.3 This report seeks Cabinet's authorisation to accept the design proposal for the market and the approval to submit a planning application.
- 1.4 The planning permission for Temple Court will be handled separately from any permissions related to the Union Street works.

## 2. BACKGROUND

- 2.1 Following approval by Cabinet of the stage 2 designs, consultation took place with various parties including members of the Council, the Bacup 2040 Board, Market Traders, pre-

application discussions with statutory bodies and the general public to review the new designs for the Temple Court Market.

2.2 The RIBA Stage 3 Design report with Cost Plan will be submitted prior to Cabinet Meeting.

**2.3 Delivering this project will:**

- Introduce employment opportunities in Bacup and improve the physical environment and heritage buildings
- Further improve the leisure and retail offer in Bacup Town Centre
- Strengthen our offer for visitors to raise the profile of the Borough's attractions

**3. EVOLUTION OF THE DESIGNS AND THE TIMELINE**

3.1 As a result of the consultation with the community and Historic England there have been a number of changes design that have been incorporated into the Stage 3 design. The primary changes are:

- The introduction of additional accessible car parking spaces
- Changes to the cladding materials
- Repurpose of the units on the Market Street side
- Reduction in floor space for the cycle hub

3.2 The timeline remains the same with the key target date for achieving planning permission in September 2024. Revised Timeline

- February 2024- Pre-Planning application submitted
- May 2024 - RIBA Stage 3 Design
- June – August 2024 two stage procurement of main contractor
- August 2024- RIBA Stage 4 completion
- September 2024 – Planning Permission determined
- October 2024 - Main Contractor contract award
- January 2025 – Demolition of market stalls
- May 2026- Handover of buildings

3.3 In order to meet these time scales it is essential that officers start the process to procure the Main Contractor and compile tender documents as soon as possible. The awarding of the contracts will be after planning permission has been granted

3.4 An essential component of the project is to appoint a market management team who will run the market on behalf of the Council. Again it is important that this is completed soon to enable the company to have sufficient time to attract tenants before the May 2026 handover date. The role of the market management company will be to:

- Establish the new facility
- Developing the site vision and business plan
- Day to day operations
- Marketing and promotion
- Events and activities
- Minor maintenance

3.5 Approaches will be made to organisations that share the Council’s vision for a community destination. A series of marketing material will publicise the offer and information sessions will be held. Proposals will be sought in the summer time and evaluated later in the year. It is envisaged the appointment will take place early 2025.

#### 4. RISKS

4.1 This programme will have a dedicated risk register and the Programme Board will be responsible for monitoring and reviewing the risks associated with each individual project. Some of the headline items are listed below:

Programme does not achieve overall aspiration and there is a blot on the Council’s reputation.  
*Mitigation:* Developing and executing a dedicated communications, engagement and consultation strategy will protect the Council’s reputation. The effective use of the Programme Board and Rossendale Regeneration Board will guide the programme and ensure that the objectives are met and achieved.

Programme Delays leading to rising costs and unable to deliver in the timescales.

*Mitigation:* Agree clear delivery path with each project itemised and a construction programme prior to awarding contracts. Delays identified as soon as possible to allow for the reprogramming.

Speed of Decision Making and failure to obtain relevant delegated authority leading to time delays and rising costs.

*Mitigation:* To present all decision-making changes to the Cabinet as early as possible. Ensure that the project is a recurring agenda item and any key decisions are easily communicated.

Unable to attract tenderers resulting in works being undelivered.

*Mitigation:* Present as many opportunities as possible as an open tender to attract a wide variety of suppliers. To make tenders clear and concise. To use our contacts to market the opportunities widely.

Budget constraints leading to reduced scope and unmanaged expectations.

*Mitigation:* Early concept designs and the appointment of a cost consultant will ensure that schemes are achievable within the budget through cost estimates. Spend will be monitored through the Programme Board and a dedicated accountant will be assigned to the project who will implement a cost control tool to control actual costs with original budgets.

Cost increases and un-foreseen ground conditions issues on site.

*Mitigation:* The appointment of an external Project Manager and cost consultant to scrutinise the works. Contingency built into the schemes and weekly site meetings to be scheduled.

Traffic Management and other roadworks happening near the schemes.

*Mitigation:* LCC attendance at Officer Group and attendance at the Rossendale Regeneration Board allowing early liaison with external parties and planning.

Phasing constraints and transitional arrangements with market traders.

