

Enquiries to: Kelly Baxter
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Date: 16th May, 2023

Dear Sir/Madam,

A meeting of the **CABINET** will be held in the Council Chamber, Town Hall, Nuneaton, on **Wednesday, 24th May 2023 at 6.00 p.m.**

The public can follow the decision making online:-
www.nuneatonandbedworth.gov.uk/virtual-meeting.

Please note that meetings are recorded for future broadcast.

Yours faithfully,

BRENT DAVIS

Chief Executive

To: Members of Cabinet

Councillor K. Wilson (Leader of the Council and Business and Regeneration)
Councillor C. Golby (Deputy Leader and Housing and Communities)
Councillor S. Croft (Finance and Corporate)
Councillor S. Markham (Public Services)
Councillor R. Smith (Planning and Regulation)
Councillor J. Gutteridge (Health and Environment)

Also invited:

Councillor C. Watkins (Leader of the Main Opposition Group and Observer)

AGENDA

PART I

PUBLIC BUSINESS

1. EVACUATION PROCEDURE

A fire drill is not expected, so if the alarm sounds, please evacuate the building quickly and calmly. Please use the stairs and do not use the lifts. Once out of the building, please gather outside the Lloyds Bank on the opposite side of the road.

Exit by the door by which you entered the room or by the fire exits which are clearly indicated by the standard green fire exit signs.

If you need any assistance in evacuating the building, please make yourself known to a member of staff.

Please also make sure all your mobile phones are turned off or set to silent.

I would also advise that all or part of the meeting will be live streamed and recorded for future broadcast.

2. APOLOGIES - To receive apologies for absence from the meeting.

3. DECLARATIONS OF INTEREST

To receive declarations of Disclosable Pecuniary and Other Interests, in accordance with the Members' Code of Conduct.

Declaring interests at meetings

If there is any item of business to be discussed at the meeting in which you have a disclosable pecuniary interest or non-pecuniary interest (Other Interests), you must declare the interest appropriately at the start of the meeting or as soon as you become aware that you have an interest.

Arrangements have been made for interests that are declared regularly by members to be appended to the agenda (**Page 6**). Any interest noted in the Schedule at the back of the agenda papers will be deemed to have been declared and will be minuted as such by the Committee Services Officer. As a general rule, there will, therefore, be no need for those Members to declare those interests as set out in the schedule.

There are, however, TWO EXCEPTIONS to the general rule:

1. When the interest amounts to a Disclosable Pecuniary Interest that is engaged in connection with any item on the agenda and the member feels that the interest is such that they must leave the room. Prior to leaving the room, the member must inform the meeting that they are doing so, to ensure that it is recorded in the minutes.

2. Where a dispensation has been granted to vote and/or speak on an item where there is a Disclosable Pecuniary Interest, but it is not referred to in the Schedule (where for example, the dispensation was granted by the Monitoring Officer immediately prior to the meeting). The existence and nature of the dispensation needs to be recorded in the minutes and will, therefore, have to be disclosed at an appropriate time to the meeting.

Note: Following the adoption of the new Code of Conduct, Members are reminded that they should declare the existence and nature of their personal interests at the commencement of the relevant item (or as soon as the interest becomes apparent). If that interest is a Disclosable Pecuniary or a Deemed Disclosable Pecuniary Interest, the Member must withdraw from the room.

Where a Member has a Disclosable Pecuniary Interest but has received a dispensation from Audit and Standards Committee, that Member may vote and/or speak on the matter (as the case may be) and must disclose the existence of the dispensation and any restrictions placed on it at the time the interest is declared.

Where a Member has a Deemed Disclosable Interest as defined in the Code of Conduct, the Member may address the meeting as a member of the public as set out in the Code.

Note: Council Procedure Rules require Members with Disclosable Pecuniary Interests to withdraw from the meeting unless a dispensation allows them to remain to vote and/or speak on the business giving rise to the interest.

Where a Member has a Deemed Disclosable Interest, the Council's Code of Conduct permits public speaking on the item, after which the Member is required by Council Procedure Rules to withdraw from the meeting.

4. MINUTES - To confirm the minutes of the Cabinet meeting held on the 12th April 2023 **(Page 9)**
5. PUBLIC CONSULTATION – Members of the Public will be given the opportunity to speak on specific agenda items if notice has been received.
6. BEDWORTH CIVIC HALL – UPDATE a report of the Strategic Director – Public Services attached **(Page 19)**.
7. REIMAGINING MUSEUM & ART GALLEY PARKS REVIVAL – a report of the Strategic Director – Public Services attached **(Page 29)**.
8. CREATION OF FLEXIBLE TENANCIES, DOWNSIZING POLICY AND LOCAL LETTINGS PLAN WITHIN THE COUNCIL HOUSING STOCK – report of Head of Housing and Responsive Repairs attached **(Page 103)**
9. FUNDING ARRANGEMENTS – ECONOMIC DEVELOPMENT AND PUBLIC SAFETY – a report of the Strategic Director – Housing & Community Safety and Strategic Director – Economy & Transformation attached **(Page 148)**

10. UK SHARED PROSPERITY FUND (UKSPF) – a report of the Strategic Director – Housing & Community Safety attached (**Page 165**)
11. RECOMMENDATIONS FROM OVERVIEW AND SCRUTINY PANELS
None
12. ANY OTHER ITEMS - which in the opinion of the Chair of the meeting should be considered as a matter of urgency because of special circumstances (which must be specified).

Nuneaton and Bedworth Borough Council

Building A Better Borough

Nuneaton and Bedworth 2032: working in partnership, restoring pride in our borough

AIM 1: LIVE

We want to make our borough a place where our residents enjoy living and in which others choose to make their home.

Priority 1: Promote residents' health and wellbeing

Priority 2: Enable appropriate housing development

Priority 3: Sponsor a sustainable green approach

Priority 4: Prioritise community safety and empowerment

AIM 2: WORK

Using our prime location within the national road and rail networks and responding to the needs of private companies, we want to make our borough a place in which businesses choose to locate and where our residents enjoy a range of employment options.

Priority 1: Grow a strong and inclusive economy

Priority 2: Champion education and skills

Priority 3: Embrace new and emerging technology

Priority 4: Support local businesses

AIM 3: VISIT

Taking advantage of our open green spaces, our heritage, and our location within the West Midlands, we want our borough to be a vibrant destination for residents and visitors alike. A place where people and families want to spend time relaxing, socialising and taking part in leisure and cultural activities.

Priority 1: Create vibrant and diverse town centres

Priority 2: Stimulate regeneration

Priority 3: Celebrate and promote our heritage

Priority 4: Improve the physical environment

Cabinet - Schedule of Declarations of Interests – 2023/2024

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
	General dispensations granted to all members under s.33 of the Localism Act 2011			Granted to all members of the Council in the areas of: <ul style="list-style-type: none"> - Housing matters - Statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992 - An allowance, payment given to members - An indemnity given to members - Any ceremonial honour given to members - Setting council tax or a precept under the Local Government Finance Act 1992 - Planning and Licensing matters - Allotments - Local Enterprise Partnership
	S. Croft	Employed at Holland & Barrett Retail Ltd	Treasurer of the Conservative Association Member of the following Outside Bodies: <ul style="list-style-type: none"> • Champion for Safeguarding (Children and Adults) • Local Government Superannuation Scheme Consultative Board West Midlands Employers	
	C. Golby		Member of Warwickshire County Council Membership of Other Bodies: <ul style="list-style-type: none"> • Nuneaton and Bedworth Safer and Stronger Communities Partnership • Nuneaton and Bedworth Community Enterprises Ltd. • Nuneaton and Bedworth Home Improvement Agency • Safer Warwickshire Partnership Board • Warwickshire Housing and Support Partnership • Warwickshire Police and Crime Panel • George Eliot Hospital 	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			<p>NHS Trust – Public/User Board</p> <ul style="list-style-type: none"> • George Eliot Hospital NHS Foundation Trust Governors • District Leaders (substitute) • Local Enterprise Partnership (substitute) • Coventry, Warwickshire and Hinckley and Bosworth Joint Committee (substitute) 	
	J. Gutteridge		<p>Representative on the following Outside Bodies:</p> <ul style="list-style-type: none"> • Warwickshire Health and Wellbeing Board • Age UK (Warwickshire Branch) • Committee of Management of Hartshill and Nuneaton Recreation Ground • West Midlands Combined Authority Wellbeing Board <p>Member of NABCEL</p>	
	S. Markham	County Councillor – W.C.C.	<p>Governor at Ash Green School</p> <p>Member of the following Outside Bodies:</p> <ul style="list-style-type: none"> • Nuneaton and Bedworth Sports Forum • Warwickshire Direct Partnership • Warwickshire Waste Partnership • Sherbourne Asset Co Shareholder Committee 	
	R. Smith		<p>Chairman of Volunteer Friends, Bulkington;</p> <p>Trustee of Bulkington Sports and Social Club;</p> <p>Member of the following Outside Bodies:</p> <ul style="list-style-type: none"> • A5 Member Partnership; • PATROL (Parking and Traffic Regulation Outside of London) Joint Committee; • Building Control Partnership Steering Group • Bulkington Village Community and Conference Centre • West Midlands Combined Authority and Land Delivery Board 	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
	K.D. Wilson	Acting Delivery Manager, Nuneaton and Warwick County Courts, HMCTS, Warwickshire Justice Centre, Nuneaton	Deputy Chairman – Nuneaton Conservative Association	
			Corporate Tenancies: properties are leased by NBBC to Nuneaton and Bedworth Community Enterprises Ltd, of which I am a Council appointed Director.	
			Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Director of Nuneaton and Bedworth Community Enterprises Ltd (NABCEL) • Coventry, Warwickshire and Hinckley & Bosworth Joint Committee • District Council Network • Local Government Association • Director of Coventry and Warwickshire Local Enterprise Partnership Ltd (CWLEP) • West Midlands Combined Authority 	

NUNEATON AND BEDWORTH BOROUGH COUNCIL

CABINET

12th April 2023

A meeting of Cabinet was held on Wednesday 12th April, 2023 in the Council Chamber which was recorded and live streamed.

Present

Councillor K. Wilson (Leader and Business and Regeneration (Chair))
Councillor C. Golby (Deputy Leader and Housing and Communities)
Councillor S. Croft (Finance and Corporate)
Councillor J. Gutteridge (Health and Environment)
Councillor S. Markham (Public Services)
Councillor R. Smith (Planning and Regulation)

CB127 **Apologies**
None

CB128 **Declarations of Interest**

The Chair confirmed that there was an additional Declaration of Interest to those printed, as all members of the Cabinet had received an email from the Chair of the Bedworth Community Interest Company, with regards to item 7 on the agenda. A reply has been sent which was non-committal in terms of what Cabinet may or may not decide. The correspondence was copied to the two Officers who are conducting the process for the records, to ensure that the bidding process is seen to be fair and accurate.

RESOLVED that the Declarations of Interest for this meeting are as set out in the Schedule attached to these minutes, with the additional declaration relating to correspondence being received being noted.

CB129 **Minutes**

RESOLVED that the minutes of the Cabinet meeting held on 8th March 2023, be approved, and signed by the Chair.

CB130 **Leisure Operator Procurement Update**

The Strategic Creditors and Procurement Manager, and Leisure and Health Manager submitted a report providing Cabinet with an update on the progress of the Leisure Operator Procurement for the operation of Council Leisure facilities within the Borough.

RESOLVED that the Leisure Operator Procurement update be noted.

Speakers:

Rachel Elizabeth
Councillor Keith Kondakor

Options

The update be noted; or
That further information is requested.

Reasons

The Leisure Operator Procurement began in October 2021 with soft market testing, followed by a series of Member Workshops to discuss and agree key

priorities for the new Leisure Management Contract as Leisure is a key strategic outcome for the Council, supporting residents with opportunities for improvements in their health and wellbeing.

CB131 Bedworth Civic Hall Update

The Leisure and Health Manager submitted a report to Cabinet with options for consideration on the next stage of the future operation of the Civic Hall (Venue) following the expressions of Interest submissions.

RESOLVED that

- a) a Lease Agreement approach for the Venue be approved; and
- b) delegated authority be given to the Strategic Director – Finance and Governance and Strategic Director – Economy and Transformation in consultation with the Leisure and Health Manager and Portfolio Holder for Public Services to negotiate the terms of the lease agreement.

Speakers:

Sam Margrave
Rachel Elizabeth
Nikki Smith
Joanne Browning
Rachel Hardy
Rob Batterbee
Michele Kondakor
Councillor Keith Kondakor

Options

Accept the recommendations in full; or
Do not accept the recommendations

Reasons

At cabinet on 9th November 2022, the recommendation for Cabinet to approve 'Expressions of Interest' (EOI's) to be sought from suitable interested parties for the potential future operation and management of the Bedworth Civic Hall was approved in full.

EOIs have been received and an evaluation process has been conducted. Recommendations need to be chosen to proceed with the next stage of the process.

CB132 Infrastructure Maintenance Framework

The Parks and Greenspace Manager submitted a report to Cabinet advising that infrastructure maintenance and improvements are currently procured on an ad-hoc basis. A Framework contract with several contractors available for differing lots of work, will enable cost effective and timely repairs and maintenance to be carried out for the authority.

RESOLVED that

- a) the procurement of a new Infrastructure Maintenance Framework for the Corporate Assets/Parks and Greenspace Service, utilising existing revenue budgets be commenced; and

- b) delegated authority be given to the Strategic Director - Public Services to award the procurement of a new Infrastructure Maintenance Framework and enter into a Framework Agreement with multiple contractors.

Speakers:

Rachel Elizabeth
Michele Kondakor
Councillor Keith Kondakor

Options

To accept the recommendations and continue with the establishment of an Infrastructure Framework; or
Do nothing: This may place the Council in breach of its Contract Procedure Rules and Financial Standing Orders.

Reasons

To ensure ongoing compliance with Contract Procedure Rules, Financial Standing Orders and to contribute to the discharge of our duty to comply with Health and Safety legislation.

CB133 Tree Service Framework 2023-2027

The Parks and Greenspace Manager submitted a report to Cabinet providing an update on the current tree framework, and setting out reasons for establishing a new framework agreement and information about what this would involve.

RESOLVED that

- a) the procurement of a new Tree Service Framework for the Council, utilising existing revenue budgets be commenced; and
b) delegated authority be given to the Strategic Director - Public Services to award the procurement of a new Tree Services Framework and enter into a Framework Agreement with contractor(s).

Speakers

Michele Kondakor
Councillor Keith Kondakor

Options

To accept the recommendations and continue with the establishment of a Tree Services Framework; or
Do nothing: This may place the Council in breach of its Contract Procedure Rules and Financial Standing Orders.

Reasons

To ensure ongoing compliance with Contract Procedure Rules, Financial Standing Orders and to contribute to the discharge of our duty to comply with Health and Safety legislation.

CB134 Co-Mingle Recycling Material Collections

The Head of Waste and Transport submitted a report to Cabinet setting out proposals for changes to recycling collections from dual stream (caddie and bin) and Dry Mixed Recycling (DMR) to Co-Mingled (all in) recycling collection.

RESOLVED that the recycling collection method be changed from the current dual-stream recycling collection system to a fully co-mingled service, removing the requirement for residents to separate Dry Mixed Recycling (DMR) and paper and card material.

Speakers

Michele Kondakor
Councillor Keith Kondakor

Options

Support the recommendations contained in this report and move to a single bin (Co-Mingled) approach to recycling collections;
Not Support the recommendations contained in this report and continue with a dual stream recycling collection approach; or
Request more information

Reasons

- a) New Sherbourne Material Recycling Facility (MRF) smart technology to manage Co-Mingled material more effectively and maintain income thresholds for on sale of material – subject to recycling price index fluctuations.
- b) Cost reductions to NBBC for the replacement of containers.
- c) Limited supply of manufacturers producing the 40ltr container (caddie) currently used by NBBC.
- d) Improved H&S risk management by removing the lifting and carrying of caddies for our team members and all associated risks of this.

CB135 Building a Better Borough (BaBB) 2022/2025 – Review of Assessment Document for 2023/24

The Strategic Director of Economy and Transformation submitted a report to Cabinet outlining the proposed changes to the assessment document for 2023-24, to establish a more effective means of assessing the progress of corporate objectives originally approved in the BaBB 2022-25.

RESOLVED that

- a) the refreshed BaBB Assessment Document for 2023-24 be reviewed and approved by Cabinet;
- b) the redesignated BaBB Delivery Plan 2023-25 be reviewed and approved by Cabinet; and
- c) authority to update the Lead Directorate / Officer(s) and Support Directorates columns on both the BaBB Assessment 2023/24 and the redesignated BaBB 2023-25 Delivery Plan, be delegated to the Director for Customer and Corporate Services, post senior management team restructure.

Speakers

Michele Kondakor
Councillor Keith Kondakor

Options

Approve the proposed recommendations;
Approve the proposed recommendations subject to identified amendments; or
Reject the proposed recommendations.

Reasons

To establish a more effective assessment document in relation to monitoring the Council's corporate objectives.

CB136 Hackney Carriage and Private Hire Vehicles Inspection

The Head of Safety and Environmental Health submitted a report to Cabinet seeking approval of contracts for the inspection of hackney carriages and private hire vehicles licenced by Nuneaton and Bedworth Borough Council.

RESOLVED that

- a) delegated Authority be given to the Strategic Director – Public Services, in consultation with the portfolio-holder for Public Services, to award the Contract upon conclusion of the current procurement process; and
- b) the decision be marked “not for call in” due to the imminent ending of the current contract.

Speaker

Michele Kondakor

Options

Approve the contract; or
Not approve the contract.

Reasons

The current contract for the inspection of hackney carriages and private hire vehicles which are licenced by Nuneaton and Bedworth Borough Council expires on the 23rd April 2023. This has been in place since 2017. A new contract is needed to allow for MOT and Compliance testing of these licensed vehicles.

CB137 Recommendations From Overview and Scrutiny Panels

a) Business and Regeneration OSP – 9th March 2023

At the meeting of the Business, Regeneration and Planning OSP held on the 9th March 2023, the Lilypad Fountain was discussed by the panel members and following was agreed:

- Permanent seating is essential as it is a popular area for people to rest and meet.
- Timescales are requested as soon as possible, along with an opportunity for the panel to view the plans.
- Seating, even temporary in the short term, would be advisable as soon as possible.
- Alternative seating was discussed, and it was agreed seating doesn't need to be 'like for like' but is required.
- Councillor Wilson agreed to take the issue to Cabinet, and to try and ensure plans and timescales would be available at the next OSP meeting.

RESOLVED that

- a) the recommendations from the OSP be noted by Cabinet; and
- b) a copy of the report at agenda item 138 be shared with the OSP Panel.

CB138Any Other Items

Lily Pad Fountain Seating Plan

A report of the Principal Building Surveyor Corporate Assets and Town Centre Manager was submitted to Cabinet to explore the installation of street furniture and new Civic Tree location once the removal of water feature has taken place.

RESOLVED that

- a) approval be given for the proposed new street furniture, seating, plan and Civic Tree location, Nuneaton town centre (the Scheme); and
- b) delegated authority be given to the Strategic Director –Economy and Transformation to complete the necessary legal formalities and implement the Scheme.

Speaker

Councillor Keith Kondakor

Options

Approve the proposed recommendations;
Approve the proposed recommendations subject to identified amendments; or
Reject the proposed recommendations.

Reasons

It has been identified that the open space created by the removal of the Lily Pad water feature can be utilised as an entertainment space along with a focal point for events throughout the year. It can also be utilised for ad hoc seating during non-event periods by the placement fixed but temporary seating and street furniture.

There are also ongoing maintenance costs with the water feature and increase in anti-social behaviour.

CB139Exclusion of Public and Press

RESOLVED that under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the following item, it being likely that there would be disclosure of exempt information of the description specified in paragraph 3 of Part I of Schedule 12A to the Act.

CB140Procurement of Website Platform

The Strategic Director – Economic and Transformation submitted a report to Cabinet, to seek delegated authority to the Strategic Director for Economic and Transformation to award a new contract for the website platform.

RESOLVED that

- a) delegated authority be given to the Strategic Director for Economic & Transformation to award a new contract for the Council's website platform via a call-off framework; and
- b) the new contract be funded from unallocated reserves.

Options

To accept the report;

To direct an alternate course of action; or

Do nothing – this will result in the Council not having a website from September 2023.

Reasons

To ensure that NBBC has a website provision after September 2023.

Chair

PUBLICATION DATE: 14TH APRIL 2023

DECISIONS COME INTO FORCE: 24TH APRIL 2023

Cabinet - Schedule of Declarations of Interests – 2022/2023

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
	General dispensations granted to all members under s.33 of the Localism Act 2011			Granted to all members of the Council in the areas of: <ul style="list-style-type: none"> - Housing matters - Statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992 - An allowance, payment given to members - An indemnity given to members - Any ceremonial honour given to members - Setting council tax or a precept under the Local Government Finance Act 1992 - Planning and Licensing matters - Allotments - Local Enterprise Partnership
	S. Croft	Employed at Holland & Barrett Retail Ltd	Treasurer of the Conservative Association Member of the following Outside Bodies: <ul style="list-style-type: none"> • Champion for Safeguarding (Children and Adults) • Local Government Superannuation Scheme Consultative Board West Midlands Employers	
	C. Golby		Member of Warwickshire County Council Membership of Other Bodies: <ul style="list-style-type: none"> • Nuneaton and Bedworth Safer and Stronger Communities Partnership • Nuneaton and Bedworth Community Enterprises Ltd. • Nuneaton and Bedworth Home Improvement Agency • Safer Warwickshire Partnership Board • Warwickshire Housing and Support Partnership • Warwickshire Police and Crime Panel • George Eliot Hospital 	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			<p>NHS Trust – Public/User Board</p> <ul style="list-style-type: none"> • George Eliot Hospital NHS Foundation Trust Governors • District Leaders (substitute) • Local Enterprise Partnership (substitute) • Coventry, Warwickshire and Hinckley and Bosworth Joint Committee (substitute) 	
	J. Gutteridge		<p>Representative on the following Outside Bodies:</p> <ul style="list-style-type: none"> • Warwickshire Health and Wellbeing Board • Age UK (Warwickshire Branch) • Committee of Management of Hartshill and Nuneaton Recreation Ground • West Midlands Combined Authority Wellbeing Board <p>Member of NABCEL</p>	
	S. Markham	County Councillor – W.C.C.	<p>Governor at Ash Green School</p> <p>Member of the following Outside Bodies:</p> <ul style="list-style-type: none"> • Nuneaton and Bedworth Sports Forum • Warwickshire Direct Partnership • Warwickshire Waste Partnership • Sherbourne Asset Co Shareholder Committee 	
	R. Smith		<p>Chairman of Volunteer Friends, Bulkington; Trustee of Bulkington Sports and Social Club;</p> <p>Member of the following Outside Bodies:</p> <ul style="list-style-type: none"> • A5 Member Partnership; • PATROL (Parking and Traffic Regulation Outside of London) Joint Committee; • Building Control Partnership Steering Group • Bulkington Village Community and Conference Centre • Representative on the Nuneaton and Bedworth 	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			Older Peoples Forum <ul style="list-style-type: none"> • West Midlands Combined Authority and Land Delivery Board 	
	K.D. Wilson	Acting Delivery Manager, Nuneaton and Warwick County Courts, HMCTS, Warwickshire Justice Centre, Nuneaton	Deputy Chairman – Nuneaton Conservative Association Corporate Tenancies: properties are leased by NBBC to Nuneaton and Bedworth Community Enterprises Ltd, of which I am a Council appointed Director. Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Director of Nuneaton and Bedworth Community Enterprises Ltd (NABCEL) • Coventry, Warwickshire and Hinckley & Bosworth Joint Committee • District Council Network • Local Government Association • Director of Coventry and Warwickshire Local Enterprise Partnership Ltd (CWLEP) • West Midlands Combined Authority 	

Report Summary Sheet

Date: 24th May 2023

Subject: Bedworth Civic Hall – Update - Next Steps

Portfolio: Public Services (Councillor S. Markham)

From: Strategic Director – Public Services

Building a Better Borough

Aim 1: Live

Priority 4: Prioritise Community Safety & Empowerment

Summary: This report sets out the next steps for consideration on the future operation of the Civic Hall (Venue) following the expression of interest submissions. Specifically, the timescales and selection criteria for the forthcoming selection exercise.

