

WIRRAL COUNCIL

CABINET – 5 FEBRUARY 2010

REPORT OF THE DIRECTOR OF REGENERATION

## **THE OVAL SPORTS & RECREATION CENTRE, BEBINGTON – SCHEME COMPLETION REPORT**

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### **1.0 EXECUTIVE SUMMARY**

1.1 This report advises Members of the final outcome of the successful remodelling of the main sports building at the Oval Sports Centre. The scheme was the first comprehensive remodelling of a 'wet' leisure facility in the Borough for some considerable time. The opportunity was taken to reassess the role and function of this type of provision with the prime objective of expanding use and accessibility to the widest possible range of people.

### **2.0 BACKGROUND**

2.1 The Oval Sports Centre was built during the 1970s; the facilities for swimming had largely remained as original and were not fully utilised by all sections of the community. The facilities had severe lay-out restrictions which meant that the building generally and more particularly the changing areas and swimming pool were not easily accessible or useable by people with disabilities nor did they cater appropriately for mixed family groups. Furthermore, the original entrance to the building was via a reception at level two, accessed either by a steep incline or external steps.

2.2 Internally the pool tanks and surrounding walkways had needed various concrete repairs over the years, by 2006 these had reached the stage where urgent comprehensive repairs were required. Also by this time the oil-fired heating boilers and air-handling installations were no longer viable in terms of economic or environmental sustainability.

2.3 Given all these issues it was decided to proceed with a comprehensive repair and remodelling programme to bring the facility up to modern standards, including accessibility and thus extend the range of potential users of particularly the pool area.

2.4 The scheme of works has now been completed and the Oval Sports Centre has become extremely popular with its increased numbers and range of users. Compared to the position pre-refurbishment, school swimming lessons have doubled, 10 additional sessions per week have been provided in the swimming pool for groups with special requirements and the number of swimmers aged 60+ has increased by an average 30% over and above earlier increases arising from the free swimming for over 60's initiative.

2.5 It is the first public swimming pool in Merseyside to offer warmer water sessions for recreational users. It also has improved changing facilities for disabled users including a shower/change area with a fixed mechanical bed and built in hoist, wheelchair storage and toilets and the bottom of the pool has been raised to allow improved access for non-swimmers to allow for water based fitness classes and parents and toddlers.

### **3.0 IMPROVEMENT WORKS**

- 3.1 Cabinet, 19<sup>th</sup> October 2006 approved a Scheme and Estimate for the remodelling of the centre to address the issues of accessibility and inclusiveness for all sections of the community and to ensure the building was able to offer modern, environmentally sustainable facilities. Tenders were sought on the basis of the lowest submitted price. The lowest tender for the building works, £2,109,222, was accepted by Cabinet 24 May 2007 (Min.35 refers). The overall agreed costs, including fees and charges, amounted to £2,383,420.
- 3.2 To undertake the extensive works, complete closure of the indoor sports facilities over the period of the works was required. The 2007/08 Capital Programme included £2.3 million for the Oval Sports Centre scheme and a further £100,000 within the Energy Efficiency Programme for heating works.
- 3.3 Site works commenced 25 June 2007. Regular site progress meetings were held with the Main Contractor who gave assurances that completion would be achieved according to the programme and within the contract sum.
- 3.4 During the latter phases of the refurbishment programme difficulties were experienced in achieving completion of tiling to the required standard and satisfactory completion of works to the new air handling plant, both of these being delivered by sub-contractors. Completion of the scheme by the contractor was eventually achieved in October 2008. This allowed the 'dry provision' to open to the public on 16 October and the remodelled Pool Hall and Changing Village to open on 24 November 2008 following in house commissioning and preparation.
- 3.5 Up to September 2008, the Contractor's anticipated overall costs (including additional works) still appeared to be within accepted financial boundaries and the Council was assured that the final account would not exceed the original tender by more than 10%. The financial requirements of the Council, at that time did not require variations of less than 10% of the contract sum to be authorised by Cabinet before an instruction was issued. However, Members were provided with regular updates on the delays in opening the pool and the public debate around the number of lanes to be marked out in the pool area (this particular aspect is examined further, elsewhere in this report).
- 3.6 Following completion of the scheme, the Contractor submitted a substantial claim for loss and expense on the 15<sup>th</sup> December 2008 which meant it was not possible at that stage to provide a report to Cabinet on the final costs for the scheme until the claim was settled. A statement was included in the March 2009 Financial Monitoring Report to Cabinet. There were protracted negotiations over this claim since that date, with the effect that the Contractor's additional costs were successfully reduced to an acceptable agreed final figure.