*Mitigation:* Regular stakeholder meetings and discussions, with traders and a design implementation plan for Bacup Market to aid with phasing the work. A transitional plan will be approved by the Director of Economic Development and the Lead Member.

Post-contract quality issues.

*Mitigation:* Appropriate vetting of contractors, either via a framework or through evaluation and a series of PQQs initially, regular inspections of the workmanship through the clerk of works and an adequate defects period brought into the contract which will include retention.

## 5. FINANCE

5.1 The high level breakdown of the budget for the market and public space is shown below;

<b>Bacup Market and Square</b>	
Demolition	£408,100
New Market Street and events space	£1,579,750
Building and Structures Sub Total	£3,085,050
Main Contractor Prelims	£760,935
Design and Project Costs	£787,568
Risk and Contingency	£1,267,421
Bacup Market Total Cost	£7,888,824

5.2 The Council's contribution was included in the Capital Programme as part of the 2023/24 budget process.

5.3 It must be noted that on submitting the bid, and again in the MOU the Council has been required to accept responsibility for meeting any cost overruns and underwriting funding contributions, other than the Levelling Up Fund contribution.

## 6 LEGAL

6.1 The legal implications are on the whole covered within the body of the report. All necessary procurements will be carried out in accordance with the Council's Constitution and Public Procurement Regulations with all necessary legal agreements being completed as necessary.

6.2 Further reports to members will be presented as necessary where delegations are not already in place either via this report or the Council's Constitution.

## 7. POLICY AND EQUALITIES IMPLICATIONS

7.1 This report supports the Local Plan policy.

7.2 There are no Human Resources implications arising from the report. Equality and diversity issues are a mandatory consideration in the decision making of the Council. This requires elected Members to satisfy themselves that equality considerations are integrated into day to day business and that all proposals emerging from the finance and business planning process have properly taken into consideration what impact, if any, there is on any protected group and what mitigating factors can be put in train.

7.3 Consultation has been undertaken with Corporate Management Team and Lead Member. Any equality implications related to the project will be given consideration in a relevant and proportionate manner.

## 8. REASON FOR DECISION

The Delivery of the Capital Levelling Up Fund will support Rossendale to have a Thriving Local Economy and in turn support our Economic Development Aspirations. Approval to move forward with the proposed plans for Temple Court Market Place will enable delivery of the programmes within the approved timescales,

Background Papers	
Document	RIBA Stage 3 Design Report



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- All dimensions to be checked on site

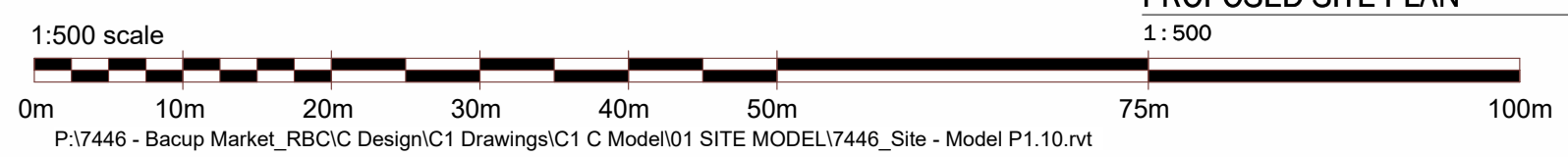
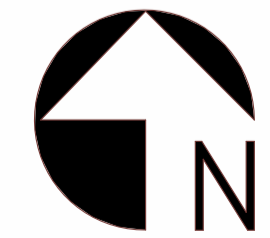
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S0 - Work In Progress	A - For Construction
S1 - Co-Ordination	AB - As Built
S2 - Information	
S3 - Internal Review / Comment	
S4 - Construction Approval	
D - Costing / Tender	

NB: Only drawings with an 'A' Code' to be used for construction

**NOTES**

01	14/05/24	Rev 01 - Minor Layout Revisions & Substation
> REV.	> DATE	> DESCRIPTION
<b>CLIENT</b> Rossendale Borough Council		
<b>PROJECT</b> Temple Court Market Development Bacup, Lancashire		
<b>DRAWING TITLE</b> Site Plan - Proposed		
<b>STATUS</b> BORDER DESIGN		<b>CODE</b> S2
<b>SCALE</b> 1:500@A2	<b>DATE</b> 30/04/24	<b>DRAWN</b> MK
		<b>CHECKED</b> NA/BC
<b>Job NO</b> Origin Zone Level Type Disc. Number 7446-FWP-XX-XX-DR-A-50104		<b>&gt; REV.</b> 01