Recommendations:

1. The proposed selection criteria at Appendix 1 be approved; and
2. Delegated authority be given to the Strategic Director - Finance & Governance and Strategic Director - Economy & Transformation in consultation with the Leisure & Health Manager and Portfolio Holder for Public Services to undertake the selection exercise in accordance with the timetable as set out at Appendix 2.

Reasons: At Cabinet on 9th November 2022, the recommendation for Cabinet to approve 'Expressions of Interest' (EOI's) to be sought from suitable interested parties for the potential future operation and management of the Venue was approved in full.

On the 12th April, the EOIs were accepted as valid and Cabinet agreed to approach the next stage on the basis of a lease, the terms of which are to

be agreed under delegated authority. The next stage in the process is to undertake a formal selection exercise in accordance with the legislation and guidance that is being followed in this instance.

Options: Accept recommendations in full.

Do not accept the recommendations.

Subject to call-in: Yes

Ward relevance: All

Forward plan: Yes

Equal opportunity implications:

No impacts at this time.

Human resources implications:

No impacts at this time.

Financial implications:

Once a selection exercise is completed, a lease agreement will need to be put in place, the financial implications of which will have to be reviewed in line with any negotiations held with the successful economic operator.

Health Inequalities Implications:

None identified at this time.

Section 17 - Crime and Disorder Implications:

There is a risk that anti-social behaviour or crime may be committed on or in the Venue if it stands dormant. Interim measures are in place to monitor the building and support security.

Risk management implications:

The Council has assessed the submitted EOI's in accordance with the Localism criteria.

Environmental implications:

None

Legal implications:

The selection exercise will need to comply with the published Statutory Guidance and the provisions of the Localism Act 2011 & Section 123 of the Local Government Act 1972.

Contact details:

Katie Memetovic-Bye – Leisure and Health Manager
Les Snowdon – Head of Estates
Matthew Wallbank – Creditors & Procurement Manager

Telephone 024 7637 6147/6249/6258

e-mail: katie.memetovicbye@nuneatonandbedworth.gov.uk

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e-mail: matthew.wallbank@nuneatonandbedworth.gov.uk

AGENDA ITEM NO:6

NUNEATON AND BEDWORTH BOROUGH COUNCIL

Report to: 24th May 2023.

From: Strategic Director – Public Services

Subject: Bedworth Civic Hall Update - Next steps

Portfolio: Public Services (Councillor S. Markham)

Building a Better Borough

Aim 1: Live

Priority 4: Prioritise Community Safety & Empowerment

1. Purpose of Report

- 1.1 This report sets out the next steps for consideration on the future operation of the Civic Hall (Venue) following the expression of interest submissions. Specifically, the timescales and selection criteria for the forthcoming selection exercise

2. Recommendations

- 2.1 The proposed selection criteria at Appendix 1 be approved; and
- 2.2 Delegated authority be given to the Strategic Director - Finance & Governance and Strategic Director - Economy & Transformation in consultation with the Leisure & Health Manager and Portfolio Holder for Public Services to undertake the selection exercise in accordance with the timetable as set out at Appendix 2.

3. Background

- 3.1 At Cabinet on 9th November 2022, the recommendation for Cabinet to approve 'Expressions of Interest' (EOI's) to be sought from suitable interested parties for the potential future operation and management of the Venue was approved in full. This led to an EOI period running from 11th November 2022 until 12pm on Monday 30th January 2023, for interested parties to submit an EOI.
- 3.2 Whilst not completely consistent with the provisions of the Localism Act 2011, the process followed was to mirror that process. The approach adopted followed the Statutory Guidance for a Community Right to Challenge as set out in Sections 81 to 86 of the Localism Act 2011. This was to ensure openness and transparency in the process. The approach also allowed for

commercial entities to submit an expression of interest, which the legislation does not allow for.

- 3.3 The Venue was registered as an Asset of Community Value as of 11th January 2023 pursuant to Section 88 of the Localism Act 2011 and is subject to the moratorium provision set out in section 95 of the Act. The moratorium will apply to any asset disposal of a qualifying leasehold estate. This is defined within the legislation as being a lease of a term of at least 25 years. It follows that the moratorium will not apply to a lease of less than 25 years.
- 3.4 One last factor relates to the disposal of the Venue. Except with the consent of the Secretary of State, the council can't dispose of the Venue for a consideration less than the best that can reasonably be obtained. Usually, this requires the land or property to be placed upon the open market. For this reason, it is proposed that the selection process needs to be a full open bidding process with adherence to the principles of the procurement. This will ensure that a fair and transparent selection process is undertaken.

4. The Next steps

- 4.1 Paragraph 9.1 of the Statutory Guidance requires:

“When a relevant authority accepts one or more expressions of interest for a relevant service, it must carry out a procurement exercise for the service. The procurement exercise must be appropriate having regard to the value and nature of the contract that may be awarded as a result of the exercise. As is already the case, authorities will need to comply with procurement law.”

- 4.2 Cabinet's decision of the 12 of April to pursue a lease option for the facility now requires a formal bidding process and it is suggested to undertake a process which aligns with the principles of procurement law. It is therefore proposed to follow the principles of the “Competitive Procedure with Negotiation” pursuant to the principles of Public Contracts Regulations 2015. For the avoidance of any doubt, a lease arrangement falls outside scope of the procurement regulations due to it being a property transaction but the principles of public procurement are to be followed to ensure a fair and transparent process. To undertake this exercise, the selection criteria needs to be approved and published as part of the process. The suggested selection criteria is set out in Appendix 1.
- 4.3 In addition, a timetable for the process needs to be determined. A proposed timetable is set out in Appendix 2.

5. Financial Implications

- 5.1 As approved within the Cabinet report of 9th November 2022, any suitable proposal will require no financial subsidy from the Council.

6. Summary

- 6.1 The Council is required to undertake a formal procurement exercise to ensure that it complies with the openness and transparency provisions of the Procurement Regulations. To do this requires both the selection criteria and the timetable to be approved and made available.

KATIE MEMETOVIC-BYE
Leisure and Health Manager

LES SNOWDON
Head of Estates

MATTHEW WALLBANK
Creditors and Procurement Manager

Appendices

Appendix 1 – Selection criteria;

Appendix 2 – Timetable

Background Papers

[Community Right to Challenge: statutory guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/guidance/community-right-to-challenge-statutory-guidance)

Appendix 1 – Selection Criteria

Selection Criteria

Criteria	Criteria Title	Weighting
Criterion 1	Price/Rent	80.00%
Criterion 2	Social Value and Community Offering	20.00%
Total		100.00%

Scoring mechanism

Please note, your response must meet the entire “Comment” set out to achieve the score.

Assessment	Score	Interpretation
Excellent	5	An excellent demonstration by the bidder of a relevant understanding of the question and has proposed resourcing and/or quality measures that will lead to the delivery of the outcomes in scope of the question being provided to a standard that exceeds expectations. Response identifies factors that will offer an excellent methodology, with evidence to support that response.
Good	4	A good demonstration by the bidder of a relevant understanding of the question and has proposed resourcing and/or quality measures that will lead to the delivery of the outcomes in scope of the question being provided to a good standard. Response identifies factors that will offer a good service, with evidence to support that response
Adequate	3	An adequate demonstration by the bidder of a relevant understanding of the question and has proposed resourcing and/or quality measures that will lead to the delivery of the outcomes in scope of the question being provided to an adequate standard. Response identifies factors that will offer an adequate service, with evidence to support that response.
Minor Reservations	2	Some minor reservations, in that the bidder fails to demonstrate in some areas either a relevant understanding of the question, or that the proposed

		resourcing and/or quality measures will lead to the delivery of the outcomes in scope of the question not being provided to an adequate standard.
Serious Reservations	1/Fail	Considerable reservations, in that the bidder fails to demonstrate in most areas either a relevant understanding of the question, or that the proposed resourcing and/or quality measures will lead to the delivery of the outcomes in scope of the question being not being provided to an adequate standard
Unacceptable	0/Fail	No evidence provided by the bidder and/or insufficient information to demonstrate that the Bidder has relevant understanding of the Council's requirements, or that the proposed resourcing and/or quality measures will lead to the services not being provided to an adequate standard.

Criteria 1 – Price/Rent

Rental offers received will be ranked from highest to lowest.

The highest will receive the maximum score of 80%

The remaining offer/s will be allocated a score as a proportion of the highest offer received.

The Council may request bidders/business plans/financial strategies to verify the financial viability of the organisation placing the bid. The Council may evaluate and seek clarification on bidders details to verify the submission.

The Council reserves the right to not award to an organisation that is not deemed financial sustainable.

Criteria 2 – Social Value

As an Asset of Community Value, please explain below how you will deliver social value as an owner (via a leasehold agreement) in support of the following key themes within the local and wider community:

1. Employment & Training
2. Support the Community
3. Supporting Local Businesses
4. Sustainable Environment

PRICE/RENTAL EVALUATION ILLUSTRATION

Allocated score for this element of the evaluation is 80%

Process:

Rental offers will be ranked from highest to lowest.

The highest will receive the maximum score of 80%

The remaining offer/s will be allocated a score as a proportion of the highest offer received.

Where more than one payment is proposed, or payment/s deferred they will be brought back to a value at the tender closing date utilising an appropriate market rate (i.e. Net Present Value).

Worked example:

Developer A offers £50,000

Developer B offers £25,000

Developer A will score a maximum score of 80%

Developer B will score 40% (i.e. $\frac{£25,000}{£50,000} \times 80\% = 40\%$)

Appendix 2 – Timetable

For the avoidance of any doubt, this document does not seek approval for option 1 or option 2. This document sets out the proposed timetable with two options subject to the acceptability of any initial bid submitted. Please therefore view option 1 as a best-case scenario (i.e. an initial bid is received which is acceptable to the Council without modification) whereas option 2 outlines a timetable based on the Council requiring a negotiation period to negotiate with prospective economic operators following receipt of an initial bid (i.e. a two stage process whereby negotiation is required in order to obtain best and final offers (BAFO)).

Please note however, option 2 is not guaranteed so on the basis the Council receives at least one bid which is acceptable, it may proceed with the timetable outlined in option 1 only.

Option 1 – No negotiation on the basis an initial submission is acceptable without negotiation.

Stage	Date
Opportunity Issued	Wednesday 7 th June 2023
Deadline for Clarifications	Monday 10 th July 2023
Submission Date	Wednesday 19 th July 2023 – 12:00 midday
Notification of Outcome	Wednesday 9 th August 2023

Option 2 – Negotiation required and therefore a Best and Final Offer (BAFO) process is required.

Stage	Date
Opportunity Issued	Wednesday 7 th June 2023
Deadline for Clarifications	Monday 10 th July 2023
Submission Date*	Wednesday 19 th July 2023 – 12:00 midday
Notice to proceed to negotiation	Wednesday 9 th August 2023
Negotiation Period	Week Commencing 14 th August 2023
Period for best and final offers to be compiled	Monday 21 st August 2023 – Monday 11 th September 2023
Submission date for best and final offers (BAFO)	Monday 11 th September 2023 – 12:00 midday
Notification of Outcome	Monday 25 th September 2023

Report Summary Sheet

Date: 24th May 2023

Subject: Parks Revival and Reimagining Nuneaton Museum & Art Gallery schemes - Update

Portfolio: Public Services (Councillor S. Markham)

From: Strategic Director – Public Services & Economy & Transformation

Building a Better Borough
Aim 1: Live, Aim 2 Work, Aim 3 Visit
Priority: All

Summary: This report provides Cabinet with a Project Update for the Parks Revival and Reimagining Nuneaton Museum & Art Gallery Schemes, following the completion of the surveys, designs, and cost estimates to Royal Institute of British Architects (RIBA) Stage 3.

Recommendations:

1. This update report on the delivery of the projects be noted;
2. That Cabinet accept the RIBA Stage 3 report for the Museum Appendix 2 to this report.
3. That delegated authority be given to the Strategic Directors for Economy & Transformation and Finance, in consultation with the Portfolio Holder for Public Services and Health & Environment to deliver the projects within available funding and as per agreed outcomes and approved summarised business case Appendix 1 to this report.
4. Further update reports be presented to Cabinet at timely intervals, along with the ongoing engagement with DHLUC to meet monitoring and evaluation reporting to release grant funding be noted.
5. Delegated authority be given to the Strategic Director - Public Services in consultation with the Portfolio Holder for Public Services & Health & Environment to pursue funding opportunities for elements of the Museum and Parks schemes not currently funded.

Reasons: This report provides Cabinet with the most up to date information relating to the capital project as part of the Towns Deal / DLUHC funding. The project now requires approval to move to the next stages of RIBA delivery, following its sign off by the Board and formal acceptance by DLUHC following changes from the initial submission to meet budget shortfalls.

Options: Accept the recommendations contained within this report and move to delivery stage of the projects.

Do not accept the recommendations.

Subject to call-in: Yes

Ward relevance: All

Forward plan: Yes

Equal opportunity implications:

No impacts at this time.

Human resources implications:

No impacts at this time.

Financial implications:

The procurement of the capital works will follow NBBC procurement policy and procedures and will be reported and signed off as part of a regeneration project to the NBBC Corporate Strategic Board, with oversight by the NBBC 151 Officer.

Health Inequalities Implications:

None identified at this time.

Section 17 - Crime and Disorder Implications:

No impacts at this time

Risk management implications:

Risk management implications will be highlighted, and a plan will be put in place and reviewed moving into to the next delivery stages of the project. These will be reported to the NBBC Corporate Strategic Board as part of monitoring and evaluation of the overall project delivery.

Environmental implications:

None

Legal implications:

None impacts at this time

Contact details:

Tom Shardlow: Deputy Chief Executive & Strategic Director Economy & Transformation
Kevin Hollis: Strategic Director Public Services

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kevin.hollis@nuneatonandbedworth.gov.uk

AGENDA ITEM NO. 7

NUNEATON AND BEDWORTH BOROUGH COUNCIL

Report to: Cabinet - 24th May 2023

From: Strategic Directors - Public Services & Economy & Transformation

Subject: Parks Revival and Reimagining Nuneaton Museum & Art Gallery schemes - Update

Portfolio: Public Services (Councillor S. Markham)

**Building a Better Borough Aim 1 Live, Aim 2 Work, Aim 3 Visit.
Building a Better Borough Priority: All**

1. Purpose of Report

1.1 This report provides Cabinet with a Project Update for the Parks Revival and Reimagining Nuneaton Museum & Art Gallery Schemes, following the completion of the surveys, designs and cost estimates to Royal Institute of British Architects (RIBA) Stage 3.

2. Recommendations

2.1 This update report on the delivery of the projects be noted;

2.2 That Cabinet accept the RIBA Stage 3 report for the Museum, Appendix B attached to this report.

2.3 That delegated authority be given to the Strategic Directors for Economy & Transformation and Finance, in consultation with the Portfolio Holder for Public Services and Health & Environment to deliver the projects within available funding and as per agreed outcomes and approved summarised business case Appendix 1 to this report.

2.4 Further update reports be presented to Cabinet at timely intervals, along with the ongoing engagement with DHLUC to meet monitoring and evaluation reporting to release grant funding be noted.

2.5 Delegated authority be given to the Strategic Director - Public Services in consultation with the Portfolio Holder for Public Services & Health & Environment to pursue funding opportunities for elements of the Museum and Parks schemes not currently funded.

3. Background

- 3.1 The Parks Revival Scheme and Reimagining Nuneaton Museum & Art Gallery were originally developed as separate schemes, when submitted as part of NBBC application to the Town Funds. Given the interdependency of the works and locations, they were brought together under one business plan to support efficiencies in delivery of the projects.
- 3.2 Following initial design and surveys were completed it became apparent that there were funding gaps for both schemes. In February 2023 the combined business plan (Appendix 1) was submitted for reduced schemes, and The Towns Fund agreed to fund the reduced schemes in March 2023.
- 3.3 Following NBBC's submission as part of the UKSPF funding, works will be undertaken in the interim to fund the replacement of the lift at the museum, enabling the decant of objects etc which will be needed to be carried out in advance of any capital works to be undertaken to deliver the Towns funds project.

4. Body of Report

4.1 Parks Revival

- 4.1.1 The proposed works include a new layout for the George Eliot Memorial Garden, repositioning of the memorial and the creation of an events space; widening of the underpass beneath Vicarage Street and the path between the river and Sainsbury's; and the installation of a new foot/cycle bridge between this path and the Museum. Plans for the works are included in the attached Business Case (Appendix 1).

4.2 Reimagining Nuneaton Museum & Art Gallery

- 4.2.1 Reimagining Nuneaton Museum & Art gallery is a scheme to transform the museum and the services it can offer. The capital scheme is outlined within Appendix 2 RIBA Stage 3+ Report. Artist impressions are also provided within the appendices.

- 4.2.2 The Towns Fund money will enable the delivery of a first phase of the scheme. Phase 1 will encompass two single storey extensions. The extensions will house a new entrance, café, shop area and ground floor toilets on one side. The other extension will encompass a new temporary exhibition gallery, exhibition storage, loading bay, bin store and equipment related to air source heating and solar panels. Phase 1 will also allow see a repurposing of existing spaces on the ground floor to create a large multi-use space which can be used as either one or 2 spaces. The former tearoom area will become a breakout space which also includes a display of making in the borough, a changing place space, craft cases for making sales. There will be two new permanent displays. One about the Museum and the Park the other a local history gallery. A significant amount of the budget will be directed towards the refurbishment of the existing ground floor spaces, electrical wiring, boiler replacement, lighting, alarms etc which the council would otherwise need to fund over the next 10 years. There may also need to be works to the roof related to the greening of the building.
- 4.2.3 Included in Phase 2 are the new George Eliot Gallery, a painting and sculpture gallery, ceramics gallery, better storage for the borough's art collection and refurbishment to facilities on the first floor. Phase 2 is not covered by the Towns Fund investment. Clearly, it would be best to only go through one closure and disruption so this report recommends that opportunities for further grants and fundraising will be explored to extend the range of work which can be completed concurrent with the first phase.
- 4.2.4 The construction phase is expected to take circa nine/twelve months but with some surveys still to be carried out the site may produce challenges which lead to a lengthening of this timeline. The museum will need to be emptied and closed to the public during this period. The Registry Office which is attached will need to continue to operate. The closure will impact events such as the Remembrance Day Parade.
- 4.2.5 Storage - A considerable amount of work will need to be carried out to ready the building for the construction phase including the removal of in the region of 12,500 objects as well as equipment, display cases etc which will be needed on re-opening which we will not be able to afford to replace. This will require the identification of and fitting out of an alternative store for all these items.

- 4.2.6 A part-time post to manage to deliver the storage aspect of the project will be required to be investigated from available project funds. They will be supported in their work particularly by the museum's front of house team who have skills in object handling and packing as well as the museum's database in order for this part of the project to go smoothly and most importantly avoid costly delays. Just updating the database with the new locations of objects in stores will take over a thousand hours alone of the Museum Assistants time.
- 4.2.7 Permanent Exhibition Development and Delivery - the new permanent galleries will require a great deal of work, research and managing of the external exhibition designers alongside testing with audiences. A part-time post will be investigated within the overall project funds and future structure proposals for the operation of the Museum & Art Gallery upon re-opening. They will need considerable support from the Museum manager and the museum's Curator for their knowledge and experience of providing exhibitions to local audiences. Objects being selected for display will be photographed, catalogued, and measured during the closure period by the museum's front of house team.
- 4.2.8 Closure Period -During closure museums commonly carry out a range of activities in the community whilst they are closed to maintain existing audiences and begin building new ones. There have already been queries about what might be offered whilst we are closed. At this time and with reduction in team members, subject to maintaining the existing front of house posts we would look to offer a couple of days children's activities in conjunction with a community partner, we would also look to utilise them to produce online content. Of course, this will have to be subject to it fitting alongside driving the main capital project forward as that has to be the priority.
- 4.2.9 The approved summarised business scheme (attached to this report as Appendix 1) for the Towns Fund details the benefits and results of the scheme expected by the government in return for their investment as well as some operational details.
- 4.2.10 The key commitments required upon delivering the project include: Increased footfall to the site, an increase in footfall of 12,186 visitors per annum. This was to be generated through the new permanent galleries, a programme of temporary exhibitions and a focussed programme of arts and heritage education events and activities driven by the Exhibitions Officer and the Learning and Engagement Posts. With those roles frozen the council will need to consider going forward how that work will be delivered on re-opening in accordance with the commitments made to enable the scheme to be funded through the Towns Fund.

- 4.2.11 The project looked to generate three part-time jobs to help operate the larger space. The cost of this was offset by additional income generation.
- 4.2.12 The business case also presumed an increase in volunteering at the museum though again that will be subject to staffing levels amongst the team being sufficient to train, mentor and support those individuals.
- 4.2.13 The additional income was due to be generated by a new catering model which saw the case leased on a rental/profit share arrangement. As the café will not be able to operate without at least one member of museum staff onsite, the increase in keyholder / operational hours will need to be reviewed.
- 4.2.14 Additional Income was also expected to be delivered by a new educational programme enabled by the greater space available and the ability to be able to accommodate more than one school group at a time. This will rely on a post to lead this forward.
- 4.2.15 The thrust of the project was to see more community use of the building. This means that rental costs for the spaces must be reasonable for local non-profit groups. It will also derive from the museum to work with other organisations to deliver particularly well being activities which were asked for in the consultation for the scheme. This work could be combined with the work of the educational post.
- 4.2.16 Activities people wanted to see in the new development were talks, concerts, film shows, makers markets, art workshops for both adults and children as well as wellbeing activities.
- 4.2.17 Although the scheme is intended to have a community focus the museum will have the opportunity to hire the multi-use space and a possible use as a wedding reception venue has been developed which will work well with the adjoining Registry office. It's important to note that no museum in the country generates enough income through its commercial activities to cover its costs. Other recently developed museums have found that they have increased revenue but that the bulk of their income comes from community not commercial use.
- 4.2.18 Through the redevelopment the museum can develop its role in supporting the creative industries in particular visual arts. In addition to the new temporary display space, there will be makers cases in the breakout space and the multi-use space can be used for Makers fairs. These activities will need to be supported by the role which delivers the exhibition programme at the museum.

4.2.19 The schemes will contribute to the transformational regeneration of the Town Centre as part of the Town deal programme. The proposals will bring a large number of visitors to this area of town creating footfall and vibrancy. Museum visits already contribute too footfall and spend within Nuneaton. Increasing visitor numbers at the site will help support footfall in a regenerated town centre.

5. Finance

5.1 Section 4 of Appendix 1 provides a full update on the financing of this project and secured funding.

6.0 Appendices

Appendix 1 Town Funds approved business case summary
Appendix 2 RIBA Stage 3+ Museum & Arts Gallery report.