### **4.0 SCHEME REVIEW**

- 4.1 This is the first major refurbishment scheme of a complex mixed use wet sports facility undertaken in the borough for many years. The objectives of increased accessibility for users and an improvement in the quality of facilities has easily been achieved, however, a review of the scheme was undertaken to consider how future works should be programmed and having now had direct experience of working with a contractor on this type of project what lessons can be learnt for the future. The key review issues can be summarised as follows:

## 4.2 Contractor Selection

- i) Wirral selects its Main Contractors from Construction Line, which is owned by the Department for Business Innovation & Skills and is recommended by the OGC Common Minimum Standards and The Local Government Task Force. Construction Line compiles and maintains lists of contracting firms competent to undertake projects within a range of financial bands, and who are in good financial standing and have an adequate track record of delivery. In this case the contractor was selected from Construction Line but was unknown to Wirral, however references were obtained and these were acceptable.
- ii) At that time the Council's Selection Procedures did not include an interview as part of the competitive process and this may have indicated the suitability of the contractor for these works. Experience of this project has now assisted future contractor selection on major schemes in that the selection process has been amended so that tenders for major schemes (and the contractor) are now assessed on both quality and price.
- iii) The Oval contract subsequently required enhanced supervision by the Director of Technical Services in the latter part of the works and this is reflected in the increased fees payable on the contract; this beneficially also put Wirral in a much stronger position to successfully resist the significant additional costs claim submitted by the contractor.
- iv) Project Management procedures have been enhanced since 2006 and Members will be aware other equally complex schemes which have started since these changes to Project Management were implemented and have delivered similar high quality outcomes but with less duplication of administrative and technical processes.

## 4.3 Liquidated Damages

- i) To increase the mitigation of the impact of any additional financial costs to the Council should a contract not be completed in accordance with planned timescales, future levels of liquidated damages on a contract of this size and complexity have been increased and include an allowance for loss of income in the case of project over-run.

## 4.4 Additional Works

- i) As work progressed the need for considerable additional structural repairs to the pool tank was identified in areas that were previously inaccessible for inspection before the commencement of the contract works; following the removal of ducting within the undercroft of the pool hall. The additional cost for this element of the works was £151,821.
- ii) The initial scheme concentrated on the pool hall, changing areas, the relocation of reception and the installation of a lift between all floors suitable for people with disabilities. As work progressed it was identified that the poor condition of the main stairs and corridors at levels two and three together with sub-standard lighting in the same areas could be accommodated within the overall budget tolerances of the scheme. These additional improvements were carried out by the main contractor. Further minor amendments to the scheme were also required to the new reception area, staff changing facilities and main sports hall. The additional costs for this element of the work amounted to £119,599.

- iii) As previously stated, the principal objective of the scheme was to provide facilities suitable for the widest possible range of users including non swimmers and those in need of additional support or assistance. This has been more than satisfactorily achieved however much public attention, at the time was focussed on the issue of the number of swimming lanes marked out in the pool for competitive purposes.
- iv) Initially it was decided to lay tile markings for five fully compliant Amateur Swimming Association (ASA) lane widths in the existing pool tank (it was obviously not a practical proposition to extend the pool tank to meet the increased width of modern competitive lanes required by the ASA).
- v) The number of swimming lanes is an important issue for (a comparatively small number of) people who will use the pool for competitive purposes. The vast majority of users will however be oblivious to the significance of this debate. For comparison purposes Europa and Leasowe have six lanes and West Kirby, Guinea Gap and Woodchurch pools are provided with four lanes.
- vi) Following representation from local swimming clubs the Amateur Swimming Association was contacted and they advised that the lane width could be reduced for “community” pools and after due consultation with the Cabinet portfolio holder, it was agreed that a price be obtained from the contractor for lifting and re-laying tiling to the pool base and end walls to form the required six lanes. The changes were agreed as a result of representations from the swimming clubs to retain the six lanes notwithstanding the fact that they would not comply with the ASA competition specification. Communication systems with representative groups, in this case the Swimming Clubs, have been improved to ensure enhanced future consultation on proposed changes to facilities. The additional costs for this element of works was £70,749