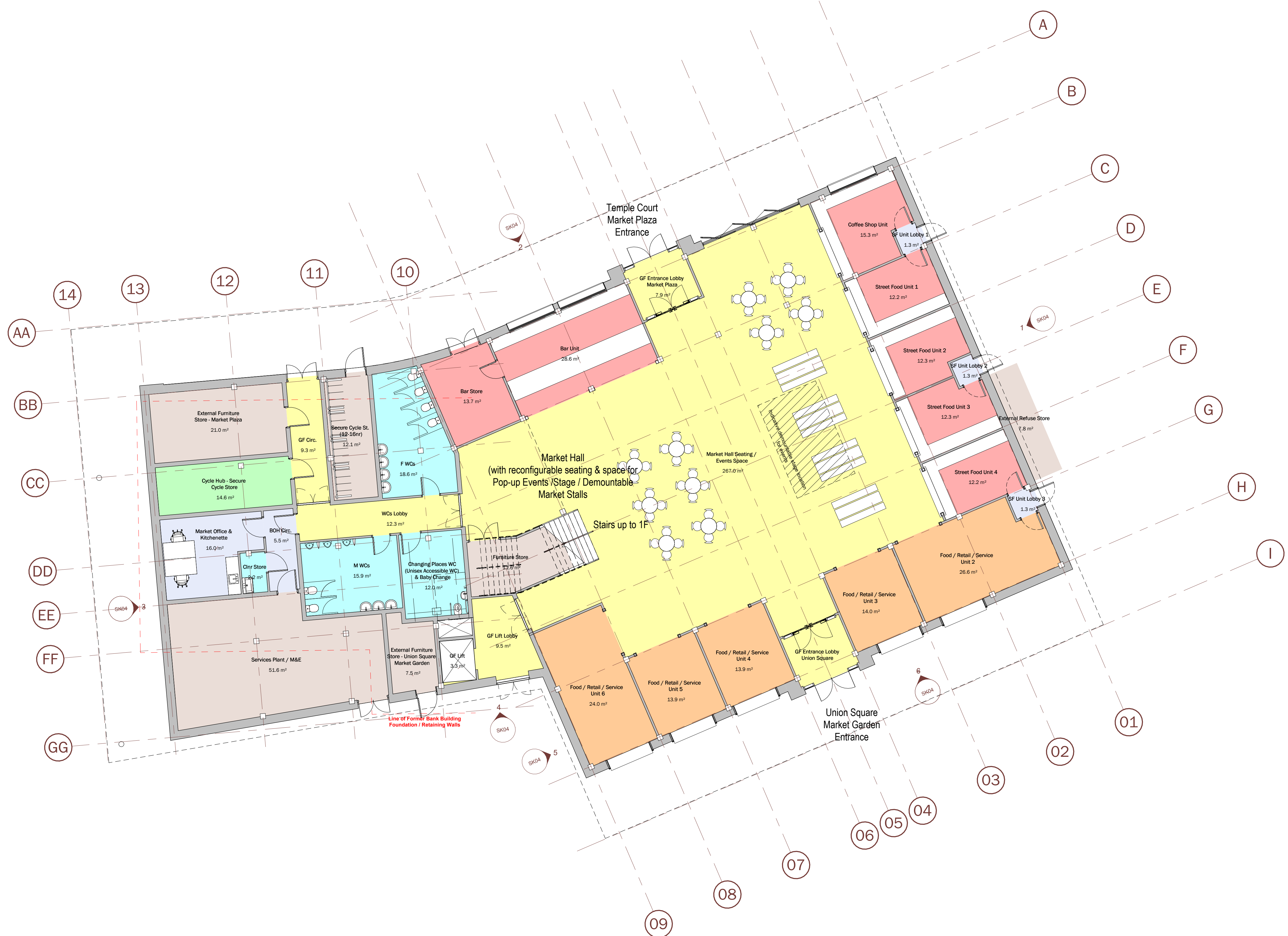


**PROPOSED SITE PLAN**  
1:500

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**FWP Limited**  
6 & 7 RIBBLESDALE PLACE  
PRESTON PR1 3NA  
T (01772) 259824  
E mail@fwp.uk.com  
www.fwpgroup.co.uk

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 > NOTES



02	14/05/24	Rev 2 - Minor Revisions - Planning
01	09/05/24	Rev 1 - Minor Layout Revision & Substation

REV.	DATE	DESCRIPTION
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> CLIENT  
 Rossendale Borough Council