Background papers - none

Appendices

Appendix 1

Towns Fund - Summarised Business Case (SBC)
Project: Parks Revival & Reimagining Nuneaton Museum & Art Gallery

Version	12
Version Date	12 th January 2023
Lead Author	Ann Waters (NBBC) Tom Hobbs (NBBC) Julian Webb (NBBC) Catherine Nisbet (NBBC) Jon Elmer (Thomas Lister) Graham Russell / Brenda Graham (Amion)
Place	Nuneaton & Bedworth Borough Council

Project Lead Sign-off Name: Date:	Dawn Dawson
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*MyTown Nuneaton Vision:
To deliver a step-change for Nuneaton by 2030. Building upon our proud industrial heritage, our vision is to create a forward-looking*

innovation and entrepreneurial centre in North Warwickshire which helps to raise aspirations and skills, is supported by modern transport and digital infrastructure, and offers a diverse range of community and leisure uses.

Artist Impression of completed Museum & Art Gallery Capital works.



PROJECT SUMMARY

The project focuses on revitalising Nuneaton Museum and Art Gallery, as well as improving the parks and spaces that are located within close proximity to the Museum and form part of the overall cultural and recreational offer for the town. The Park and Museum are amongst the most visited attractions within the Borough, and the investment in these assets is critical to retaining and enhancing activity in the town and providing recreational and cultural amenities that are easily accessible. Whilst a single entity, the project has two main goals:

- i) To improve the attractiveness and utility of Riversley Park ("the Park") in Nuneaton by improving event spaces, active travel routes and the general appearance of this facility.
- ii) Extend the Nuneaton Museum and Art Gallery ("the Museum"), a key attraction within the park, in order to augment the attractiveness of the existing collection and transform the venue into a multi-functional community space with an arts and heritage theme, and that better connects with the surrounding park.

Improving the attractiveness and utility of the park, the project will:

- Create a cycle path bridge over the river Anker and widen paths in the vicinity of the Museum / Wedding gardens to allow cyclists from the south of the Town to directly access the eastern end of the pedestrianised town centre and new library via George Eliot Gardens.
- Widen the path running south beside the river into a cycle path width.
- Creation of a terraced performance area to support use of public gardens for public events.
- Landscape and information enhancements to make the George Eliot Memorial the visual focal point of the gardens.
- Create visual and community safety enhancement of the ring road underpass to link to the Museum.
- Create a new and improved link (300m) to existing cycle and footpaths, creating a sustainable link to the southern area of the town.

Museum Extension – The project will add two new single-storey extensions to the existing building which will extend gallery space and exhibitions space and provide a new community meeting space. It will also enhance existing exhibition space, especially for temporary exhibits on loan as well as providing a venue for community art exhibitions.

The key elements of the proposal are:

- Provision of a new meeting space for community groups and residents for all ages. The new space will deliver arts and heritage education and activities to promote mental health at grass roots level to residents of all ages.
- The space will also enhance the quality of the museum as a venue for exhibitions and talks and provide an attractive space for business events and weddings.
- Improved connections between the Museum and Park will be facilitated through activities and trails that utilise the building's close proximity to this green space.
- The creation of an exhibition about the history of the museum and the park in the Museum entrance hall.
- The new extensions will be zero carbon utilising air source heating.
- The changes will also provide additional opportunities for volunteering and apprentices in order to allow residents to share their skills and for others to gain new skills.

Whilst there are two main components to the overall project, the benefit is derived from delivering these elements in a co-ordinated way, given the synergies between the elements and ensuring that the most benefit from delivering the project as a single entity can be achieved.

This helps to highlight the synergy between the two elements of the project and their locations within the town:





2. KEY MILESTONES

Programme Milestones:

The high-level programme milestones are identified below. There will be critical interdependences between the two elements of the project which will be managed by the project sponsor in order to ensure that where the boundaries of the two elements meet that there is consistency and synergy in the approach. (These dates are subject to change depending upon project procurement)

Task	Completion Date
Decision from Towns Fund	January 2023
PARKS	
Appoint Design Team	April 2023
Completion of detailed design	August 2023
Appoint main contractors	November 2023
Construction Phase begins	December 2023
Completion of works	May 2024
Opening event (Parks)	June 2024
MUSEUM	
Re-engage Design Team	April 2023
Completion of RIBA Stage 4 Design	September 2023
Procurement of main contractors	January 2024
Appoint main contractors	March 2024
Pre-construction activities & constraints (Temporary closure of registry office / museum decant)	April 2024
RIBA Stage 5 - Construction Phase begins	June 2024

Construction Phase ends (Museum)	March 2025
RIBA Stage 6 – Handover - Installation of exhibits	May 2025
Opening event (Museum)	June 2025

3. STRATEGIC CASE – *What we’re doing, and why*

INTRODUCTION

The Strategic Case sets out the rationale for the proposed investment and this builds on the information that was contained in the Nuneaton Town Investment Plan. The Strategic Case also identifies the project specific objectives and includes the theory of change. Finally, the section identifies the key stakeholder groups involved in this project and identifies how they have helped to shape the proposals.

CASE FOR CHANGE

The Nuneaton Park and Museum are amongst the most visited attractions within the Borough. With a rising population due to new residential developments in and around the Town, along with the need to boost the post pandemic tourism economy, there is a need to upgrade and extend the existing facilities and make them fit for purpose.

Within the park, there are a range of issues. Active travel routes are poorly laid out and narrow in some places and there is a narrow bridge over the river Anker which cannot accommodate two pedestrians passing. The river Anker has scruffy vegetation and is widely considered to be an eyesore and requires improving. The interpretation of George Eliot within the George Eliot Gardens is underdeveloped and the events space in the gardens is poorly laid out and serviced.

The project will improve the aesthetics and capacity of pedestrian and cycle tracks linking from the park to the town centre and bring out the aesthetic quality of the river. It will create a new outdoor events area and celebrate and augment the interpretation of George Eliot within the gardens built in her namesake.

With regard to the Museum, the current day-to-day operation and its ability to welcome an increasing number of visitors is impacted by a range of challenges. These include:

- Insufficient gallery spaces;
- A small entrance foyer resulting in large groups of visitors having to congregate outside;
- A generally closed off, uninviting main entrance;
- Insufficient space for commercial activities which impacts the museum’s potential to grow and develop;
- Insufficient toilet provision;
- Inadequate lift provision;

- Insufficient connection between the museum building and its immediate park setting.
- Inadequate storage facilities for the collections.

In addition, the cafe requires a complete overhaul to be able to welcome more people.

This project responds to the Context Analysis in Section 1 of the Town Investment Plan in a number of ways. As the leading attractions in Nuneaton, augmenting the Park and Museum will help to develop the visitor economy and increase visitor numbers in the Town. As part of this, the Towns Fund will help to augment the existing interpretation of George Eliot, who was born in the Town and presents a major opportunity to promote literary tourism. The opportunity to deliver training and education at the museum will align with the need to promote education and training across all age groups but particularly for community groups living in disadvantaged wards.

The redevelopment and diversification of the Museum as a multi-functional community space responds to the findings of the community consultation activities that highlight residents want more facilities in the Town centre including entertainment, community spaces, more art venues, (including temporary art venues), improved eating facilities and further promotion of the George Eliot theme to attract visitors. It also responds to the need for more volunteering opportunities. The Museum will provide both long and short-term volunteering opportunities once the new facilities are in place. Revitalising the Park is an important aspect of the proposed Bridge to Living scheme that will open out and link the town centre to the Parks thereby making the town centre more attractive to residents, visitors and investors. It will also provide opportunities for leisure and active travel that responds to the need to promote the health of residents in the Town.

POLICY ALIGNMENT

The project aligns with the recommendations of the *Nuneaton and Bedworth Destination Assessment (2016)* by augmenting the Town's key visitor attractions (Museum and Park) and providing new events space for arts and cultural activities and improving heritage links to George Eliot. The *Warwickshire Visitor Economy Forward Plan (2018)*, highlights the need to "exploit Warwickshire's USPs to develop unique visitor experiences". *Warwickshire's Heritage and Cultural Strategy 2020 - 2025* seeks to "develop and invest in new assets for future generations to enjoy", also, to "work with partners to identify and maximise the benefits of Warwickshire's unique heritage and cultural assets to both residents and visitors". The *Nuneaton and Bedworth Borough Plan (2011 – 2031)* refers to the Borough as famous for being the birthplace of George Eliot (Mary Ann Evans) which highlights the importance of local identity and the opportunity that the writer's historic connections with the town bring to growing and diversifying the town centre offer.

In terms of national policy, augmenting the Park and Museum supports *Our Plan to Rebuild: The UK Government Covid 19 Recovery Strategy* by supporting the development of tourism and visitor numbers to the Borough, thereby increasing visitor spend and enhancing the economic recovery of the Town. Both aspects of the project also support the goals of the *Culture White Paper 2016* (Department for Culture, Media and Sport) which emphasises the need to enhance access to arts and culture for all groups, particularly deprived groups.

The Parks element of the project aligns in particular with the *Transforming Nuneaton Masterplan* goal that seeks to open up access to the parks, from the Town Centre. The project will build on and support the Bridge to Living scheme by improving the formal area of the park to make it more attractive to residents, visitors and investors. It will contribute towards the active travel goals of *Nuneaton Town Centre Transport Strategy* by creating a new cycle bridge, cycle tracks and improved pedestrian walkways, especially along the side of the River Anker. The *Nuneaton and Bedworth Borough Plan (2011 – 2031)* highlights that “the Borough’s green infrastructure assets will be created, protected, managed and enhanced”.

Delivering improvements to the Parks supports recommendations from the Public Health England statement - *Improving access to green space: A review for 2020* which highlights the importance of green spaces as an asset for supporting health and wellbeing. This review also mentions that disadvantaged groups in particular benefit and have reduced socio-economic related health inequalities when they have access to green space. The parks are adjacent to a number of deprived wards including Abbey, Arbury, Wem Brook and Attleborough. Improving cycle and walking trails in the park also supports the *Department for Transport Strategy - Gear Change: A Bold Vision for Cycling and Walking* which is seeking a step change in cycling and walking to improve air quality, combat climate change, improve health, tackle inequalities and congestion.

In the *Levelling Up White Paper (2022)* the Government commits to “*Identifying over 100 levelling up priority places outside of London that will be the focus for additional Arts Council England engagement and investment.*” In total 109 local authority areas have now been identified, including Nuneaton and Bedworth. Therefore, the proposals through this bid will directly respond to the aim to focus on delivery of the cultural agenda within Nuneaton.

In addition, the paper seeks to ‘*restore a sense of community, local pride and belonging*’. The proposals address the opportunity identified in the White Paper to address the disparity of access to cultural facilities. Provision in Nuneaton for access to live performance and opportunities to take part creative activities are

very limited, particularly considering that it is the largest town in Warwickshire; its provision compares very poorly with other towns of a comparable size and demographic. The project directly addresses the core outputs and outcomes of the Levelling Up Fund guidance in respect of visits, participations, wellbeing outcomes, skills and volunteering opportunities.

A Cultural Strategy for Nuneaton and Bedworth Borough Council is in preparation, due for completion later in 2023. The strategy will map cultural activity in the borough, reflect findings from stakeholder engagement, including focus groups and workshops with residents, assess audience potential and develop a powerful shared vision and mission for culture in the borough and a set of deliverable priorities for the next 5 years. It is considered that the Museum, through its enhanced facilities, will play an integral role in the overall cultural offer for the Borough.

Warwickshire County Council (WCC) is in the process of updating the current Local Transport Plan (LTP). One of the key messages identified within the Local Transport Plan (LTP) Key Themes – Consultation Analysis Report (2021) is pertinent to the interventions being proposed in this business case involving improvement of active travel facilities for walking and cycling to support active lifestyles and contribute to improvements in the environment.

The Draft Warwickshire Local Cycling and Walking Infrastructure Plan identifies specific proposals for improving the infrastructure within Nuneaton and Bedworth. The plan identifies the importance of the route within the park and the critical link it plays in connecting the town centre to the communities to the South. The proposals would link in with the new potential schemes promoted around Nuneaton Town Centre (N15) identified in the Plan.

Nuneaton and Bedworth Borough Council agreed its UK Shared Prosperity Fund Investment Plan at a Cabinet meeting on 27/07/22. The Investment Plan focuses on a number of strategic themes with the most relevant to this project being as follows:

- Funding for improvements to town centres and high streets, regenerating areas and improving accessibility for all members of the community;
- Building resilient and safe neighbourhoods, reducing anti-social behaviour and the fear of crime;
- Improving local green spaces, providing enhanced opportunities for leisure and active travel;
- Supporting and improving our Leisure, Heritage and Cultural offer, fostering a sense of pride and belonging;

The interventions proposed within this business case will directly respond to the themes that have been agreed through the Nuneaton UKSPF Investment Plan.

A programme of town centre regeneration is currently underway within Nuneaton Town Centre. This is due to successful funding bids for the Future High Streets Fund as well as the Town Deal, which this project forms one element of.

The Museum and Parks project complements the other proposals being delivered through the Nuneaton Town Investment Plan and will improve accessibility to the town and to the other investments being made, as well as providing an enhanced cultural offer for the town and providing new space for events.

Specifically, this project aligns with the proposals being brought forward under the 'Bridge to Living' scheme, which is one of the identified FHSF projects. This is because the George Eliot Gardens are located adjacent to this scheme and the proposals are mutually beneficial. Therefore, the synergies between this project and the Bridge to Living scheme will be carefully monitored and managed to ensure that they are delivered in a complementary way, providing a cohesive and co-ordinated plan for this part of the Town Centre.

VISION AND OBJECTIVES

Objectives

The objectives for the project are identified as follows:

- By June 2024, provide 2 upgraded community facilities within George Eliot Gardens & Riversley Park including:
 - i) New footbridge.
 - ii) upgraded events space.
- By January 2027 25,000 additional visitors to visit the park per annum.
- By January 2026, 75% of park users consider the park has been improved. To be established via a survey of residents undertaken by the BC after completion of the works.
- By June 2025, an upgraded museum is completed and open to the public including extended exhibition space and multi-functional community meeting space.
- By June 2026, 75% of visitors consider that their perception of the museum has improved as a result of the upgraded facilities. To be established via a survey of residents undertaken by the BC after completion of the works.
- By June 2026, annual visitor numbers to the Museum have increased by 12,186 per year.

Outputs and outcomes

Outputs	Quantity
New, upgraded museums historical buildings, parks and gardens.	3 (Museum Extension / Footbridge / Events Space)
New or upgraded cycle or walking paths	300m
Outcomes	Quantity
Number of visitors to arts, cultural and heritage events and venues	25,000 new visitors per year (Parks) 12,186 new visitors per year (Museum)
Improved perceptions of the facilities by residents/businesses/ visitors	75% consider that their perception of the park and Museum has improved. To be established via a survey of residents undertaken by the BC after completion of the works.
New volunteers (Museum)	4
New Jobs (Museum)	3 part time
New trees planted	15

THE PROPOSED INVESTMENT

What is the market failure?

Both the Parks and the Museum are owned by Nuneaton and Bedworth Borough Council and there is no potential for private sector investment unless both of these facilities are privatised.

However, this is not legally possible under existing regulations, nor would this be politically attractive or feasible as both the Parks and the Museum need to be available to all residents of Nuneaton. In addition, the facilities themselves are not viable commercial entities and so require ongoing public sector support to ensure their continued success.

What would happen if nothing was done?

Developing the Museum, along with the Parks is a key element of advice contained within the Nuneaton and Bedworth Destination Assessment (2016). Given the environment of reduced government grant funding, in

the absence of further investment in revenue generating activity, eventually the museum will not be viable and will be forced to close. The lack of investment will lead to Nuneaton missing out on a significant opportunity to develop the visitor economy within the town. A study carried out with visitors in February 2020 outlined that 47% of visitors identified that the museum was the main reason for their presence in Nuneaton. The associated spend for these visitors was estimated to be between £233k and £487k. This associated footfall and spend would be lost to the local economy should the museum be closed.

A lack of investment in the Parks will lead to a sub-optimal outcome for the Bridge to Living scheme – which aims to open out the town centre to the parks thereby “greening” the town centre and making it more attractive for inward investors, visitors and existing and potential new residents. Not developing new events space in the park will reduce the potential for developing a number of events in the town centre and associated new visitor spend.

Option 4: Park and Museum Project (Preferred option) - Provision of two new single-story extensions to the Museum which will extend gallery space and exhibitions space and provide a new community meeting room and enhance the existing exhibition space on the ground floor. In the Parks access improvements will be made to the underpass and a widened replacement footbridge with cycle lane, Melly Square will be enhanced, and a new events space created in George Eliot Memorial Gardens.

Will the proposal unlock further investment and growth?

The Nuneaton and Bedworth Destination Assessment (2016) highlighted that further development of the Park and Museum are likely to boost the attractiveness of the town for visitors and investors. The economic value of enhancing green space and the promotion of heritage assets is also highlighted by a number of other publications e.g., Green Infrastructure’s contribution to Economic Growth: A Final Report for Defra and Natural England by Eftec Sheffield Hallam University (2013). Our understanding the contribution parks and green spaces can make to improving people’s lives (Full Report) by Greenspace (2011). Research by Historic England entitled Heritage and the Economy (2020) highlights that the density of heritage assets is highly and positively correlated with the concentration of firms in a local economy. Heritage influences the location choices of businesses.

This project will provide facilities for events and performances, offering cultural improvements based around the history and writings of George Eliot and the exhibits in the museum. In addition, speciality markets will be held here, adding to foot fall and town-centre spend. Transport links to these spaces and throughout Riversley Park will be enhanced, allowing easier access to pedestrians and cyclists.

In addition, the project provides a complementary role with regard to the Bridge to Living project that is being delivered within Nuneaton Town Centre and is being funded through the Future High Streets Fund. The project is located adjacent to the George Eliot Gardens and the opening up of this part of the town will further enhance connectivity and accessibility between the Museum and the Town Centre. Therefore, the

synergies between these two proposals are an important element in considering the overall growth of the Town Centre and identifies that there is a coherent plan that will further add value as a result of all of the interventions coming forward.

Dependencies and Constraints

Dependencies:

- Planning permission – The Museum already has planning permission, although there are a number of conditions are attached to the planning consent that need to be discharged. Planning permission is not required for the proposed park works as these are covered under “Permitted Development” regulations.
- Surveys – Development of the Museum is subject to satisfactory outcomes of Ground Investigation and Acoustic Surveys required to conclude plans.

Interdependencies:

- The Museum project will involve the development of a new entrance and the development of a new square outside the building (Melly Square). The new bridge will link Melly Square to the wider park.
- Widening of footpath around Sainsbury’s Lake – The fencing around this part of the scheme is likely to impact on the Sainsbury’s Lake, thus requiring discussions with Sainsbury’s to make sure they are aware of the scheme and there are ‘no-surprises’ in relation to this. To date, this organisation has been supportive of the proposals.

STAKEHOLDERS

The main stakeholder for this project is Nuneaton and Bedworth Borough Council, which owns both the Museum and the Parks. Other important stakeholders are Warwickshire County Council, which is an important partner in the Transforming Nuneaton initiative and are responsible for the network of walking and cycling routes within the Borough.

The users of the facilities are key stakeholders and their views have been canvassed at various stages in the development process for this project. In addition, a number of community groups, such as Nuneaton Harriers athletics club have an interest in upgrading the local park facilities whilst heritage groups such as the George Eliot Fellowship have a close interest in the local heritage aspects of the project.

Extensive consultation has been undertaken to inform the development of this project; this includes engagement through the following channels:

- Nuneaton Town Investment Plan Consultation responses
- Local Transport Plan Consultation

Some of the responses that arose through the consultation on the above plans, that are pertinent to this project, were as follows:

- It is important that Nuneaton puts walking and cycling at the heart of everything it does; routes into the town must be direct, safe for all ages from young children to the elderly, and accessible to all.
- A development from that would be a walking trail from the town centre out past the Museum with its George Eliot collection.
- I would like to see money spent on arts venues in Nuneaton.
- Multi-use public facilities – there is currently a lack of readily available public facilities where small groups (up to 20-30 people) can meet and hold functions during the day / evening.
- More support for the arts by increasing exhibition space for local artists would also be beneficial.
- Improvement of active travel facilities for walking and cycling to support active lifestyles and contribute to improvements in the environment.

Specific and targeted consultation was also undertaken as part of the preparation of the planning application for the extension to the Museum. A public consultation was held in September 2021 and the feedback received was shared with the design team to help develop a proposal that would be embraced by Nuneaton residents and businesses. The results further reinforced the strong public feeling towards the museum building. The public rated the current exhibitions very highly and visitors would be keen that the museum have bigger spaces with more exhibits on display.

The public seemed to strongly favour the idea of a new café with views of Riversley Park and surroundings and providing a greater integration between the two. Generally, visitors see the current toilet provision, cramped spaces and uninspiring café as some of the most noteworthy challenges.

The consultation and engagement with the community has helped to inform and shape the proposals, which now comprise the preferred option for delivery.

4. FINANCIAL CASE -

INTRODUCTION

The financial case sets out the financial implications of the project and identifies the costs and funding sources associated with the preferred option, as outlined in the Strategic Case.

With this in mind, the financial case considers the project as a whole (whilst also identifying the separate component elements in order to identify from where the evidence for the information contained in this business case has been derived) as, ultimately, the benefits from the project are maximised as a result of undertaking the scheme as presented i.e. the whole is greater than the sum of the parts.

Considering options and funding sources

The delivery of improvements to both the Museum and Parks has been a long-standing ambition of Nuneaton and Bedworth Borough Council. As far back as 1998, the Museum applied to Heritage Lottery Fund for a grant to redisplay the George Eliot Collection. However, this bid failed with the Heritage Lottery Fund concluding that a more fundamental and holistic review of the Museum as a whole was required.

The potential redevelopment of the Museum was revisited in 2009, when the issue of the lack of toilets within the Museum, which also would serve the visitors to the park, was raised. At the time, the only viable location for the facilities was to locate them in the George Eliot Gallery but this would have meant a reduction in gallery space, and so was ultimately discounted.

An Audience Development Plan, written by Jura in April 2010, outlined that people wanted to see new and improved galleries at the Museum. In addition, broader access issues started to be brought to light. At this point, it became clear that a wider scheme would be necessary which would involve the replacement of all galleries alongside additional ones being created. In addition, more toilets and other access features, such as improving access to the building from other areas of the town i.e., via the park, were also considered.

In 2011, further consideration around implementing additional facilities at the Museum was revisited, but this would still have resulted in needing to lose a gallery space. As a result of preparing the Audience Development Plan the year before, it was felt that this would be a retrograde step and that it might actually alienate visitors and public opinion. It was at this point the idea of an extension to the building was first considered. In 2012, following the museum's involvement in the Museums Resilience Leadership Programme, a visioning session was held to consider the options for the Museum with the task of looking at not just the obstacles to collections care and visitors' services but also to consider income generation.

As part of considering the options for development at the Museum, the visioning exercise considered issues such as:

- Space for schools - noting that the current meeting room which is used for this purpose doesn't meet the standard space requirements for class size.
- Additional toilet and baby changing facilities are required preferably on the ground floor
- Level access toilets for park users
- A redeveloped more user-friendly entrance hall with better shop facilities
- Enhanced education/meeting space(s) with interactive whiteboard/Wi-Fi, enhanced space for handling collections

- Upgrade of temporary exhibition spaces, more flexible lighting/power points, floor surfaces etc.
- Office space not only for the paid team but for those local people who want to volunteer
- A better café i.e., more prominently situated which takes advantage of the park setting
- Enhanced permanent displays telling the history of the area which offer opportunities for engagement by a variety of visitors of different ages, with varied learning styles and needs. Need to build in scope for rotation of objects to extend the life of the displays
- Meeting space for Parks Steering Group

Whilst the vision identified in 2012 was well articulated, there were not any funding opportunities that would allow for the proposals to be further considered in detail and, as a result, the project was not progressed.