## 5.0 FINANCIAL AND STAFFING IMPLICATIONS

### 5.1 The final financial summary of the scheme is as follows:

Scheme and Estimate as agreed by Cabinet on 24 May 2007 figures including fees and costs	£2,383,420
Technical variations due to additional unforeseen works, including structural repairs and removal/ replacement of corroded mechanical installations(detailed in para. 4.4(i))	£151,821
Variations associated with the increased scope of works including improved lighting and repairs to stair wells (detailed in para. 4.4(ii))	£119,599
Alterations to pool lanes (detailed in para. 4.4(iii) to (vi))	£70,749
Extension of Time granted to the contractor to complete the additional works and unforeseen works	£183,779
Additional Technical Services fees and charges resulting from additional works, prolongation of Contract, additional supervision and settlement of contractor’s claim	£214,297
Less liquidated damages deducted for non-completion within the agreed extended construction period, 12 weeks @ £2,555.00 per week	£30,660
Final cost of the works to re-model the main sports centre building at the Oval, inclusive of fees	<b><u>£3,093,005</u></b>

5.2 The Capital Programme allocation plus the Energy Efficiency Programme funding previously agreed amounts to £2,483,420. A variation to the Capital Programme is therefore required in the sum of £609,585 to cover the additional expenditure highlighted in this report, which has been accommodated within the Council's capital programme.

5.3 There are no staffing implications in this report.

## **6.0 EQUAL OPPORTUNITIES IMPLICATIONS**

6.1 Facilities being provided by the scheme have considerably improved access for people with disabilities.

6.2 Due allowance has been taken in the design and layout of the changing accommodation for appropriate levels of privacy for all, including those required by service users from particular ethnic and religious minorities.

6.3 Wherever possible, due allowance has been made for the elderly, infirm and those in need of supervision by adults or carers.

## **7.0 COMMUNITY SAFETY IMPLICATIONS**

7.1 The suggestions of the Crime Reduction Officer were taken on board in the development of this scheme.

## **8.0 LOCAL AGENDA 21 IMPLICATIONS**

8.1 The refurbishment works have been designed to encourage greater opportunities for people in the community to develop their fitness and health.

8.2 The scheme has been designed to deter vandalism and abuse, and thus foster a sense of pride by the users of the centre.

8.3 Low energy electrical fittings have been specified and water saving devices have been fitted to reduce the consumption of valuable natural resources.

8.4 All timber has been specified from sustainable sources and fabricated materials have, wherever reasonably possible, been specified from manufacturing plants with emissions within agreed international limits.

8.5 The new boilers and associated equipment have been specified as the most energy efficient available, with a view to minimising energy consumption and reducing impact of CO2 emissions.

## **9.0 PLANNING IMPLICATIONS**

9.1 The scheme has received Full Planning Consent and Building Regulation Approval.

## **10.0 ANTI-POVERTY IMPLICATIONS**

10.1 There are none arising directly from this report.

## **11.0 SOCIAL INCLUSION IMPLICATIONS**

11.1 The scheme provides full accessibility for all members of the community in a safe and inclusive environment.

## **12.0 LOCAL MEMBER SUPPORT IMPLICATIONS**

12.1 This scheme is located within the Bebington Ward but is used by people from across the borough and further a field for various sporting events.

## **13.0 BACKGROUND PAPERS**

13.1 No other background papers have been used in the preparation of this report with the exception of the Architects file C17813 and the Quantity Surveyors working papers.

## **14.0 RECOMMENDATIONS**

14.1 That Members note the achievements gained through the remodelling and refurbishment works undertaken at the Oval Sports Centre.

14.2 That Members approve the increased construction costs and fees on this project, as outlined in section 5.0 of this report and agree to a variation to the Capital Programme to cover these costs in the sum of £609,685.

14.3 That Members note the changes and enhancements made to the Council's tendering procedures for major construction schemes.

Alan Stennard  
Director of Regeneration