> PROJECT  
 Temple Court Market Development  
 Bacup, Lancashire

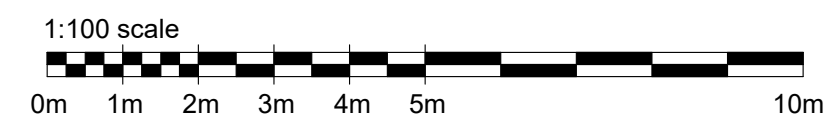
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 Proposed Schematic Floor Plan - Ground Floor

> STATUS  
 INFORMATION  
 S2

> SCALE  
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 > DATE  
 30/04/24  
 > DRAWN  
 MK  
 > CHECKED  
 NA/BC

> DRG NO.  
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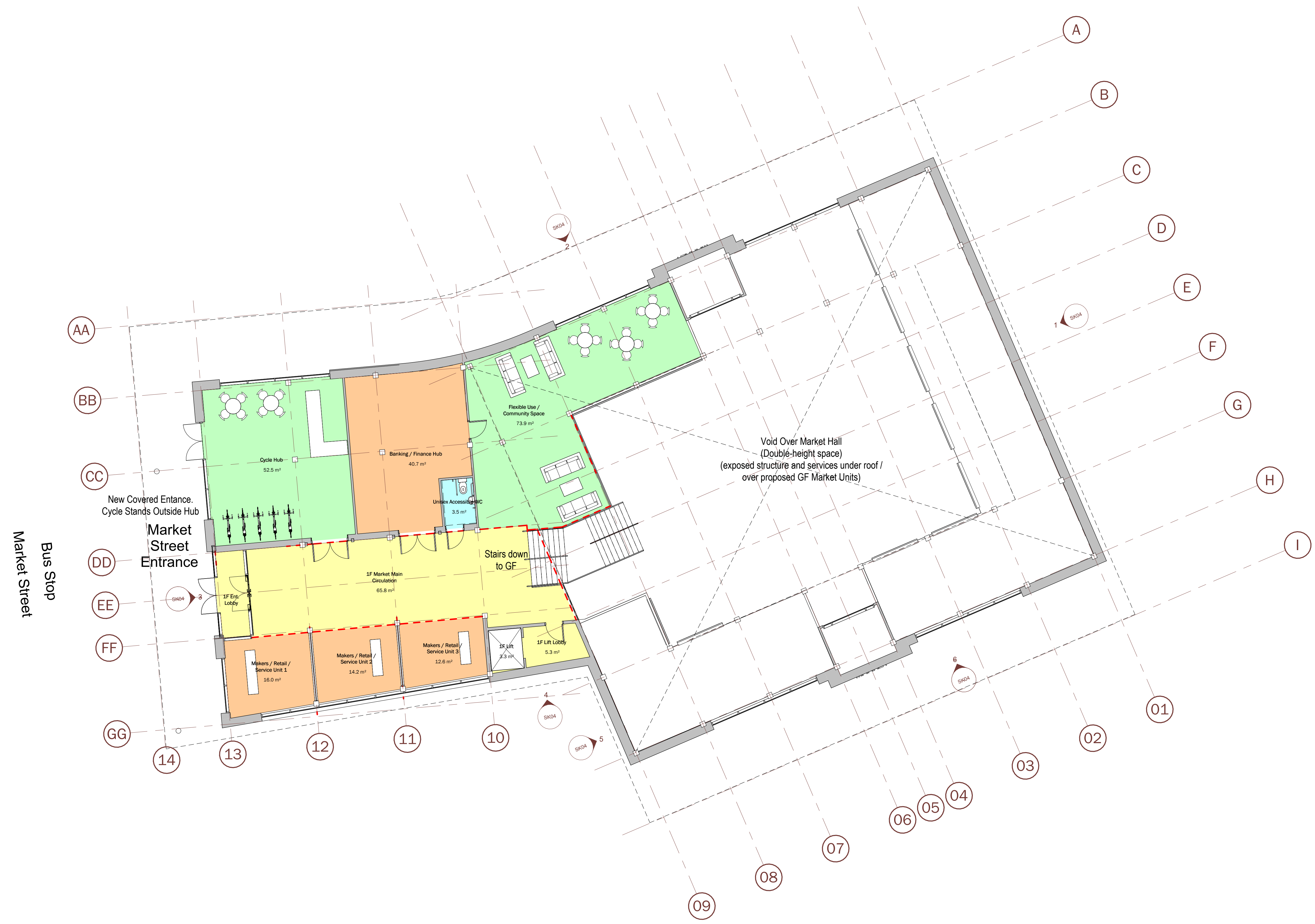
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**NOTES**