A further document was produced in 2019, which was a summary of the development potential of the Museum and Art Gallery, this reinforced the vision for redeveloping the Museum and Parks. At this stage, the costs were estimated at £3m, and it was identified that the Council would need to attract external funding in order to deliver the vision for improving this important cultural asset. In 2019, the fund of particular interest was the Heritage Lottery Fund (HLF) At this time, the council had some preliminary conversations with the HLF over this potential scheme but pressures on their funding had led to a revision of their funding schemes, which made it more difficult to access funds required for the project proposed.

In addition to this, the Council began to collect S.106 contributions from development schemes that would help to provide some funding (albeit on a smaller scale) to contribute towards improvements to the facilities.

Whilst the costs may have changed since the work was undertaken in 2019, the approach to using a variety of funding sources to deliver an enhanced facility is still considered an appropriate strategy, and it is the approach that is being proposed through the preferred option, as explained below.

Funding secured to date

Where possible, developer contributions in the form of s.106 agreements have been sought, in order to provide an element of funding to contribute towards the overall project. This has resulted in securing contributions from developers for both the Museum and Park elements of the project. Whilst this element of funding is useful, it does not provide a sufficient source to deliver the improvements required in their entirety. In addition to the developer contributions that have been secured, the Council are also committed to delivering the scheme and are providing the necessary oversight and associated office time in order to deliver the preferred option.

This funding gap is proposed to be met through the Nuneaton Town Deal as a 'funder of last resort'. Without the support from the Nuneaton Town Deal the project will not progress. Further information regarding the approach to funding this project is contained within the next section titled 'Proposed Funding Sources'.

As can be seen from the above narrative, the project has considered a number of potential options and funding opportunities over the years but it is clear that the Town Deal funding is required in order to provide sufficient resource to deliver the transformational change that is required as proposed through the Preferred Option presented in this Business Case.

Funding Sources

As indicated above, the delivery of the proposed interventions will be secured through the use of a variety of funding sources. Whilst there are only two main funding sources proposed (Town Deal and S.106) the breakdown of the Town Deal commitments is more nuanced and is explained further in the table and narrative identified below:

Table Funding Sources

Funding Source	Amount	Committed
Section 106 monies	£314,019	Yes
Nuneaton Town Deal – Existing commitment as identified within the Town Investment Plan.	£3,666,981	Yes
Underspend from the Town Deal Cycle Link Project	£500,000	Yes
Reallocated Visit Nuneaton Changing Perspectives (VNCP) Project	£1,367,119	Yes
Unallocated Digital Connectivity (TD Project)	£148,500	Yes

Total project funding: £5,996,619

The funding for the project is identified above and confirms that the primary outstanding elements to be secured is the money proposed through the Town Deal, which forms the basis of this business case. However, further detailed work on the project has identified that the original budget would not be sufficient to deliver the works as previously envisaged. Therefore, the revised funding profile would utilize money from other Town Deal projects, in order to ensure that this project could be delivered. Further information regarding the different elements of the Town Deal provision are identified below:

- Nuneaton Town Deal – Existing commitment as identified within the Town Investment Plan. The money that was previously allocated to this project remains as per the existing approach.
- Nuneaton Town Deal (Underspend from the Town Deal Cycle Link Project) – following furthermore detailed work, this project was able to make a saving of £500,000, which is available to support the Museum and Park project.
- Reallocated Visit Nuneaton Changing Perspectives (VNCP) Project. After reviewing the project, it has been decided by NBBC to pause the implementation and, instead, to reprofile the funding for delivering the Museum and Parks proposals, meaning the remaining £1,367,119 can be used for this project.
- Unallocated Digital Connectivity Project. The Town Deal Board have now reviewed this project and it has been agreed that this project should not proceed at this juncture and the money be reprofiled for the delivery of the

Museum and Park project. This is because the scheme is due to be implemented by the private sector and so there is no need for further public sector intervention.

Overall, there will be a commitment of £5,682,600 from the Nuneaton Town Deal programme towards the delivery of the Museum and Park project.

The additional budget would meet some of the inflationary pressures the project is facing, along with providing some further contingency and covering costs for items that were previously included but would have resulted in a sub-optimal solution being delivered.

Museum (Total Cost: £4,735,750)

The physical development of the museum element of the project is well advanced, being at RIBA Stage 3+, and having secured full planning consent. As a result of this, there is significant information available regarding the proposed development. An order of costs has been produced by NT Surveying (Quantity Surveyors) and are presented based on a phased approach to delivering the proposals.

Allowances for each phase have been included for anticipated tender price inflation based on published BCIS indices taken to the mid-point of construction for each phase.

The cost plan has been prepared using the following documents:

- Building site inspection
- Site plans
- Condition Surveys
- M&E reports and drawings
- Structural engineering reports
- Ground investigation works

The cost plan for the delivery of the Museum identifies that the following assumptions have been made in preparing the schedule:

- Assumptions have been included at this stage for all internal finishes and fixtures & fittings.
- An allowance has been included for foul and surface water drainage connections to existing system.
- A full survey and report on the condition of the existing underground drainage will need to be carried out and an allowance has been included as a notional sum at this stage all artworks and exhibits will be removed and stored elsewhere by the Museum staff prior to possession of the site by the Contractor
- On the west side of the building, where the new exhibition galleries extension is proposed, there is an existing service road. An allowance has been included in this budget cost for moving/realigning the service road and also reconfiguring adjacent footpaths
- For the piling works the Structural Engineer anticipates piles to be 450mm diameter x 10m long
- Design team and legal fees are included at 20% on the Construction costs

The following are also excluded

- VAT
- Land costs
- Finance
- Archaeological issues

- Public Highway Works

As can be seen from the above, the wider park improvements have been excluded, in recognition of the fact that these have been cost elsewhere (further information below).

Whilst there are a number of assumptions included within the cost plan that has been prepared, the figures are based on detailed drawings and an understanding of the building, which has been gained through the work on producing the RIBA Stage 3 report.

In addition to the figures contained in the cost plan, as identified, an additional £150,000 has already been spent on design work in order to reach this stage and this is also included within the overall costs for the scheme.

Furthermore, following a more recent review of the project, an additional sum has been included for inflation and contingency to cover both rising inflationary pressures and also to allow for the following:

- Storage for existing exhibitions – following a review of the budget, additional money can now be allocated to allowing for more suitable storage of delicate exhibition material.
- Additional lighting work to be undertaken – including replacement of the upper floor at the same time as the work to the ground floor is delivered.

The cost plan is, therefore, considered to be robust and will allow for the project to be delivered as per the existing planning consent.

Ultimately, the project utilises the funding from the other Town Deal projects, as referenced earlier in the financial case, to help provide the overall funding envelope for the above requirements. These costs will be crystallized as the project moves to the next stage of development. However, at this stage and as a result of the work undertaken on the project to date, the costs are considered to be well developed, are credible and provide confidence for the overall deliverability of this element of the project.

Parks (Total Cost: £1,260,869)

In a similar vein to the work undertaken for the Museum element of the scheme, the cost plan produced to accompany the proposals for the park improvements is well developed, being at RIBA Stage 3. The cost plan has been produced by Faithful & Gould (and SNC Lavalin) The cost plan notes the following in relation to the project:

- The total current project cost has been estimated at £1,260,869 which has been produced on an elemental basis using the information currently available.
- The estimated cost is an outturn cost and therefore inflation is included at 5.5% to an assumed midpoint of construction of 3Q23 aligned with the Building Cost Information Service (BCIS) and Faithful+Gould's in-house market intelligence.
- The Design Development / Construction Contingency has been included at 7.5% in total, which reflects the current level of design information available
- The rates used in this estimate are based on the current day prices of 3Q22; however, an inflation allowance has been included to forecast potential cost increases to the mid-point in the construction period.
- An allowance of 2.5% has currently been included for design development for future stages. This is to reflect the level of information in respect of the following;

- Programme requirements
- Site conditions
- Level of specification
- Market conditions
- Design risks / requirements not yet identified

In compiling the cost plan, Faithful+Gould have, wherever possible, obtained current day market tested costs, however due to the nature of the works there is not an abundance of support that can be obtained from the marketplace without undertaking a full tendering exercise.

ENDS.

Appendix 2

Museum and Arts Gallery RIBA Stage 3+ report



REIMAGINING NUNEATON MUSEUM
Nuneaton Museum and Art Gallery
RIBA Stage 3+ Report
April 2022 Rev P01

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RIBA STAGE 3+ REPORT

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I.0 EXECUTIVE SUMMARY

I.1 PURPOSE OF REPORT

This report intends to provide an overview of the design development undertaken throughout RIBA Stage 3 + (Spatial Coordination) which commenced on the 10th January 2022.

While the previous RIBA Stage 3 had focused on putting together a planning application for the museum redevelopment, this additional Stage 3 + was concerned with resolving any outstanding design coordination matters, review implications associated with a phased delivery of the project, establish the procurement strategy, and identify any surveys and additional appointments which need to be procured prior to the commencement of RIBA Stage 4.

The main objectives/ outputs from the RIBA Stage 3 + design were:

- Undertake additional design development and coordination:
 - * **Structural:** amend design proposals to account for the omission of futureproofing from the project
 - * **M&E:** develop the mechanical design based on the anticipated requirement for artefact display and storage and the associated environmental controls required; carry out thermal modelling.
- Consider the implications of a phased project delivery
- Identify any information and/or specialist input required to inform ongoing design development and mitigate project risks (i.e., surveys/ reports/ specialist appointments)
- Identify project risks and associated mitigation measures
- Identify health and safety risks arising from the designs and associated mitigation measures from a CDM (Construction Design and Management Regulations) 2015 perspective.
- Assess the suitability of alternative procurement routes, to enable an informed decision prior to the commencement of RIBA Stage 4.
- Develop a strategic programme mapping out the remaining design development and construction phases, aligned against the funding application process and key milestones.

I.2 BASIS OF CURRENT DESIGN

The current design proposals outlined within this report represent a continuation of the previous proposals developed during RIBA Stage 3 in support of the planning application submitted on the 6th December 2021.

The ensuing RIBA Stage 3+ design has not developed the proposals any further than the level typically expected at Stage 3, but rather focused on ensuring cost certainty by reducing risks (site investigations/ surveys/ reports), testing budget allowances and resolving any outstanding coordination issues.

In carrying out any additional design work throughout RIBA Stage 3+, the Project Team have been mindful of not causing any significant deviations from the already approved plans, which were granted planning consent on the 10th February 2022.

I.3 DESIGN CHANGES DURING RIBA STAGE 3+

- During this stage, the museum's requirements in terms of ventilation, temperature and relative humidity for artefact display and storage have been confirmed. To fulfil the agreed environmental conditions, the mechanical design has been further developed to incorporate mechanical cooling.
- Detailed heat gain calculations have been carried out during this stage, using proprietary software (IES), and the cooling load of each space has been determined within the given parameters.
- The overheating results for the new-build spaces have identified overheating issues on the West extension, given the amount of glazing paired with a South-West orientation. As a result, 5no. solid panels will now replace glazed panels on the western elevation of the extension. This change in the external appearance of the extension will be subject to a Non-Material Amendment application to the Local Planning Authority.
- During this stage, the previous requirement to allow for the future upward expansion of the extensions has been omitted from the project. As a result, the structural proposals have been amended to omit design loading and construction material which would have allowed for an additional future storey.
- The futureproofing omission has resulted in a change to the construction principles adopted for the roof of the extensions. The roof structure has been amended to a timber joist deck spanning between steel beams with plywood diaphragm. In doing so, an additional 160 mm of ceiling void has been gained which is now sufficient to house the required services. The floor-to-ceiling height has remained unchanged at approx. 3.7 m.
- During this stage, the Project Team has interrogated different options for the phased delivery of the project, in response to the project's budget constraints. Two options were put forward and, via further discussions, it was established that only one of the options is viable from a Client perspective. This is discussed in detail in section 3.2 of this report.

2.0 ARCHITECTURAL BRIEF

2.1 ORIGINAL BRIEF

An architectural brief was formulated by Nuneaton Museum and Art Gallery, which constituted the starting point for the current proposals. The document outlined the Client's vision to transform the museum into a beacon for inspiration, learning and fun, both now and in the future. The brief stressed the importance of future-proofing the museum, by ensuring it is fit for purpose to care for its collections, develop its audiences and remain sustainable for decades to come.

The current day-to-day operation of the museum and their ability to welcome an ever increasing number of visitors is impacted by the following challenges:

- Insufficient gallery spaces
- Small entrance foyer resulting in large groups of visitors having to congregate outside
- Generally closed off, uninviting main entrance
- Insufficient space for commercial activities which impacts the museum's potential to grow and develop
- Insufficient toilet provision, with WCs located at first floor level only, thus not directly available to visitors upon arrival
- Inadequate lift provision
- Inefficient services throughout
- Insufficient connection between the museum building and its immediate park setting
- Inadequate storage facilities for the collections held on site which limits opportunities for loans via the Government Indemnity Scheme

In reimagining their facilities, the museum wish to retain the friendly, welcoming atmosphere that current visitors value. For many visitors, the museum is a social place where they meet friends, family and other members of the wider community. Therefore, the café is a well-loved feature of the building which requires a complete overhaul to be able to welcome more people.

The museum's current engagement programmes, such as their lunchtime talks, are highly popular and often oversubscribed. The planned expansion of households within the borough means that the museum must grow to meet not only existing demands but also those of new residents. A new multi-functional space will be provided as part of the proposals, to accommodate a wide array of lectures, talks, community events and receptions.

Visitors have particular enthusiasm for the museum's collections and would wish to see more of them on display. Therefore, the proposals seek to improve access to the collections and ensure that more of them can be on display, in suitably conditioned spaces. The museum holds a nationally significant collection related to George Eliot, which will be entirely reimagined and relocated on the building's first floor.

The ongoing financial pressures experienced by the local authority means that the museum will need to become more sustainable, both environmentally and financially, by adopting new green technologies and increased commercial uses.

The building will need to cater for approximately 100k visitors (predicted) per year, an increase of 40% to current numbers. To provide these additional facilities, the architectural brief envisaged that the existing building would need to be extended via a double-storey extension on the river side of the building. The aspiration was for a modern building which utilises large extents of glass to exploit its park setting, which would become '*a landmark for civic pride and a clear statement that cultural activities are relevant to modern life*'.

The initial preference for a single double-storey extension was revisited by the Design Team at RIBA Stage 3 in favour of two single-storey extensions, one to the east and the other to the west of the existing building. This approach was developed in direct response to the symmetrical architectural language of the existing building. In terms of massing and height, the two single-storey extensions are considered as more understated and unobtrusive against the existing building.

A full schedule of accommodation, including both the newly-created spaces of the proposed extensions, but also the retained and reconfigured existing functions is included within section 3.7 of this report.

2.2 DEVIATIONS FROM THE ORIGINAL BRIEF

As the proposals developed, a small number of deviations from the original architectural brief were necessary as a consequence of ongoing design development activities. These are summarised below:

- The additional accommodation required by the brief is to be provided via two single-storey extensions rather than one double-storey extension.
- An additional set of stairs and lift are no longer required to facilitate access to the first floor of the extensions; the existing goods lift is to be refurbished into a passenger lift and is sufficient to serve the whole building.
- The new temporary exhibition galleries are to be within the newly created west extension rather than in the current Writers' Room and George Eliot Gallery
- The former main entrance door needs to be retained for fire escape purposes rather than being replaced with a window.
- The storage space within the former Tearoom and future Break-out Space is not to be retained in its location, but relocated within the new Cafe.
- A multi-functional space is to be created within the former George Eliot Gallery rather than on the first floor of the new extension. This will therefore benefit from direct links to the Cafe space.
- A decision was made to reinstate the lost original skylights in the Yellow Gallery, Landing Gallery and Picture Gallery, which was not a brief requirement previously.

3.0 RIBA STAGE 3+ DESIGN DEVELOPMENT

3.1 PLANNING UPDATE

On the 10th February 2022, planning permission was granted for the erection of the single storey side extensions, window and door alterations/ replacements, including the insertion of additional windows, roof lantern lights and access ramp, as well as the re-alignment of the affected service road and footpath.

The Local Planning Authority concluded that, subject to compliance with the conditions attached to the permission, the proposed development is in accordance with the development plan and would not harm the character or appearance of the area or the living conditions of neighbouring occupiers.

The conditions attached to the permission are:

- The development must be begun no later than the expiration of three years from the date of the permission, by 10th February 2025.
- The development shall not be carried out other than in accordance with the approved plans submitted with the application
- No development shall commence until full details and samples of materials proposed to be used in the external parts of any building have been submitted to and approved in writing by the Council. The development shall not be carried out other than in accordance with the approved details.
- No development shall commence until a landscaping scheme and an Arboricultural Method Statement has been submitted to and approved in writing by the Council and the said scheme shall be carried out within 12 months of the commencement of the development and subsequently maintained.
- The development shall not commence above damp proof course level until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.



East View



South View

3.2 PHASING

Upon commencement of RIBA Stage 3+, it was confirmed that the delivery of the project will need to be split into two phases, due to the overall costs exceeding the original Towns Fund budget of £3.6 m. It is anticipated that the remaining shortfall would be made via a National Heritage Lottery Fund application, or by other funding routes.

In developing the RIBA Stage 3+ proposals enclosed within this report, the Project Team have interrogated several different options for the phased delivery of the project, bearing in mind all key considerations in relation to access, safety, security, site logistics, servicing routes, and other constraints and limitations.

Through continued discussions between the Project Team and the Client, it was concluded that the preferred phasing option is as per the sequence described by the adjacent diagrams.

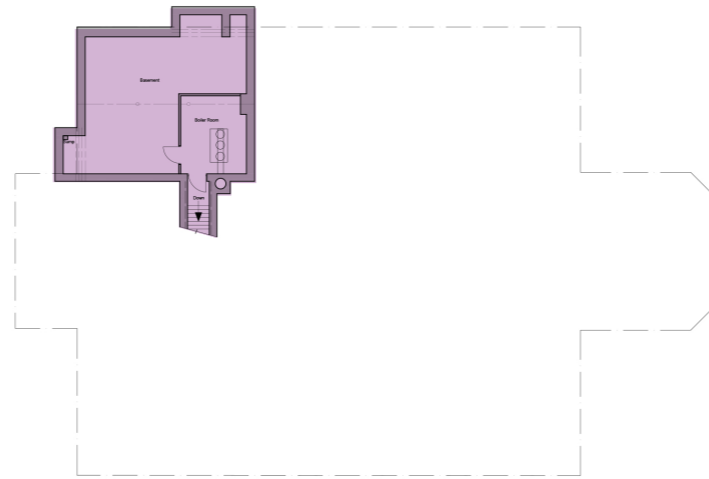
Phase 1:

- Refurbish the existing building's basement and ground floor
- Build the two new extensions
- Carry out all roof works in areas where new plant is to be installed
- Include lift works and all risers

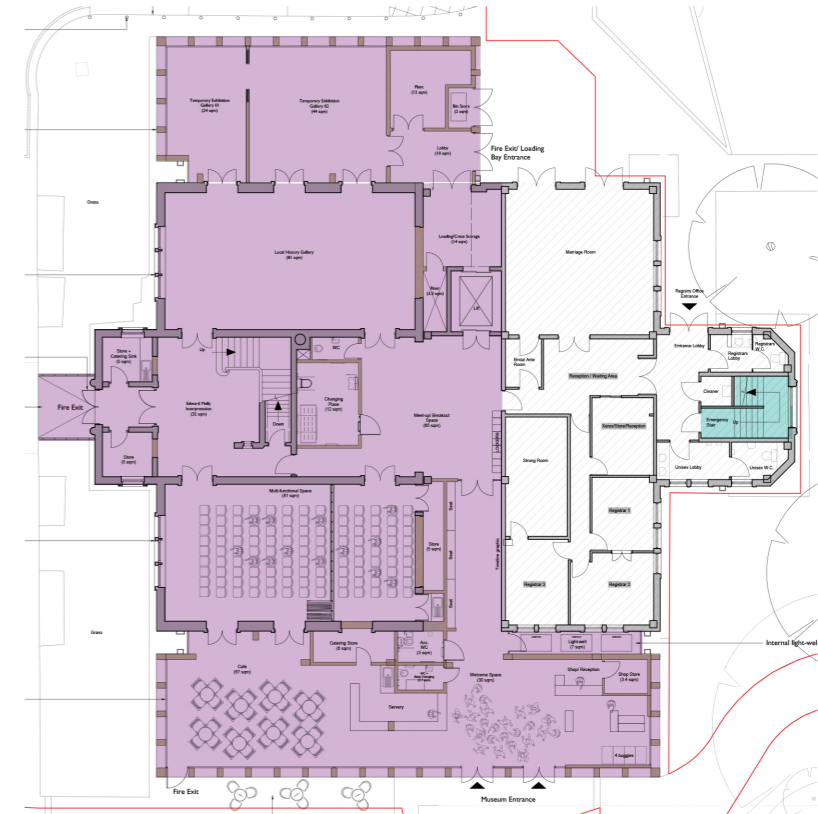
Phase 2:

- Refurbish the existing building's first floor
- Refurbish the existing emergency stair
- Carry out remaining roof works (i.e., open up the roof lanterns over the first floor gallery spaces)

There is likely to be a lag between the completion of phases 1 and 2. Therefore, the phasing sequence is designed to deliver a fully operational museum at the end of the first phase.