REV.	DATE	DESCRIPTION
02	14/05/24	Rev 2 - Minor Revisions - Planning
01	09/05/24	Rev 1 - Minor Layout Revision & Substation

**CLIENT**  
 Rossendale Borough Council

**PROJECT**  
 Temple Court Market Development  
 Bacup, Lancashire

**DRAWING TITLE**  
 Proposed Schematic Floor Plan - First Floor

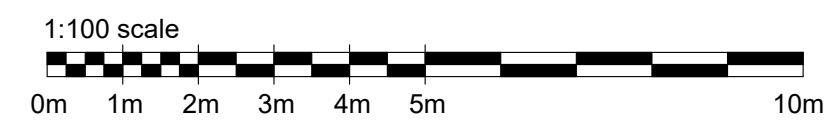
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FWP Limited  
 6 & 7 RIBblesdale Place  
 Preston PR1 3NA  
 T (01772) 259824  
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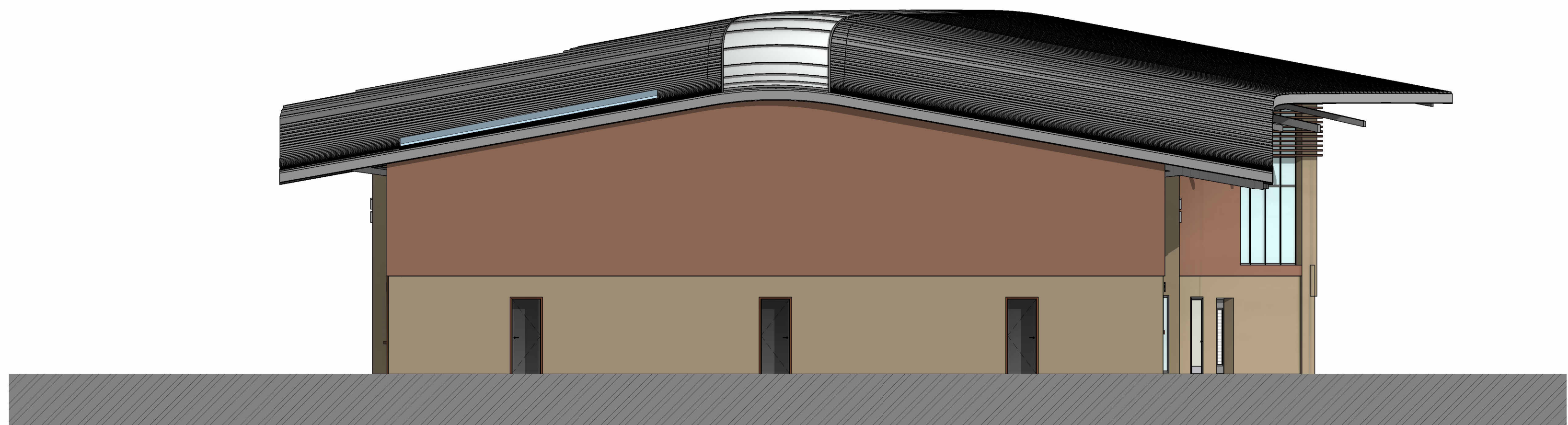
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- Do not scale of this drawing