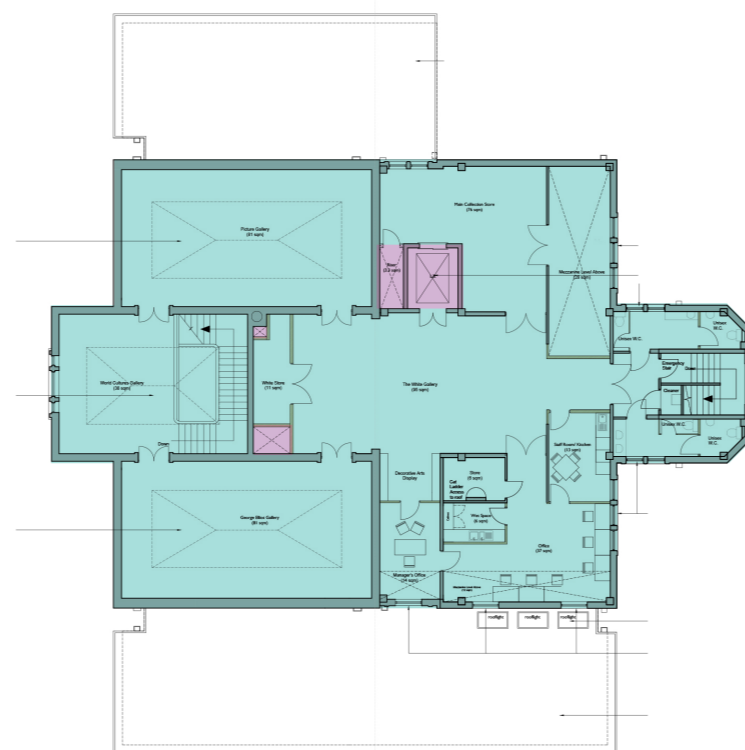


BASEMENT FLOOR PLAN



GROUND FLOOR PLAN

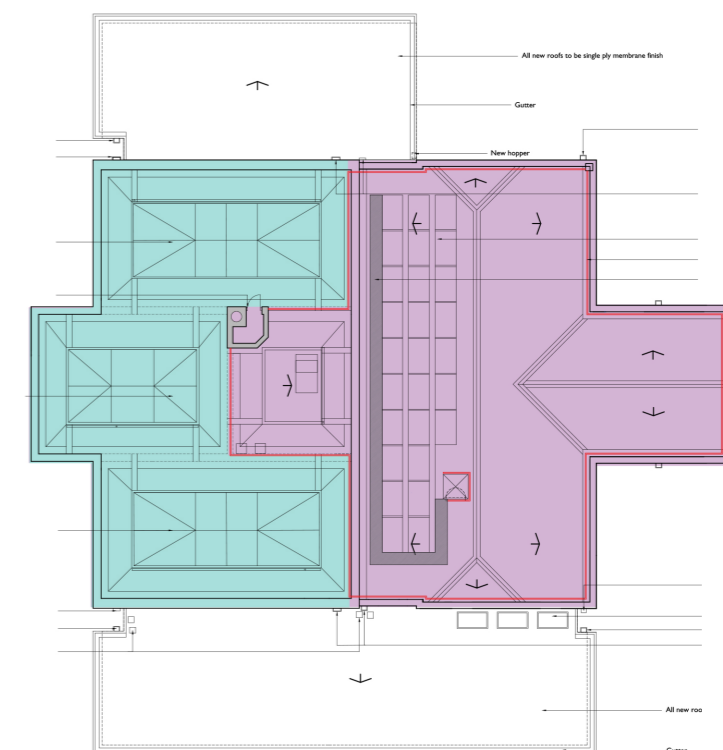
NOTE
No accurate measured building survey information available at roof level; drawing based on 1989 record information



FIRST FLOOR PLAN

KEY:

- Phase 1
- Phase 2



ROOF PLAN

3.3 STRUCTURES

The original building was opened in 1917, with extensions to the rear of the building in 1967 and 1989. The buildings are a two-storey construction, with the original building a brick construction with strip footings illustrated on historic images. The first floor is a downstand beam with concrete infill floor deck. Record drawings indicate large downstands to the roof that are believed to be concrete encased steel, but there are no details to confirm this. There is an existing basement constructed with masonry perimeter walls.

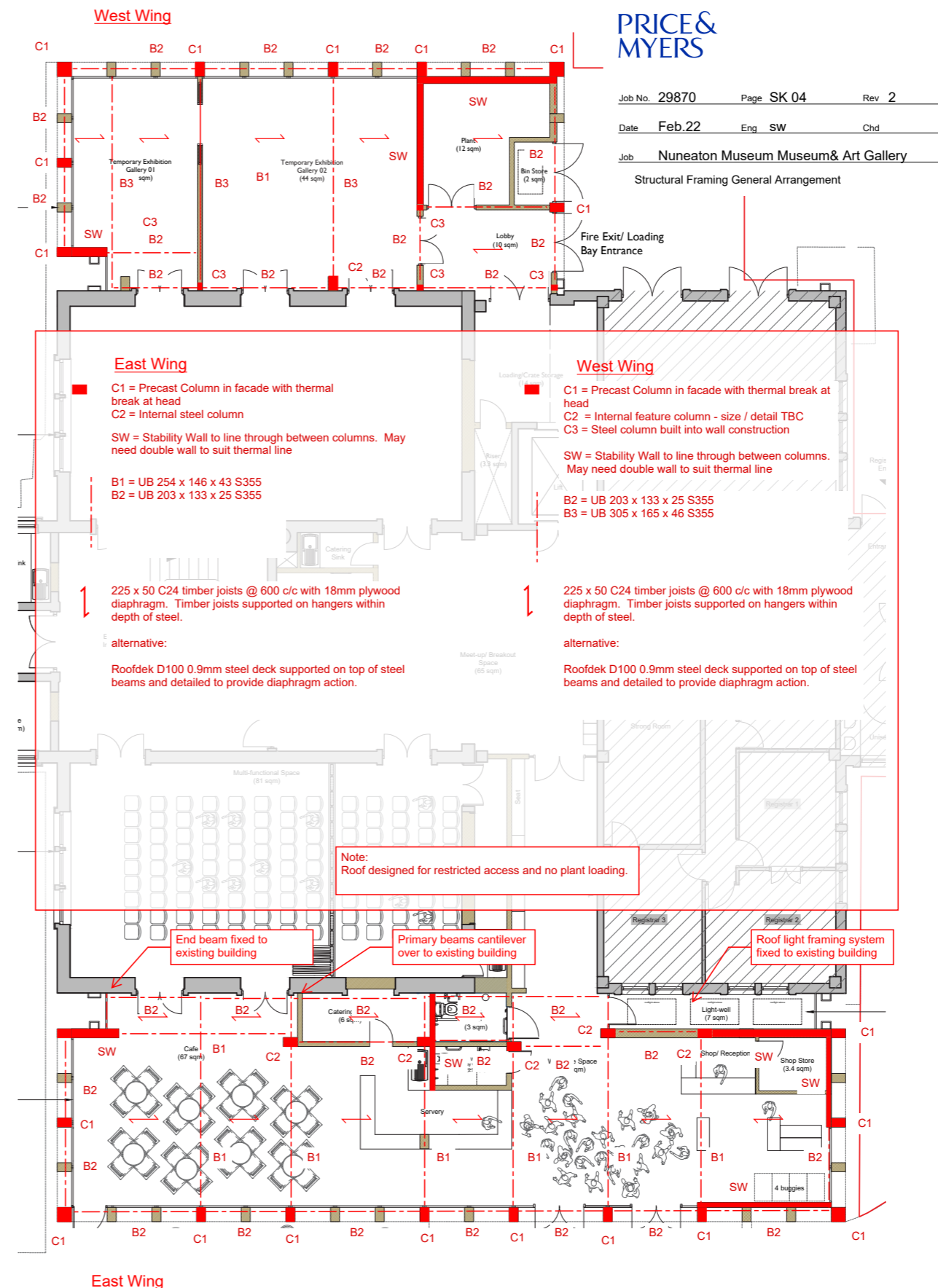
The 1989 extension is a reinforced concrete frame extension supported on reinforced ground beams on piles with a lightweight lattice truss roof construction.

The proposed structural solution is a framed solution to provide clear internal zones for gallery exhibits or café seating. The extensions are to be designed as free standing with nominal connection to the existing building and not taking primary support from it. Geological maps indicate Mercia Mudstone Group as the underlying geology. The ground floor is proposed as a suspended reinforced concrete slab spanning between reinforced concrete ground beams and pile caps.

The structural frame uses the external precast columns as a primary structural element. The roof structure is a timber joist deck spanning between steel beams with plywood diaphragm. The steel beams will be directly supported by the external precast column requiring thermal breaks at the connection. Internally, the primary beams will be supported on columns set back from the existing building with the beams cantilevering over.

The proposed phasing includes the construction of the two extensions, roof plant installation and refurbishment of the ground floor and basement in phase 1. Phase 2 works involve the refurbishment of the existing building's first floor and works to the roof lights.

Further investigations are proposed in order to progress the design and reduce the cost and programme risk to the project.



3.4 MEP

Surveys of the Nuneaton Museum and Art Gallery have been undertaken by CBG Consultants on 24th September 2021 and on 22nd February 2022 to assess the current Mechanical & Electrical (M&E) services, their general condition, and understand opportunities for replacement that align with the wider building refurbishment program. Design team meetings and workshops have also taken place to coordinate and review the M&E services proposals against other disciplines.

Records of the M&E services within the building are good and the drawings reviewed were used to help determine types of services employed and their distribution. Generally, the M&E services within the building are in reasonable condition however it is believed that most services were installed as part of the 1989 extension project making them over 30 years old.

It is recommended that a natural-gas boiler system is used to continue heating the existing building, however, new boilers shall be installed along with new gas safety equipment. The extensions should either be heated via UFH using new Air Source Heat Pumps, or air-heated using concealed Fan Coil Units.

The existing heating and cold-water distribution systems should have a condition survey carried out using Ultrasonic Thickness testing to determine if they can be reused and reduce project costs/disruption.

New water heaters should be installed for all the existing and proposed sanitaryware/appliances.

A new ventilation system employing Mechanical Ventilation and Heat Recovery units should be employed to serve all primary spaces.

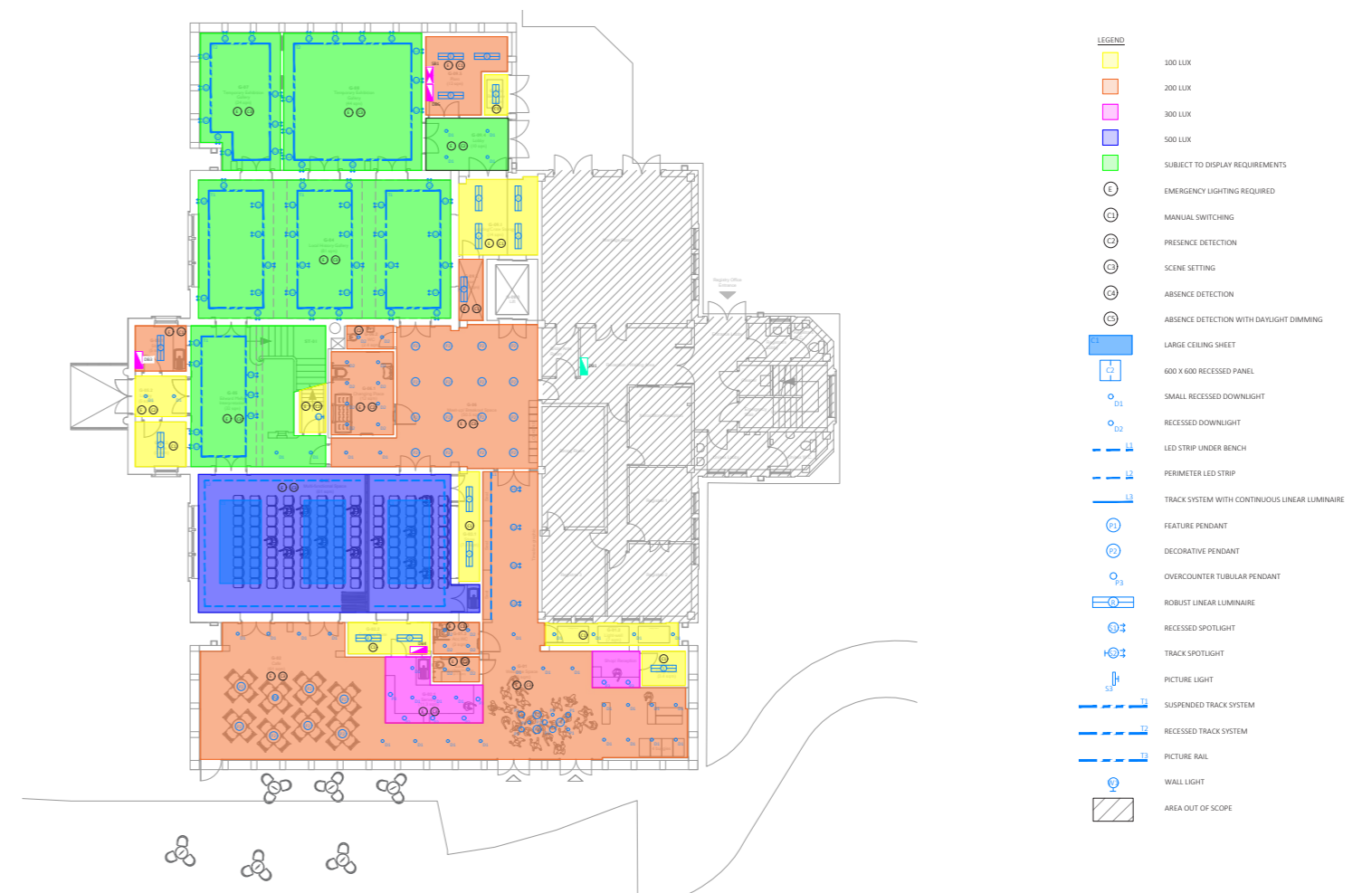
Mechanical cooling is required to maintain the environmental conditions set out by the Museum to ensure artefact longevity/stability. It is proposed that concealed FCUs linked to a Variable Refrigerant Flow system is used to provide close control of the temperature in each space.

On the roof it is recommended that Solar Photo-voltaic panels are installed on the main south-facing pitch using a frame/ballast system to minimise the environmental impact of the building going forward.

It is recommended that the electrical services within the building are fully refurbished. An electrical load monitoring of the existing building and a load assessment of the proposed scheme have been carried out and suggest that the existing electrical supply requires upgrading. The lighting can be significantly improved to provide better display of the exhibits and enhance the internal spaces.

External lighting should be developed in consultation with the team leading the park regeneration, the high level floodlights are a significant source of light pollution as currently installed.

A full Stage 3+ MEP Report, together with all mechanical and electrical drawings, are included as Appendix B.



Ground Floor Lighting Layout



First Floor Lighting Layout

3.5 COST

A preliminary Budget Estimate was prepared by N T Surveying, to give an order of costs for the proposed works, based on the phased delivery approach. This Budget Estimate is based on the latest project information as developed by the Project Team throughout RIBA Stage 3+ and accounts both for the total construction cost of each phase and for any professional fees and client direct works, such as the gallery fit out costs, storage and decant costs, programming/ apprenticeship, surveys and appointments required as part of the project delivery.

It also includes for anticipated tender price inflation based on published BCIS indices taken to the mid point of construction for each phase. It should be noted that, until the procurement strategy is agreed it is not possible to firm up professional fees for the remainder of the project. These have been factored into the costs based on a provisional allowance at this stage.

The Budget Estimate includes for a detailed elemental analysis of the costs, split between the two phases, which is prefaced by the adjacent combined summary sheet. A full version of the Budget Estimate can be found within Appendix C of this report.

NUNEATON MUSEUM & ART GALLERY

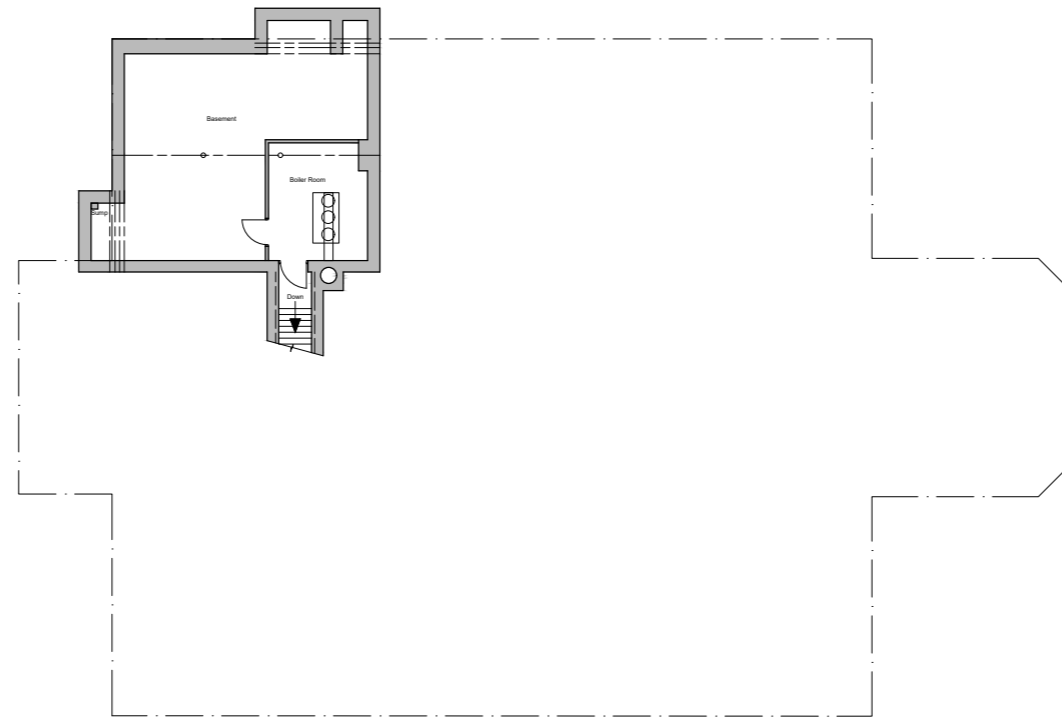
SUMMARY SHEET (PHASES 1+2 COMBINED)

01/04/2022

ELEMENTAL ANALYSIS	BUDGET APRIL 2022	
	TOTAL COST	
	£	£
Phase 1 Cost Summary (Inclusive of the following)	2,002,535	2,002,535
- Demolitions/Alterations		
- Substructure		
- Superstructure		
- Internal Finishes		
- Fixtures & Fittings		
- Services		
- External Works		
Phase 2 Cost Summary (Inclusive of the following)	702,042	702,042
- Demolitions/Alterations		
- Substructure		
- Superstructure		
- Internal Finishes		
- Fixtures & Fittings		
- Services		
- External Works		
Total Preliminaries		
- Phase 1 Preliminaries	300,380	
- Phase 2 Preliminaries	105,306	405,686
Total Contingency		
- Phase 1 Contingency @ 20%	460,583	
- Phase 2 Contingency @ 20%	161,470	622,053
Inflation		
- Phase 1 Inflation to 1Q/24@ 9.59%	265,019	
- Phase 2 Inflation to 2Q/25@ 15.4%	149,198	414,217
Total Construction Cost (Phases 1+2 Combined)		4,146,533
Total Professional Fees (Phases 1+2 Combined)		500,000
Client Direct Works/Costs (Phases 1+2 Combined)		
- Gallery Fit Out	650,000	
- Storage/Decant	65,000	
- Programming/Apprenticeship	100,000	
- Surveys/Specialist Appointments	135,000	950,000
Total Project Costs (Phases 1&2 Combined - excl VAT)		5,596,533

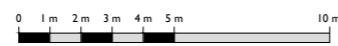
3.6 ARCHITECTURAL DRAWING PACKAGE

1. Removal and replacement of all existing suspended ceilings throughout
2. Removal and replacement of all floor finishes throughout
3. Removal and replacement of all light fittings throughout
4. Removal and replacement of all doors shown as being removed.



1
2001 Proposed Basement Floor Plan

Notes: 03/12/2021 14:28:19
 Drawings are based on survey data and may not accurately represent what is physically present.
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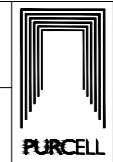


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 ■ EXISTING FABRIC RETAINED
 ■ PROPOSED FABRIC

REV	DATE	BY	CHK	DESCRIPTION
P02	06/12/2021	SC	JM	Issued for Planning
P01	26/11/2021	SC	JM	Planning Drafts

CLIENT	Nuneaton Museum & Art Gallery
JOB NUMBER	241494
PROJECT	Reimagining Nuneaton Museum
TITLE	Proposed Basement Floor Plan

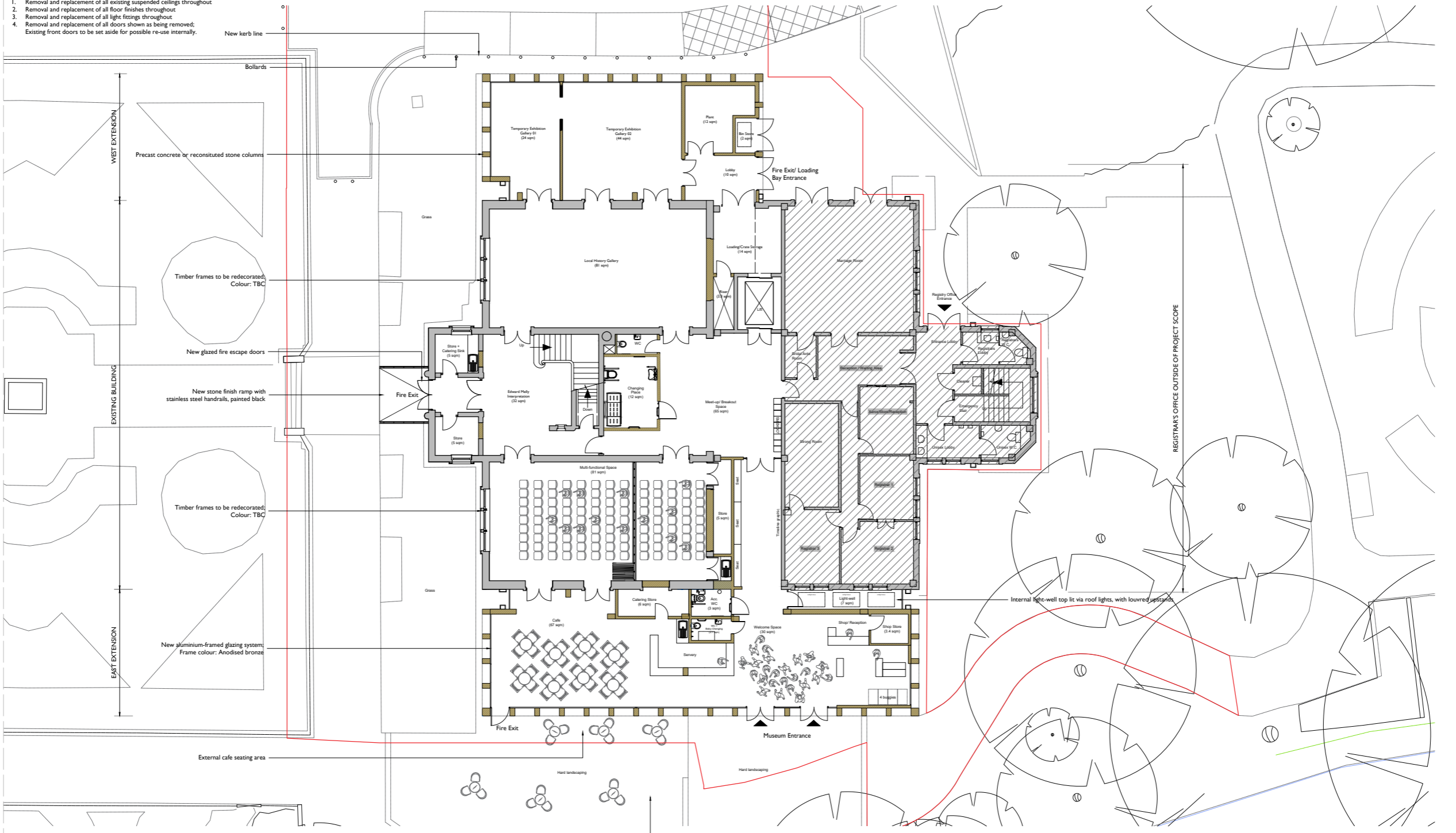
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REV	SUITABILITY/REASON FOR ISSUE			
P02	S4 - Planning			
DRAWING NUMBER				
PUR-00-B1-DR-A-2001				



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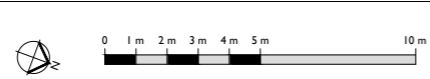
General Notes:

1. Removal and replacement of all existing suspended ceilings throughout
2. Removal and replacement of all floor finishes throughout
3. Removal and replacement of all light fittings throughout
4. Removal and replacement of all doors shown as being removed; Existing front doors to be set aside for possible re-use internally.



1
2002 Proposed Ground Floor Plan

Notes: 18/03/2022 16:30:52
 Drawings are based on survey data and may not accurately represent what is physically present.
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 [Diagonal Line Box] PROPOSED FABRIC
 [Red Line] APPLICATION SITE BOUNDARY

REV	DATE	BY	CHK	DESCRIPTION
P02	12/06/2021	SC	JM	Issued for Planning
P02	07/12/2021	SC	SC	Planning Drafts

CLIENT
Nuneaton Museum & Art Gallery
 JOB NUMBER PROJECT
241494 Reimagining Nuneaton Museum
 TITLE
Proposed Ground Floor Plan

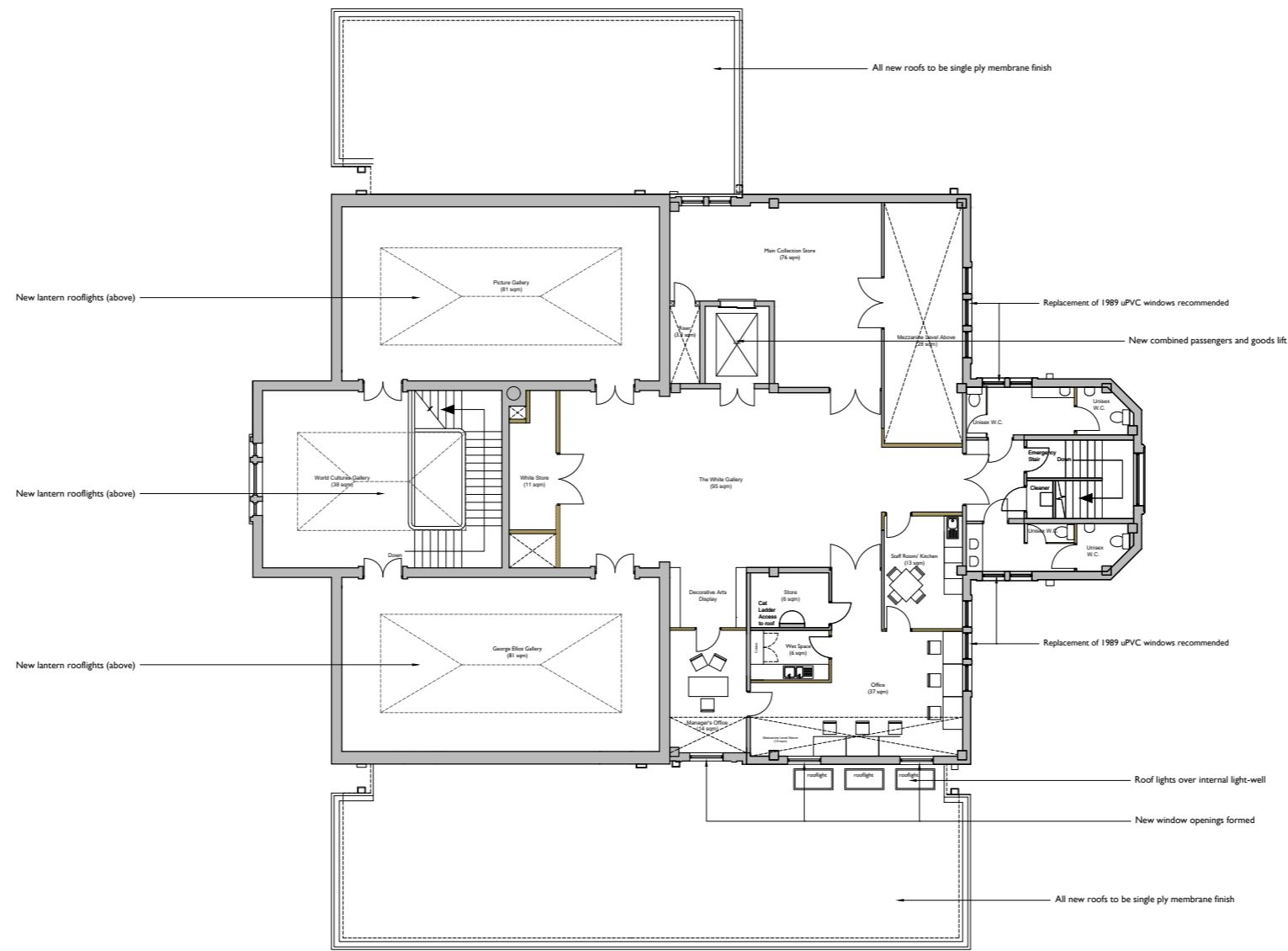
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DRAWING NUMBER PUR-00-GF-DR-A-2002				



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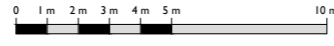
General Notes:

1. Removal and replacement of all existing suspended ceilings throughout
2. Removal and replacement of all floor finishes throughout. Original terrazzo finish to World Cultures Gallery to be retained
3. Removal and replacement of all light fittings throughout
4. Removal and replacement of all doors shown as being removed.



1 Proposed First Floor Plan
2003

Notes: 03/12/2021 14:46:59
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KEY:
 EXISTING FABRIC RETAINED
 PROPOSED FABRIC

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P01	26/11/2021	SC	JM	Planning Drafts

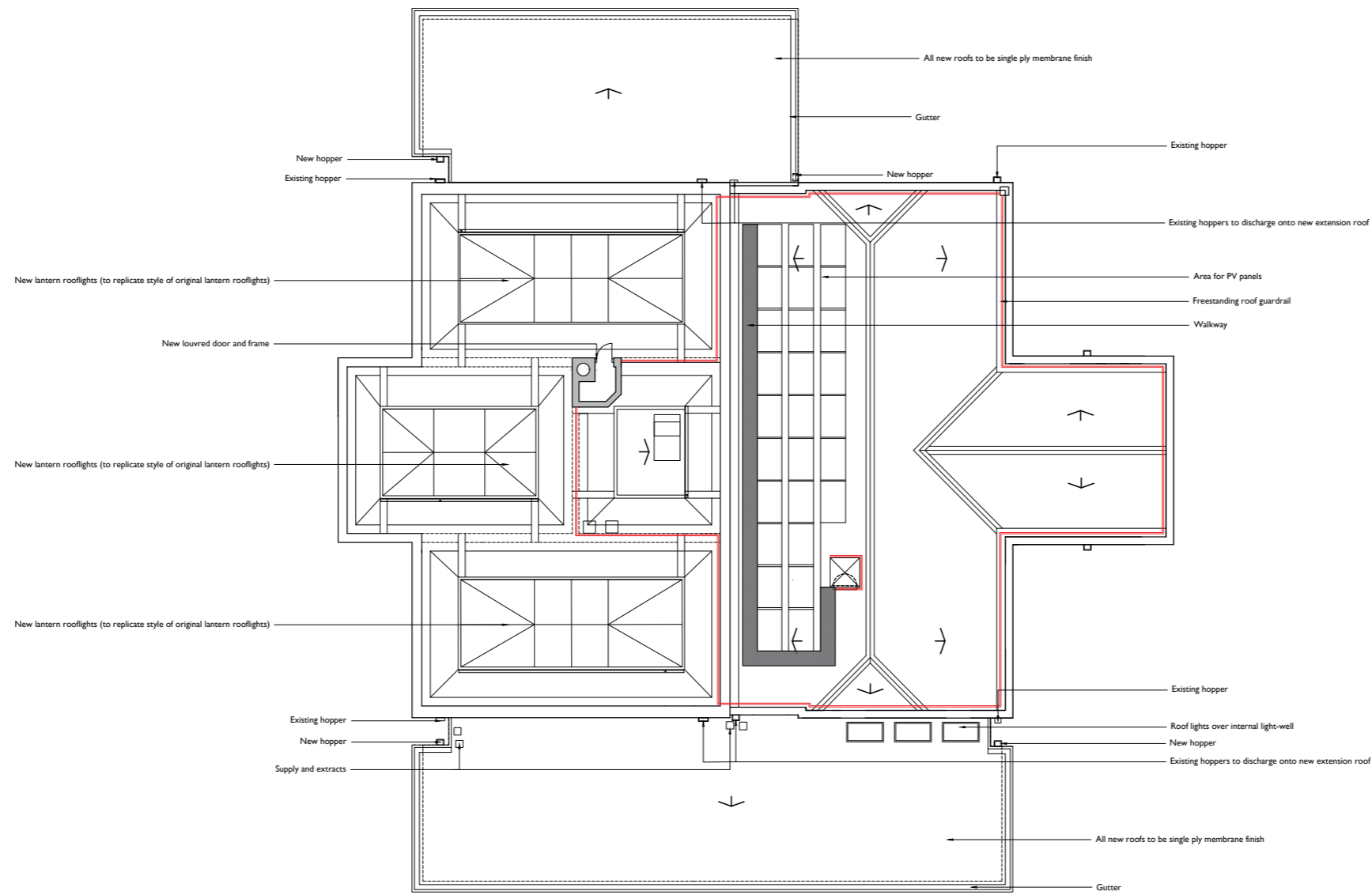
CLIENT
Nuneaton Museum & Art Gallery
 JOB NUMBER
241494
 PROJECT
Reimagining Nuneaton Museum
 TITLE
Proposed First Floor Plan

SIZE	SCALE	LAST REVISED	DRAWN	CHECKED
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REV	SUITABILITY/REASON FOR ISSUE			
P02	S4 - Planning			
DRAWING NUMBER PUR-00-01-DR-A-2003				



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NOTE:
No accurate measured building survey information available at roof level; drawing based on 1989 record information



1
2004 Proposed Roof Plan

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REV	DATE	BY	CHK	DESCRIPTION
P02	06/12/2021	SC	JM	Issued for Planning
P01	26/11/2021	SC	JM	Planning Drafts

CLIENT
Nuneaton Museum & Art Gallery
JOB NUMBER
241494
PROJECT
Reimagining Nuneaton Museum
TITLE
Proposed Roof Plan

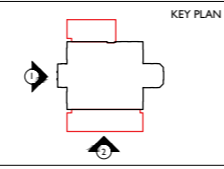
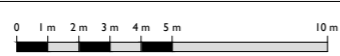
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REV SUITABILITY/REASON FOR ISSUE
P02 S4 - Planning
DRAWING NUMBER
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REV	DATE	BY	CHK	DESCRIPTION
P02	12/06/2021	SC	JM	Issued for Planning
P02	07/12/2021	SC	SC	Planning Drafts

CLIENT
Nuneaton Museum & Art Gallery
 JOB NUMBER PROJECT
241494 Reimagining Nuneaton Museum
 TITLE
Proposed South and East Elevations

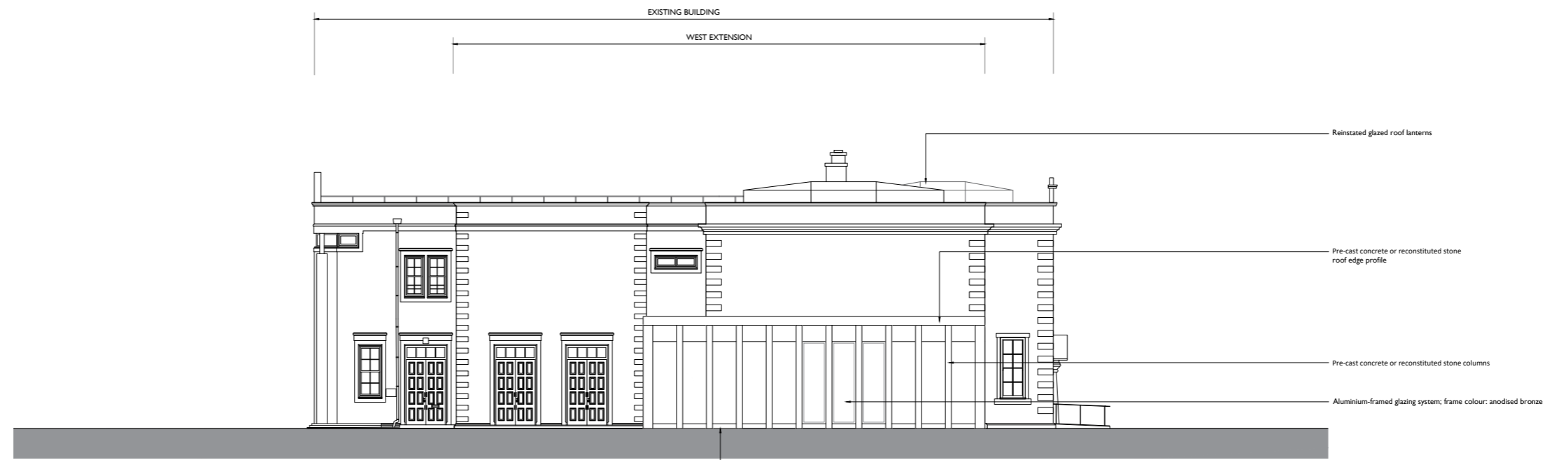
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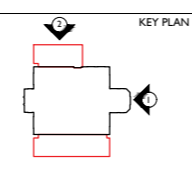
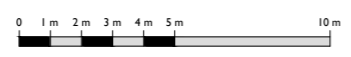


1 Proposed North Elevation
2011 1:100 @ A1



2 Proposed West Elevation
2011

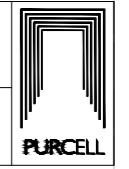
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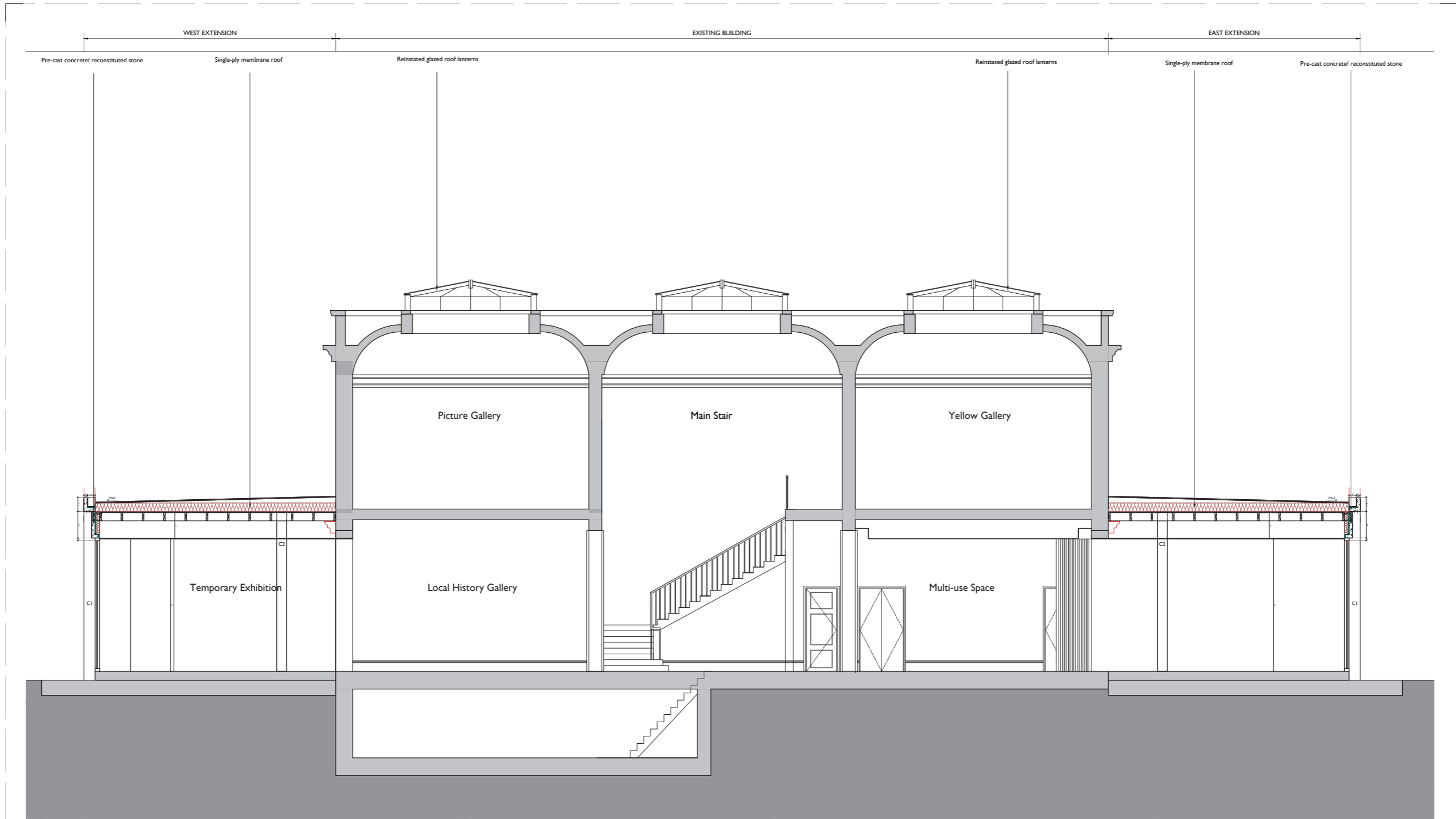
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P02	07/13/2021	SC	SC	Planning Drafts
P03	18/03/2022	SC	SC	Additional Solid Panels

CLIENT
Nuneaton Museum & Art Gallery
 JOB NUMBER PROJECT
241494 Reimagining Nuneaton Museum
 TITLE
Proposed West and North Elevations

SIZE SCALE LAST REVISED DRAWN CHECKED
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 REV SUITABILITY/REASON FOR ISSUE
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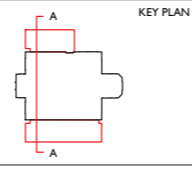


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I
2020
Proposed Section A-A

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REV	DATE	BY	CHK	DESCRIPTION
P02	12/06/2021	SC	JM	Issued for Planning
P02	07/12/2021	SC	SC	Draft
P03	15/03/2022	SC	SC	Extension Roof Build-up Updates

CLIENT Nuneaton Museum & Art Gallery
JOB NUMBER 241494
PROJECT Reimagining Nuneaton Museum
TITLE Proposed Section A-A

SIZE A1L	SCALE 1:50	LAST REVISED 15/03/2022	DRAWN	CHECKED
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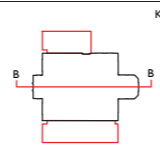


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1
2021 Proposed Section B-B

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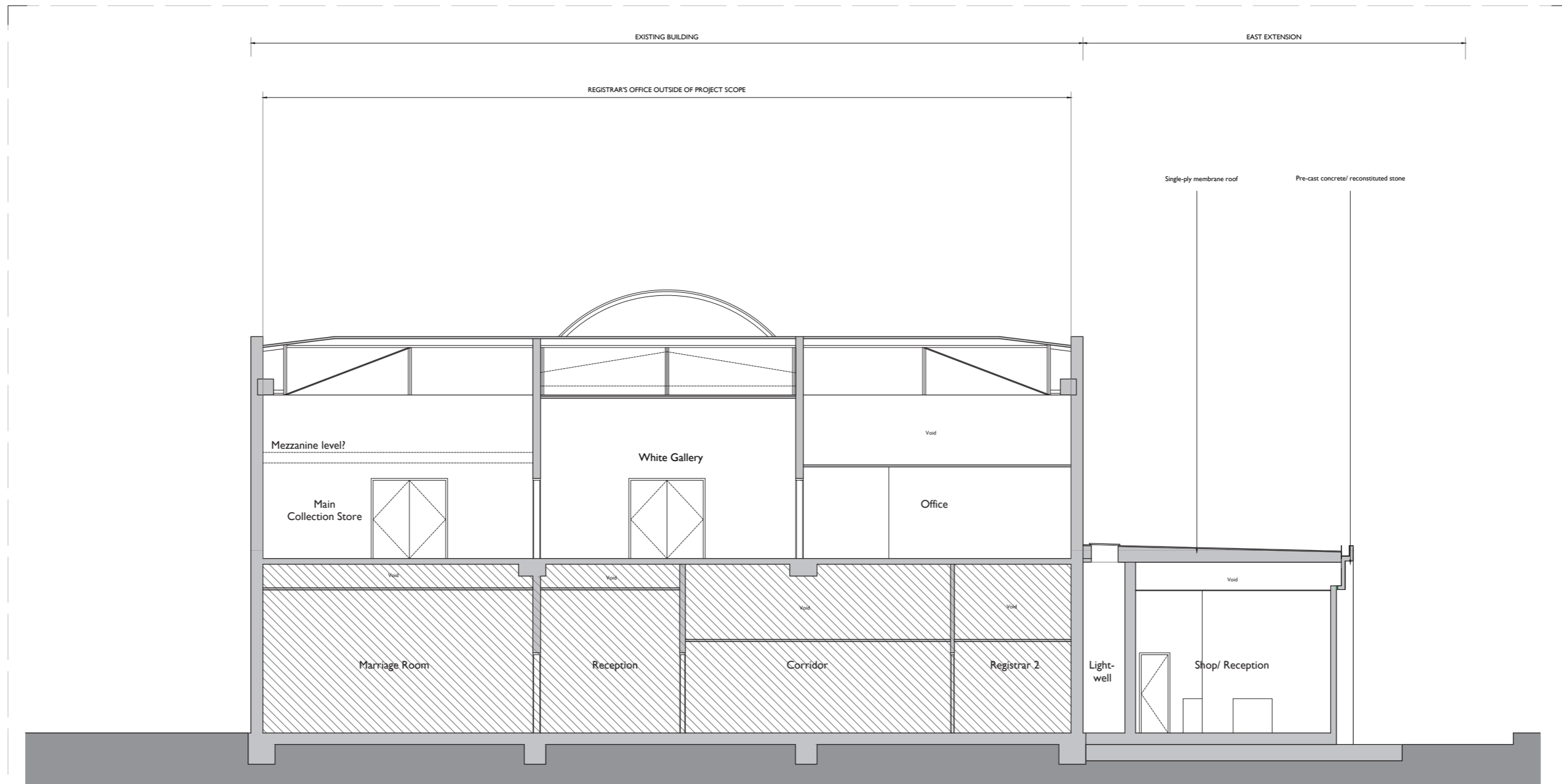
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P01	15/03/2022			Draft

CLIENT
Nuneaton Museum & Art Gallery
 JOB NUMBER PROJECT
241494 Reimagining Nuneaton Museum
 TITLE
Proposed Section B-B

SIZE	SCALE	LAST REVISED	DRAWN	CHECKED
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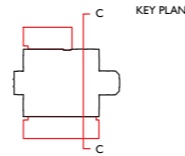


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1
2022 Proposed Section C-C

Notes: 15/03/2022 12:47:58
 Drawings are based on survey data and may not accurately represent what is physically present.
 Do not scale from this drawing. All dimensions are to be verified on site before proceeding with the work.
 All dimensions are in millimeters unless noted otherwise.
 Purcell shall be notified in writing of any discrepancies.