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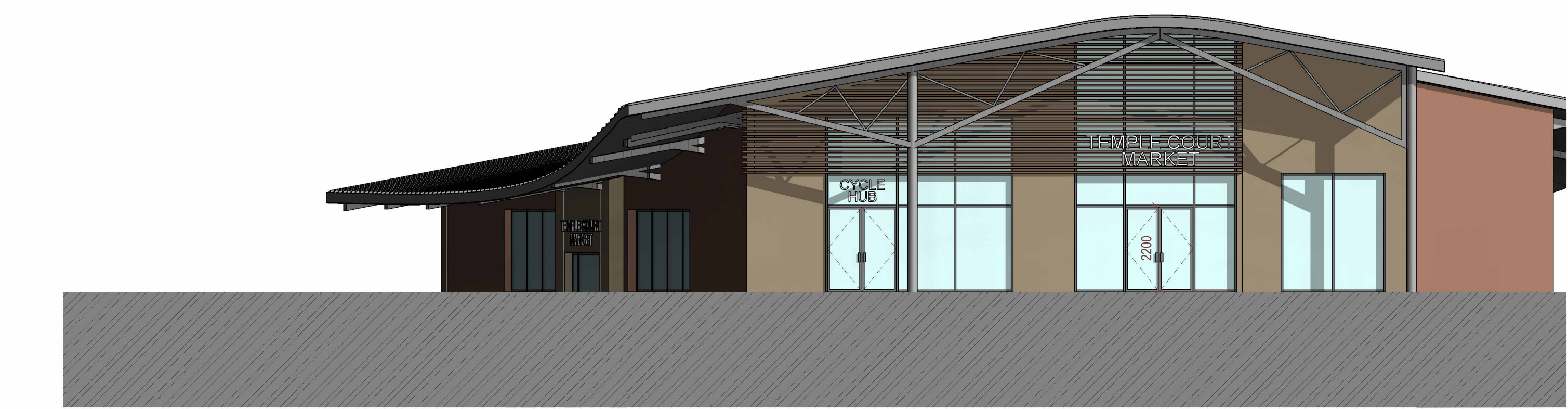
**NOTES**



Elevation 01 - East  
1:100



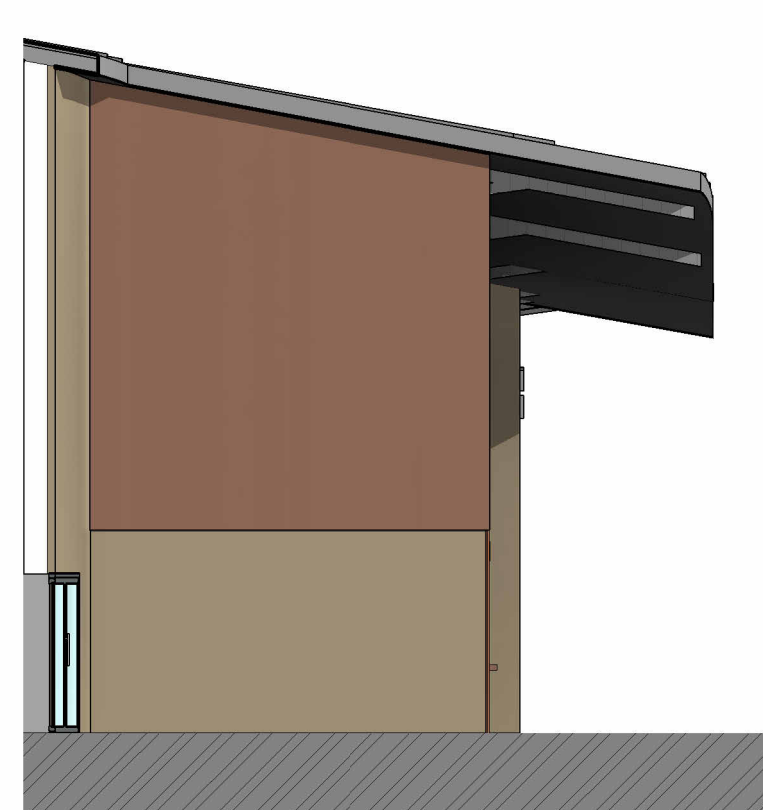
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1:100



Elevation 03 - West  
1:100



Elevation 04 - South  
1:100



Elevation 05 - South West  
1:100



Elevation 06 - South East  
1:100

REV.	DATE	DESCRIPTION
04	30/04/24	Rev 4 - Design Revisions
03	06/02/24	Rev 3 - Design Revisions
02	21/12/23	Rev 2 - Design Revisions
01	15/12/23	Rev 1 - WIP Layout Ammends

REV. | DATE | DESCRIPTION

**CLIENT**  
Rossendale Borough Council

**PROJECT**  
Temple Court Market Development  
Bacup, Lancashire

**DRAWING TITLE**  
Proposed Schematic Elevations

**STATUS**  
WORK IN PROGRESS

**CODE**  
S0

**SCALE**  
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**DATE**  
29/11/2023

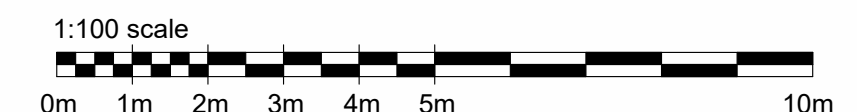
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6 & 7 RIBblesdale Place  
Preston PR1 3NA  
T (01772) 259824  
E mail@fwp.uk.com  
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TEMPLE COURT  
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