REV	DATE	BY	CHK	DESCRIPTION
P01	15/03/2022			Draft

CLIENT
Nuneaton Museum & Art Gallery
 JOB NUMBER PROJECT
241494 Reimagining Nuneaton Museum
 TITLE
Proposed Section C-C

SIZE	SCALE	LAST REVISED	DRAWN	CHECKED
A1L	1:50	15/03/2022		
REV	SUITABILITY/REASON FOR ISSUE			
	P01.01 S0 - Work In Progress			
DRAWING NUMBER				
PUR-00-ZZ-DR-A-2022				



104 Gloucester Green, Oxford, OX1 2BU
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3.6 SCHEDULE OF ACCOMMODATION

Schedule of Accommodation - NM&AG



Job Ref: 241494
 Description: Reimagining Nuneaton Museum
 Issue Date: 30/03/2022
 Revision: P01
 Notes:

Level	Room No.	NIA/ Non-NIA	Room Name	RIBA Stage	Phase
				Area (m ²)	
-01 Basement	B-01	NIA	Basement Store	44.2	Phase I
-01 Basement	B-02	Non-NIA	Boiler Room	11.8	Phase I
-01 Basement	N/A	Non-NIA	Balance Space (I.e. Internal Walls, Columns, Piers, Risers etc.)	0.8	Phase I
GIFA TOTAL -01 (BASEMENT)				56.8	
00 Ground	G-01	NIA	Welcome Space/ Shop	70.0	Phase I
00 Ground	G-01.1	NIA	Shop Store	3.4	Phase I
00 Ground	G-01.2	NIA	Light-well	6.7	Phase I
00 Ground	G-01.3	Non-NIA	Accessible WC	3.3	Phase I
00 Ground	G-01.4	Non-NIA	WC + Baby Changing	2.7	Phase I
00 Ground	G-02	NIA	Café	53.9	Phase I
00 Ground	G-02.1	NIA	Servery	11.3	Phase I
00 Ground	G-02.2	NIA	Catering Store	6.0	Phase I
00 Ground	G-03	NIA	Multi-functional Space	80.6	Phase I
00 Ground	G-03.1	NIA	Store	7.1	Phase I
00 Ground	G-04	NIA	Local History Gallery	80.6	Phase I
00 Ground	G-05	NIA	Edward Melly Gallery	32.3	Phase I
00 Ground	G-05.1	NIA	Store	5.2	Phase I
00 Ground	G-05.2	Non-NIA	Lobby	5.1	Phase I
00 Ground	G-05.3	Non-NIA	Store	5.2	Phase I
00 Ground	G-06	NIA	Meet-up/ Break-out Space	50.5	Phase I
00 Ground	G-06.1	Non-NIA	Changing Place	12.0	Phase I
00 Ground	G-06.2	Non-NIA	WC	2.4	Phase I
00 Ground	G-07	NIA	Temporary Exhibition Gallery 01	24.0	Phase I
00 Ground	G-08	NIA	Temporary Exhibition Gallery 02	43.9	Phase I
00 Ground	G-09.1	NIA	Loading/ Crate Storage	13.8	Phase I
00 Ground	G-09.2	Non-NIA	Riser	3.3	Phase I
00 Ground	G-09.3	Non-NIA	Lift	7.2	Phase I
00 Ground	G-09.4	Non-NIA	Lobby	10.4	Phase I
00 Ground	G-09.5	Non-NIA	Plant	12.1	Phase I
00 Ground	G-09.6	NIA	Bin Store	2.3	Phase I
00 Ground	ST-01	Non-NIA	Main Stair	11.2	Phase I
00 Ground	n/a	Non-NIA	Balance Space (I.e. Internal Walls, Columns, Piers, Risers etc.)	55.8	Phase I
GIFA TOTAL 00 (GROUND FLOOR)				622.3	

01 First	F-01	NIA	World Cultures Gallery	37.6	Phase 2
01 First	F-02	NIA	George Eliot Gallery	80.6	Phase 2
01 First	F-03	NIA	Picture Gallery	80.6	Phase 2
01 First	F-04	NIA	The White Gallery	97.4	Phase 2
01 First	F-04.1	NIA	White Store	9.0	Phase 2
01 First	F-04.2	Non-NIA	Riser	2.3	Phase 1
01 First	F-05.1	NIA	Office	36.8	Phase 2
01 First	F-05.2	NIA	Manager's Office	13.5	Phase 2
01 First	F-05.3	NIA	Wet Space	5.7	Phase 2
01 First	F-05.4	NIA	Staff Room/ Kitchen	12.8	Phase 2
01 First	F-05.5	NIA	Store	6.1	Phase 2
01 First	F-06.1	NIA	Main Collection Store	70.6	Phase 2
01 First	F-06.2	Non-NIA	Riser	3.4	Phase 1
01 First	F-06.3	Non-NIA	Lift	7.2	Phase 1
01 First	F-07.1	Non-NIA	Lobby	6.7	Phase 2
01 First	F-07.2	Non-NIA	Toilets	11.2	Phase 2
01 First	F-07.3	Non-NIA	Toilets	11.2	Phase 2
01 First	F-07.4	Non-NIA	Cleaners' Store	1.4	Phase 2
01 First	ST-02	Non-NIA	Emergency Stair	10.3	Phase 2
01 First	n/a	Non-NIA	Balance Space (I.e. Internal Walls, Columns, Piers, Risers etc.)	58.0	Phase 2
GIFA TOTAL - 01 (FIRST FLOOR)				562.4	
GIFA TOTAL				1,241.5	
NIA TOTAL				901.7	
Non-NIA TOTAL				255.0	

4.0 CDM CONSTRUCTION (DESIGN AND MANAGEMENT) REGULATIONS

4.1 DESIGN RISK ASSESSMENT

Under the CDM Construction (Design and Management) Regulations 2015, designers are required to consider health and safety issues during the design stages, with a view to eliminate or reduce risk of harm to those who interact with the building, both during construction and during occupation. The regulations require that risks are identified and fully eliminated wherever possible throughout the design process. All residual risk items need to be mitigated against and managed. All those who hold duties under the CDM regulations, i.e. designers, principal designer, principal contractor, contractors and clients are expected to adopt a principle of prevention when it comes to risks. When risks cannot be fully eliminated, they need to be evaluated and mitigation measures need to be put in place. The following risk assessment was put together collaboratively by the Project Team to identify the key residual design risks of the

Interpretation of risk	12-25	Unacceptable
	7-11	Undesirable
	1-6	Acceptable

Mr Stephen Williams – Price and Myers

Item	Risk Description	Date	Probability 1-5	Impact 1-5	Total	Reason / Cause	Risk Management Strategy
1	Un-known ground conditions and impact on design of sub-structure	4/3/22	2	4	8	No record information available.	Undertake ground investigation survey to assess ground conditions
2	Existing foundations and potential clash with proposed sub-structure	4/3/22	2	3	6	Limited record information available.	Undertake ground investigation survey to assess ground conditions
3	Alterations to existing roof and new roof lights including support of PV's and services plant on existing roof	4/3/22	4	4	16	No record information available on original roof construction and design loading.	Undertake opening up works to investigate existing roof construction and assessment condition
4	Demolition of assumed non-load bearing partitions.	4/3/22	2	3	6	No record information available of structural layout.	Undertake opening up works to investigate existing wall construction
5	Poor condition of existing below ground drainage system	4/3/22	2	3	6	Limited record information available	Undertake CCTV survey to investigate existing system and condition
6	Ground conditions and suitability for soakaways.	4/3/22	2	3	6	Site specific information not available	Undertake ground investigation survey to assess ground conditions
7	UXO impact on ground works during construction.	4/3/22	3	3	9	Area is potentially within a UXO risk area	Desk study to investigate risk with appropriate methodology and review of works on site

Interpretation of risk	12-25	Unacceptable
	7-11	Undesirable
	1-6	Acceptable

Ms Smaranda Ciuboraru – Purcell

Item	Risk Description	Date	Probability 1-5	Impact 1-5	Total	Reason / Cause	Risk Management Strategy
1	Risk of construction personnel falling from height	23/03/2022	2	5	10	Due to installation of plant at roof level, which cannot be installed in any other alternative locations.	Edge protection to be provided on the edge of the roof by the main contractor during construction to facilitate safe working conditions.
2	Risk of maintenance personnel falling from height	23/03/2022	2	5	10	Due to periodic roof plant maintenance access and height of existing parapet being lower than current regulations requirements	A permanent perimeter safety barrier has been specified on the roof, to improve current access conditions.
3	Risk of individuals falling through reinstated roof lanterns	23/03/2022	2	5	10	Due to periodic maintenance access required to the area of the roof adjacent to the lanterns.	Laminated glass to be specified to ensure glass panels maintain their integrity should they be subjected to impact from a falling person or object. Install additional protection around the roof lanterns in the form of a free-standing perimeter handrail if necessary
4	Risk of slips on the roof of the existing museum building	23/03/2022	3	3	9	Due to periodic maintenance access to the roof and the existing pitch and surface of the roof	Slip-resistant walkways have been specified to the areas of the roof requiring maintenance access
5	Risk of falls or injury to maintenance personnel accessing the roof of the existing museum building via the existing cat ladder	23/03/2022	2	4	8	Due to spatial constraints, the existing cat ladder remains the only possible access up to the roof and cannot be replaced with a more easily accessible set of fixed stairs.	A roof access and fall protection specialist has been consulted at this stage and has advised that the cat ladder can be retained as a means of access subject to the ladder being inspected to establish its suitability. A weighted hatch protection system has been specified to eliminate the risk of falls once the hatch has been opened.
6	Risk of individuals tripping or falling on the existing internal stair	23/03/2022	1	4	5	Due to possibility of existing stair not complying fully with current building regulations	An initial appraisal of the existing stairs has been carried out to establish compliance with building regulations. Based on record information, risers, goings, and handrails are generally compliant. The longest flight comprises of 13 risers with a going of under 350 mm (300 mm), which exceeds the maximum of 12 stated within Part M. These figures are based on record information which can be subject to inaccuracies. A detailed review is to be carried out at the next stage, based on accurate measured survey information. All existing nosings are to be replaced to comply with Part K requirements.
7	Risk of flooding and of individuals becoming trapped within the existing museum building's basement during a flooding event, both during construction and during operation	23/03/2022	1	5	5	The site is located in Flood Zones 2 and 3 and is at risk of flooding from the River Anker. The site is not in an area which benefits from flood defences. Given the proposals involve the refurbishment of an existing historic building, it is not possible to raise ground floor FFLs above the flooding level.	Museum's management policies and evacuation procedures to account for flooding risk during operation. Main contractor to consider the risk of flooding in their evacuation procedures during the construction phase.
8	Risk of injury to the public or unauthorised persons near the site from falling objects or structural collapse	23/03/2022	2	4	8	Due to the proximity of the works to the public park	Provide appropriate site barriers and barriers to scaffold, debris netting and adequate signage, etc.
9	Risk of injury to the public due to proximity to the works	23/03/2022	3	5	15	Due to the phased delivery approach and continued occupation of part of the building in between the phases	Provide appropriate site barriers, lighting, signage, debris netting, double board over entrances, no trip hazards, directional signage, warning tape etc.
10	Risk of blocking of fire escape routes and muster points if majority of ground floor areas are to be in occupation during Phase 2 of the construction works	23/03/2022	4	3	12	Due to the Client's intention to provide visitor access to a majority of ground floor areas while Phase 2 works take place on the first floor of the museum building. Access to the phase 2 site would be via an alternative means of escape from the multi-functional space on the ground floor, which would become off limits to visitors	Fire Engineer (being appointed at next design stage) to review and put together a fire strategy which accounts for the continued occupation in between the construction phases. Limits to occupancy figures may be put in place, depending on the means of escape available.
11	Risk of asbestos exposure to construction personnel and damage to health	23/03/2022	2	5	10	Due to the age of the original museum building and rear extension, asbestos containing materials are likely to be present.	A refurbishment/ demolition survey to be carried out before commencement of any works to locate and identify any ACM before any structural work begins and ensure nobody is harmed by work on ACM.
12	Risk of exposure of construction personnel to stone and masonry dust.	23/03/2022	4	3	12	Due to nature of works, this hazard is not avoidable	Appropriate protective equipment and masks to be provided. Main contractor to provide any necessary mechanical dust extraction system when in enclosed system.
13	Risk of injury to construction personnel due to structural collapse of existing building	23/03/2022	1	4	4	Due to unknown condition of various structural elements of the existing building.	All necessary surveys and opening up works to be carried out before commencement of any works.
14	Risk of injury to construction personnel due to handling of heavy objects	23/03/2022	4	3	12	Due to nature of works, this hazard is not avoidable	Main contractor to provide method statement
15	Risk of injury to construction personnel or members of the public due to work near civil services	23/03/2022	2	5	10	Work over existing services, including gas main, could cause explosion or injury	Disconnect all existing services and cables as part of the works and provide temporary services if necessary

Interpretation of risk	12-25	Unacceptable
	7-11	Undesirable
	1-6	Acceptable

Mr Adam Mcfarlane - CBG Consultants

Item	Risk Description	Date	Probability 1-5	Impact 1-5	Total	Reason / Cause	Risk Management Strategy
1	Falling from height.	02/03/2022	2	5	10	Working at height and on the roof.	<ul style="list-style-type: none"> Appropriate access equipment to be used. Access equipment to be regularly checked by competent person. Staff to be appropriately trained in the use of access equipment. Appropriate edge protection to be provided. Harnesses to be used as appropriate.
2	Electrocution	02/03/2022	1	5	5	Working on electrical equipment.	<ul style="list-style-type: none"> No live working. Isolation (including verification) and locking off supplies. All operatives involved to be suitably qualified and experienced.
3	Public and staff injury	02/03/2022	2	5	10	Phased works that contemplate the possibility of simultaneous operation part of the museum, the park and the registry office.	<ul style="list-style-type: none"> Temporary fencing and signage to be provided. Temporary fencing shall not compromise the escape routes. If necessary, temporary (clearly signed) escape routes shall be provided.
4	Personal injury and infrastructure damage	02/03/2022	1	4	4	Working near concealed services in the building.	<ul style="list-style-type: none"> Use of detection equipment before penetrating structure. Review as-installed drawings, O&Ms. General awareness. Look out for evidence of existing concealed services (recessed accessories, services entering walls in works area and adjacent rooms.
5	Personal injury and property damage	02/03/2022	2	5	10	Delivery and installation of large pieces of equipment.	<ul style="list-style-type: none"> Banksmen to be used when large vehicular movements are taking place on site. Area beneath plant being lifted to be cleared Appropriate lifting equipment and specially trained operatives to be used.
6	Exposure to asbestos	02/03/2022	1	5	5	Working near identified asbestos.	<ul style="list-style-type: none"> Refer to the building's Asbestos registry. Where the work could involve disturbing or stripping out presumed asbestos, this shall be notified and carried out by a licensed Asbestos contractor.
7	Hot working	02/03/2022	1	4	4	Welding steel heating pipework over 65mm.	<ul style="list-style-type: none"> Permit to work system to be used. Correct operatives training. Inform operatives of emergency procedures. Employ 90 minute fire watch after hot works finished. Contractor to provide fire fighting equipment/extinguishers with operatives where hot works employed.
8	Use of portable soldering guns	02/03/2022	1	4	4	Soldering copper pipework.	<ul style="list-style-type: none"> Hot Work Permit to be in place for use of portable gas burners for pipework soldering. When bottles not in use ensure they are stored in cages.
9	Personal injury and falling from height.	02/03/2022	4	4	16	Accessing the roof via vertical cat ladder, potentially carrying materials or tools.	<ul style="list-style-type: none"> Appropriate access equipment to be used. Access equipment to be regularly checked by competent person. Staff to be appropriately trained in the use of access equipment.

5.0 ADDITIONAL SURVEYS AND SPECIALIST APPOINTMENTS

5.1 SCHEDULE OF SURVEYS AND APPOINTMENTS

Job Ref: 241494
 Description: Nuneaton Museum and Art Gallery
 Issue Date: 30/03/2022
 Revision: P04
 Notes: This schedule provides a list of additional specialist appointments, surveys and reports recommended by the Consultant Team prior to the commencement of RIBA Stage 4

Specialist Appointments Required										
Item	Appointment Required	Description	Deadline	Action	Action Owner	Potential Service Providers	Date Tender Issued	Date Tender Received	Cost (£) Excl.VAT	Status
I.1	Fire Engineer	<p>It is recommended that a Fire Engineer is appointed ahead of RIBA Stage 4 to provide advice in relation to the fire safety aspects of the design, to achieve an acceptable standard of fire safety, compliant both with the Client's occupancy objectives and with all relevant legal fire safety requirements.</p> <p>The Fire Engineer will identify the fire safety design objective for the project, work with the design team to develop a design which meets the fire safety design, document the fire safety design in a fire strategy report, assist the design team in producing fire drawings, coordinate with relevant third parties from whom approval is required (i.e. Building Control/ Fire Services), review design documentation produced by others in the design team to ensure it complies with the fire strategy, update fire strategy during construction phase should any changes occur, verify that final as-built information complies with the fire strategy.</p>	Prior to RIBA Stage 4	<p>Verify proposed scope of works and obtain tenders from a minimum of 3 No. companies</p> <p>(29/03) Purcell recommend Cundall</p>	Purcell	<p>Company: Trigon Fire Contact: David Bostelmann Email: david@trigonfire.com Tel: 07507 968630</p>	09/03/2022	18/03/2022	£32,500	CLOSED
						<p>Company: Cundall Contact: Andy Bishop Email: a.bishop@cundall.com Tel: 0121 262 2720</p>	09/03/2022	18/03/2022	£19,000.00	
						<p>Company: The Fire Surgery Contact: Frances Radford Email: frances.radford@thefiresurgery.com Tel: 07446 823818</p>	09/03/2022	Declined	N/A	
						<p>Company: Bureau Veritas Contact: Edward Hill Email: edward.hill@uk.bureauveritas.com Tel: 0345 600 1828</p>	16/03/2022	29/03/2022	£15,500	
						<p>Company: OFR Consultants Contact: Chris Mayfield Email: chris.mayfield@ofrconsultants.com Tel: 0330 995 0648</p>	16/03/2022	Declined	N/A	
I.2	Acoustic Consultant	<p>Specialist advice will be required for the acoustic treatment of several key areas within the building (multi-functional space, café).</p> <p>The Acoustic Consultant will visit site, conduct measurements to quantify any issues, analyse results and prepare tailored advice, including the evaluation of different acoustic products.</p>	Prior to RIBA Stage 4	<p>Verify proposed scope of works and obtain tenders from a minimum of 3 No. companies</p> <p>(08/03) Purcell to issue requests for fee proposals</p> <p>(28/03) Purcell recommend Pace Consult</p>	Purcell	<p>Company: Cundall Contact: Andrew Parkin Email: a.parkin@cundall.com Tel: 07909 962793</p>	11/03/2022	18/03/2022	£17,500	CLOSED
						<p>Company: Sandy Brown Contact: Bob Albon Email: birmingham@sandybrown.com Tel: 0121 2275020</p>	11/03/2022	18/03/2022	£27,300	
						<p>Company: Pace Consult Contact: Juan-Carlos Blanco Email: info@paceconsult.co.uk Tel: 0845 241 0142</p>	11/03/2022	15/03/2022	£8,400.00	

I.3	Building Control	A pre-app was held during RIBA Stage 3 with Phil Hanson (Central Building Control Partnership). Purcell/ Chana Projects to obtain a fee quotation for a full plans application. The application fee will cover all administration, plan check assessment, all relevant statutory consultations and a site inspection process.	Prior to RIBA Stage 4	(08/03) Fee proposal received (below £7,500 threshold to obtain alternative fee quotations)	Purcell	Company: Central Building Control Partnership Contact: Phil Hanson Email: phil.hanson@centralbc.org.uk Tel: 07968 894636	24/02/2022	£2,189.91	CLOSED	
I.4	Exhibition/ Interpretation Designer	Exhibition designer input would be preferable as early as possible (ideally prior to the commencement of RIBA Stage 4), to ensure the architectural and M&E designs are fully coordinated with the exhibition design proposals. It was confirmed by the Client during RIBA Stage 3 that plans are in place to commission exhibition concept designs, but the procurement of these is yet to commence.	Prior to RIBA Stage 4	Verify proposed scope of works and obtain tenders from a minimum of 3 No. companies. Client (NMAG) to assist with development of scope of works/ appointment brief (08/03) Purcell have issued list of Exhibition & Interpretation Designers and outline tender document. Assumed appointment shall be tendered via the N&BBC tendering portal (28/03) A budget allowance to be made at this stage	NMAG				OPEN	
I.5	Lighting Designer	A lighting designer will need to be appointed prior to the commencement of RIBA Stage 4. Ideally, they would be working alongside the exhibition designers to develop fully coordinated designs for the exhibition spaces. The design services will involve the development of a lighting scheme which is integrated with the architectural design, coordination with the rest of the Design Team to develop the designs, development of details, technical specifications, drawings, lighting schedules, lighting calculations, etc.	Prior to RIBA Stage 4	Verify proposed scope of works and obtain tenders from a minimum of 3 No. companies (08/03) Scope of Services received from CBG; Fee proposal received (below £7,500 threshold to obtain alternative fee quotations)	Chana Projects	Company: CBG Consultants Contact: Chris Dicks Email: cd@cbgc.com Tel: 07827 926550 Company: Cundall Light4 Contact: Andrew Bissell Email: a.bissell@cundall.com Tel: 07899 907978 Company: Sutton Vane Associates Contact: Julie O'Reilly Email: j.oreilly@sva.co.uk Tel: 020 8563 9370	08/03/2022	08/03/2022	£4,992.00 (RIBA Stage 4) £11,960.00 (RIBA Stage 4-7)	CLOSED

SCHEDULE OF SURVEYS & APPOINTMENTS

Job Ref: 241494
 Description: Nuneaton Museum and Art Gallery
 Issue Date: 30/03/2022
 Revision: P04
 Notes: This schedule provides a list of additional specialist appointments, surveys and reports recommended by the Consultant Team prior to the commencement of RIBA Stage 4

Specialist Surveys/ Reports Required

Item	Surveys/ Reports Required	Description	Deadline	Action	Action Owner	Potential Service Providers	Date Tender Issued	Date Tender Received	Cost (£) Excl.VAT	Status
2.1	Ground Investigation Survey	A ground investigation survey will be required to review the existing ground conditions and design criteria for the new sub-structure. Obtaining an early understanding of the underlying ground conditions also helps mitigate any associated risks	Prior to RIBA Stage 4	Price & Myers to assist with specifying the scope of work for the ground investigations (08/03) Price & Myers issue request for fee proposals (separate from Colour's wider ground investigation scope) (28/03) Price & Myers recommend Listers	Price & Myers	Core Geotechnics		21/03/2022	£12,515	CLOSED
						Listers Geotechnics		21/03/2022	£12,515.00	
						Omnia		21/03/2022	£17,500	
2.2	Opening Up Investigation Works	Opening up works to investigate the existing building structure will be required before the commencement of RIBA Stage 4	Prior to RIBA Stage 4	Price & Myers to assist with providing a full list of opening up works required (08/03) Price & Myers to provide a mark-up of opening-up works as necessary to support ongoing structural investigations; PC to obtain quotes (28/03) Mark-up provided, no quotes received to date. A budget allowance to be made at this stage	Price & Myers/ Chana Projects					OPEN
2.3	CCTV of Existing Below Ground Drainage	A CCTV drainage survey will be required before commencement of RIBA Stage 4. During RIBA Stage 3, it was confirmed by Colour that the list of surveys they have commissioned for the wider Riversley Park project does not include for CCTV drainage survey.	Prior to RIBA Stage 4	Price & Myers to assist with specifying the scope of work for the CCTV drainage survey (08/03) Quotes obtained by P&M; Drainage Lab recommended as their quote is competitive, they are proactive on site and have established working relationships. They also provide CAD drawings within their fees.	Price & Myers	Drainage Lab		16/02/2022	£2,125	CLOSED
						M J Rees		16/02/2022	£6,023	
						Plowman Craven		16/02/2022	£6,450	
						MK Surveys		16/02/2022	£5,090	

2.4	Measured Building Survey (2D or 3D)	The current survey information is out of date and inaccurate. During RIBA Stage 3, some inconsistencies with the survey information were observed. It would be advisable to undertake another survey prior to the commencement of RIBA Stage 4. Further confirmation is required from the Client whether BIM is to be adopted to meet funding requirements	Prior to RIBA Stage 4	NMAG to confirm BIM requirements Purcell to assist with specifying the scope of the measured survey (08/03) BIM requirement confirmed by Catherine Nisbett on 23/02/2022; Purcell to obtain fee proposals for both 2D & 3D surveys (28/03) Purcell recommend Warner Surveys - 3D survey cost to be factored into the Cost Plan	Purcell	Company: Glanville Contact: John Hallett Jones Email: JHallett-Jones@glanvillegroup.com Company: MK Surveys Contact: Jay Shakespeare Email: jay.shakespeare@mksurveys.co.uk Company: Christians Contact: Kira Greenwood Email: kira@christiansltd.com Company: Warner Surveys Contact: Oliviu Tulai Email: oliviu.tulai@warnersurveys.com	11/03/2022 11/03/2022 11/03/2022 11/03/2022	16/03/2022 17/03/2022 16/03/2022 25/03/2022	£6,600 (2D) £16,250 (3D) £8,960 (2D) £46,000 (3D) £6,650 (2D) £12,950 (3D) £6,850 (2D) £9,450 (3D)	CLOSED
2.5	Topographical Site Survey	During RIBA Stage 3, it was confirmed that Colour are commissioning a topographical survey which includes the area of the NMAG development which will include a sub-surface scan	Prior to RIBA Stage 4	Purcell to liaise with Colour and find out what the latest timescales are (08/03) Fee proposal received; Topographical Site Survey and Utilities Plan completed	Purcell				N/A (Survey procured by Colour)	CLOSED
2.6	Asbestos Survey	The following asbestos related documents are already on file, as issued by Glenn Hooper 08/11/2021: - Asbestos Register Inc. Completed Management Action Plan (Date: 02/02/2015) - Asbestos Register (Date: 03/09/2020) - Asbestos Register (Date: 14/09/2021)	Prior to RIBA Stage 4	24/03: Fee proposal received (below £7,500 threshold to obtain alternative fee quotations)	Chana Projects	Company: Riverside Contact: Richard Farmer Email: richard.farmer@riverside-es.com Tel: 0870 950 0161		21/03/2022	£3,050.00	CLOSED
2.7	Electrical Load Test (Existing Building and/or Local Substation Capacity)	CBG to provide further details	Prior to RIBA Stage 4	CBG to provide further details (08/03) Fee proposal received	CBG	Company: MES (Midands Electrical Specialists) Contact: Dave Simpson Email: dave@mesltd.com Tel: 01827 63293		08/02/2022	£543.26	CLOSED
2.8	Ultrasonic testing of existing pipework, to establish suitability for reuse	CBG to provide further details	Prior to RIBA Stage 4	CBG to provide further details (28/03) A budget allowance to be allowed for at this stage based on the £650 day rate provided by Capital Ndt	CBG	Company: Capital Ndt Contact: Max Debae Email: max@capitalndt.co.uk		21/03/2022	£650 day rate < 10 days	IN PROGRESS
2.9	Ecology survey of the wider site	Chana Projects to provide further details	Prior to RIBA Stage 4	24/03: Fee proposal received (below £7,500 threshold to obtain alternative fee quotations)	Chana Projects	Company: Star Ecology Contact: R. M. Jones Email: info@starecology.co.uk Tel: 07866 440915		22/03/2022	£1,200.00	CLOSED

5.2 RECOMMENDATION AND NEXT STEPS

The enclosed schedule includes all additional surveys and specialist appointments required prior to the commencement of RIBA Stage 4. N&BBC will be appointing these service providers directly. The quotes and fee proposals obtained during RIBA Stage 3+ by the Project Team comply with N&BBC's internal rules summarised below:

- For services of up to £7.5k - 1 written quote
- For services between £7.5k and £25k - 3 written quotes
- Services above £25k - to be procured via the N&BBC tendering portal, via a current contract or framework agreement

The Project Team have made recommendations for each item, based on the competitiveness of the quotations as well as on previous working experiences with the various service providers. The recommendations are highlighted on the schedule, as well as summarised below:

- **Fire Engineer:** Cundall (£19,000 + VAT)
- **Acoustic Consultant:** Pace Consult (£8,400 + VAT)
- **Building Control:** Central Building Control Partnership (£2,189.91 + VAT)
- **Lighting Designer:** CBG Consultants (£4,992 + VAT - Stage 4)
- **Ground Investigation Survey:** Listers Geotechnics (£12,515 + VAT)
- **CCTV Drainage Survey:** Drainage Lab (£2,125 + VAT)
- **Measured Building Survey (3D):** Warner Surveys (£9,450 + VAT)
- **Asbestos Survey:** Riverside (£3,050 + VAT)
- **Electrical Load Test:** MES (£543.26 + VAT - already carried out)
- **Ultrasonic Pipework Testing:** TBC (budget allowance £650 day rate < 10 days)
- **Ecology Survey:** Star Ecology (£1,200 + VAT)

Next Steps:

The Project Team recommend that all these additional surveys and appointments are completed before the commencement of RIBA Stage 4. However, two of the surveys should be prioritised and carried out as soon as the funds are available:

1. Ground Investigation Survey:

Three different service providers have been approached: Core Geotechnics, Listers Geotechnics and Omnia. Omnia is the company currently undertaking the main ground investigation works for the wider park project. The Project Team have no prior experience of working with Omnia. Price & Myers have made a recommendation for Listers to be appointed, as their proposal is the most comprehensive, accounting for additional costs not included in the Core proposal.

2. Below Ground CCTV Survey:

Four different service providers have been approached: Drainage Lab, M J Rees, Plowman Craven and MK Surveys. Price & Myers would recommend proceeding with Drainage Lab, as their quote is the most competitive and have worked well together on previous projects. They also provide CAD drawings as part of their fee.

Exhibition Designer

The contract value of the Exhibition & Interpretation Designer services is likely to exceed the £25k threshold, and will therefore require to be tendered via the N&BBC tendering portal. Purcell have provided a long list of Exhibition & Interpretation Designers with whom we have collaborated previously, as well as an outline standard tender document. Without the possibility to firm up these fees as part of RIBA Stage 3+, a budget allowance has been made within the Cost Plan for these services.

All recommended quotes can be found within Appendix D of this report. The remainder of the quotes will be shared separately with the Client via e-mail.

6.0 PROCUREMENT

6.1 EXECUTIVE SUMMARY

Under this section, we aim to set out the various options in terms of procurement strategies and their impact upon project delivery.

In September 2021, N&BBC (Nuneaton & Bedworth Borough Council) appointed the consultant team to oversee the RNMAG (Reimagining Nuneaton Museum & Art Gallery) project via the Pagabo Professional Services Framework. The primary objective was to secure planning approval by March 2022, to support the ongoing funding application process. At this stage, the longer-term procurement strategy had not been agreed, nor did it have a material impact on the design development process given the immediate need to secure planning approval.

Moving forwards, the procurement strategy will need to be agreed prior to the commencement of RIBA Stage 4, as this will determine the level of information to be provided at successive stages of the project, whilst defining the roles and responsibilities of each party. This report does not provide a recommendation with regards to the implementation of a procurement strategy, however it provides the necessary context to prompt a decision.

The final decision regarding the adopted procurement strategy is linked to the ongoing funding application process and its impact upon the delivery programme/ project phasing. Certain forms of procurement, such as design and build, are selected when programme constraints may necessitate early involvement and transfer of design responsibilities to the Main Contractor. The current RNMAG programme suggests a more protracted programme, which would facilitate completion of a fully detailed design during RIBA Stage 4 under a traditional form of procurement, prior to tendering a Main Contractor to oversee the construction phase.

It is also important to note that each form of procurement has specific implications in terms of cost, time and quality considerations, which need to be aligned with the overarching project objectives (as explored later in this report).

Further to the above, both a design and build or traditional form of procurement remain viable options for the RNMAG project, which is supported following soft market testing via the Pagabo Medium Works Contractor Framework. Likewise, the preferred form of contract was split between NEC and JCT, therefore a decision may come down to familiarity or preferred method of change control.

6.2 PROCUREMENT OVERVIEW

Although the most important considerations for any Client are typically cost, time and quality, decisions regarding procurement invariably require a certain degree of compromise or conscious balancing of these priorities. Specific procurement routes may provide greater certainty in respect of each of these considerations, whilst the preferred route may be dependent on the Client's predisposition to risk.

In order to select the most appropriate procurement route, we encourage Clients to establish a contract profile using a radar chart to graphically illustrate the three considerations of cost, time, and quality in terms of contract priorities. Even where they are not in conflict, these elements need to be reconciled and ideally balanced. Asking the right questions at the right time might result in a visual profile which allows quick comparisons, and helps in arriving at the appropriate contract (Refer to Fig.1)

Once a contract profile has been determined, it is then possible to align the Client's strategic objectives against the various forms of procurement. It is generally accepted there are three core methods of procurement currently practiced in the UK;

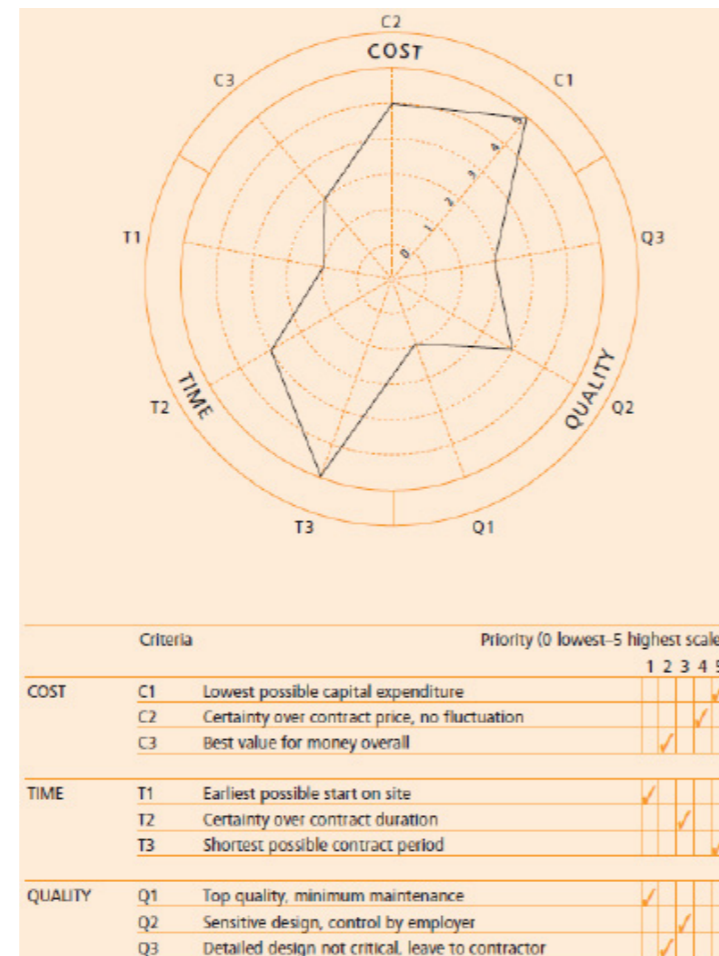
(1) traditional or conventional approach, in which design and construction are theoretically regarded as separate elements;

(2) design and build, which implies a more integrated approach;

(3) management, by which either the Client or a Main Contractor assumes the central management responsibility.

There are in addition many variants, hybrids and compounds of these methods, such as partnering arrangements which may constitute an over-arching agreement, which encompass one or several contracts let under one of the three core methods.

FIG 1: ESTABLISHING A CONTRACT PROFILE



Source: Which Contract? (5th Edition) (RIBA Publishing, 2012)

Table 1 provides a comparison of the alternative procurement routes typically adopted in the UK. It highlights the relative advantages and disadvantages of each approach, whilst helping to identify the most suitable procurement route according to the Client's strategic objectives, specifically relating to cost, time and quality.

TABLE I: COMPARISON OF ALTERNATIVE PROCUREMENT ROUTES

PROCUREMENT ROUTE	ADVANTAGES	DISADVANTAGES
TRADITIONAL	<ul style="list-style-type: none"> Complete control over design and product selection Reduction in post contract changes 	<ul style="list-style-type: none"> Longest lead time before starting on site (depending on the works commencement date), therefore longer overall programme Design risk sits with client No price certainty until much later in project No sub-contractor input No incentive for contractors to solve problems
MANAGEMENT CONTRACTING/ CONSTRUCTION MANAGEMENT	<ul style="list-style-type: none"> Client retains full control of the project Design and construction overlapped, reducing overall programme Flexibility to make changes Open book approach 	<ul style="list-style-type: none"> Client unable to transfer design and project risks Increased contract management No price certainty until very late in the construction phase Very resource intensive for Client team More suited to large complex projects
PARTNERING	<ul style="list-style-type: none"> Least adversarial approach Open book approach Early contractor input on buildability issues Should achieve a high-quality product 	<ul style="list-style-type: none"> More costly Client unable to transfer design and project risks No price certainty until end of construction phase Not suited to one-off projects where there is little opportunity to benefit from long-term relationship
SINGLE-STAGE DESIGN AND BUILD	<ul style="list-style-type: none"> More likely to achieve lowest price Potential for early cost certainty Contractor takes on design liability Risk transfer to the contractor Design and construction can be overlapped reducing the overall programme Client can choose extent of design carried out prior to commencing on site 	<ul style="list-style-type: none"> Loss of control over product selection (this depends on the level of design carried out prior to tender and how detailed the Employer's Requirements are) Post contract changes often more expensive Quality can suffer (this depends on the completeness of the design and Employer's Requirements and how well the construction phase is monitored) Contractors may be less willing to participate in a single stage tender in a buoyant market, particularly the bigger contractors that would be more appropriate for this project
TWO-STAGE DESIGN AND BUILD	<ul style="list-style-type: none"> Can achieve a reduced programme over single stage as design and tender stages can be overlapped to a greater extent Early contractor involvement where buildability is important More likely to receive a quality product as the contractor margins aren't as tight Contractors more willing to tender this route in a buoyant construction market 	<ul style="list-style-type: none"> More expensive than single stage due to reduced competition Other project experience indicates 15-20% more expensive Conclusion of second stage tender can be protracted Loss of control over product selection (this depends on the level of design carried out prior to tender and how detailed the Employer's Requirements are) Post contract changes often more expensive

Source: Procurement Overview Provided by Matthew Wallbank (Strategic Creditors & Procurement Manager - N&BBC) on 23/03/2022

6.3 FORM OF CONTRACT

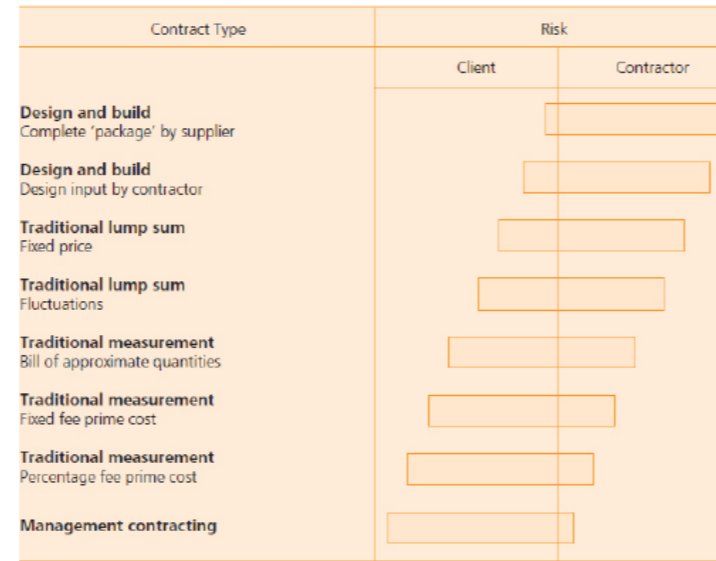
The chosen procurement method is likely to prove the most appropriate in a given situation, depending upon the nature and scope of the work proposed, how the risks are to be apportioned, how and where responsibility for design is to be placed, how the work is to be coordinated, and on what price basis the contract is to be awarded.

Its important to consider that the choice of form (or forms) of contract cannot usually be determined until the procurement method and the type of contract have been established.

Table 2 provides an overview of the price basis upon which a contract may be selected, although this is once again largely dependent upon the Client's predisposition to risk.

Tables 3 + 4 provide a comparison between JCT and NEC forms of contract, including guidances notes as to the type of project where these may be deemed suitable.

FIG 2: RISK VS. FORM OF CONTRACT



Source: Which Contract? (5th Edition) (RIBA Publishing, 2012)

TABLE 2: COMPARISON OF PRICE BASIS UPON WHICH A FORM OF CONTRACT MAY BE SELECTED

PRICE BASIS	ADVANTAGES	DISADVANTAGES
FIXED PRICE	<ul style="list-style-type: none"> High level of cost certainty Clear basis for risk transfer Most effective where design and Client requirements are fully detailed 	<ul style="list-style-type: none"> Fixed price doesn't mean final price – changes and/or risk can add to costs No mechanism for sharing savings Requires full and complete information for competitive pricing Change can be more expensive
GMP (GUARANTEED MAXIMUM PRICE) (Savings Shared in Pre-Agreed %'s)	<ul style="list-style-type: none"> Good level of cost certainty Contractor can be incentivised to find savings Opportunity for Client to share savings 	<ul style="list-style-type: none"> Contractor is only motivated to find savings if GMP has some premium in it GMP doesn't always mean maximum price – changes and/or risks can add to costs Contractor may be resistant to changes which can impact price or programme
TARGET COST/ SHARED RISK AND REWARD (Savings and Over-spend Shared in Pre-Agreed %'s)	<ul style="list-style-type: none"> Equitable risk sharing incentivises contractor, so more willing to find cost-effective solutions Opportunity for Client to share savings Least expensive route for change 	<ul style="list-style-type: none"> Lower level of cost certainty Risk of shared cost over-runs More Client involvement required to drive value Clarity needed on risk transfer

TABLE 3: JCT FORM OF CONTRACT

FORM/ TYPE OF CONTRACT	GUIDANCE NOTES
Minor Works Building Contract	<ul style="list-style-type: none"> "Traditional" simple works contract (JCT indicative contract value <£100k) Design element (if any) completed by party other than the Main Contractor (except CDP) Need sufficiently detailed drawings and specifications to be incorporated to define the works Architect/Contract Administrator to administer the contract Traditional: Employer separately employs Main Contractor to undertake the Works and Professional Consultants to design and/or manage (i.e. Architect)
Intermediate Building Contract	<ul style="list-style-type: none"> "Traditional" medium works contract (JCT indicative contract value <£500k) Works designed by person other than the Main Contractor Must provide Main Contractor with detailed drawings, bills of quantities, specification of work schedules to define the work Allows for CDP (Contractor's Designed Portion) Architect/Contract Administrator and Quantity Surveyor will administer the contract Can be used where work to be carried out in sections As per Minor Works Building Contract, Sub-Contractors may be used who would be employed directly by the Main Contractor
Standard Building Contract	<ul style="list-style-type: none"> "Traditional" high value works contract (JCT indicative contract value >£500k/ complex scheme) Works can be delivered in sections Employer has detailed control over design "High maintenance" for Employer (i.e. needs sufficiently detailed drawings and specifications/bills of quantities to be incorporated to define the Works; or Architect/Contract Administrator and Quality Surveyor to administer project) Allows for CDP (Contractor's Designed Portion) Can be used where known specialists are to be used (Named Specialists) As the value of the Contract increases the more likely funders will want some control of the arrangements through their agreement with the Employer
Design and Build Contract	<ul style="list-style-type: none"> "Alternative" high value works contract (>£500k/ complex scheme/ low management) Works can be delivered in sections Allows for less expertise resources of Employer (i.e. Main Contractor to deliver Works and complete the design, Employer's Requirements/Contractor's Proposals to be incorporated setting out extent of works and to what standards they are to be designed/completed) Architect can "switch" to being employed by the Main Contractor (via novation) Employer's Agent to administer the Contract Contract arrangement changes as construction starts, with the employment of the professional consultants "switching" from the Employer to the Main Contractor so that the Main Contractor is responsible to the Employer for delivery of the "whole package"

Source: Procurement Overview Provided by Matthew Wallbank (Strategic Creditors & Procurement Manager - N&BBC) on 23/03/2022

TABLE 4: NEC (ENGINEERING AND COSTRUCTION) FORM OF CONTRACT

FORM/ TYPE OF CONTRACT	GUIDANCE NOTES
Option A: Priced Contract with Activity Schedule	The Main Contractor offers to provide the works for a nominal price. The contract provides for certain risks to be carried by the Employer, which results in the lump sum being adjusted if compensation events occur. The activity schedule is normally written by the Main Contractor since they are the party who understands which activities will need to be carried out. Each activity is priced as a lump sum by the Main Contractor, which is the amount paid when they complete the activity. In pricing an activity, the Main Contractor takes on responsibility for estimating quantities, resources and assessing/ pricing risks
Option B: Priced Contract with Bill of Quantities	The Employer provides a Bill of Quantities which is priced by the Main Contractor. The contract price is the sum of prices for all items within the Bill, which may include lump sums for certain items. The Main Contractor (by means of re-measurement) is paid for the actual work carried out. Where there are differences, these shall be corrected and payment made to the Main Contractor to reflect the actual work carried out. Under this option, unlike Option A, the Employer takes the risk of the correctness of the quantities. Option B would normally be used where the risk of change in quantities is relatively high
Option C: Target Contract with Activity Schedule	The Main Contractor tenders (or negotiates) a target price using an activity schedule. Each activity is priced as a lump sum, whilst a fee is tendered as a percentage for subcontract work and for the Main Contractor's own direct work. The initial target price is the sum of the activity prices and the fee. During the course of the contract, the target price is adjusted to cater for compensation events that are set out in the contract. Payment is made on the basis of actual costs with an incentive mechanism for the Main Contractor to minimise costs. Savings and over-runs are shared between the parties usually on a sliding scale. The sharing of risk is likely to reduce the occurrence of disputes.
Option D: Target Contract with Bill of Quantities	This is similar to Option C except that the target price is established by means of a Bill of Quantities rather than an activity schedule. During the course of the contract, the target price is adjusted to allow for changes of quantities as well as for compensation events so the Employer carries a greater risk than is the case with Option C.
Option E: Cost Reimbursable Contract	Under this option the Main Contractor takes a very small risk since they are paid for actual cost plus management fees, with only a small number of constraints to protect the Employer from inefficient working or incompetence by the Main Contractor. It is typically used when the work to be carried out cannot be defined at the outset and the risks are high. It may also be used for emergency work.
Option F: Management Contract	This option is suitable for management contracts in which all or most of the work is done by sub-contractors, and the Main Contractor manages the procurement tasks and work undertaken by the subcontractors. Payment is made to the Main Contractor for the cost of the sub-contracts plus a management fee. The Employer carries most of the risk.

Source: Procurement Overview Provided by Matthew Wallbank (Strategic Creditors & Procurement Manager - N&BBC) on 23/03/2022

6.4 CONTRACTOR FRAMEWORKS

There are a number of national and regional contractor frameworks available to the public sector.

Although, in theory, it is possible for Nuneaton & Bedworth Borough Council to access any frameworks on the basis it is compliant, it is common practice for these to be chosen based upon location. The framework for that region will normally be most relevant regarding the selection criteria and KPI's.

The main benefits of using a framework are:

- Avoids the need to adopt an 'above threshold' procurement process via Find a Tender (previously known as OJEU), as the framework has been put in place by the framework provider in accordance with the Public Contract Regulations. This is becoming ever more desirable in a climate where contractors are more likely to challenge the decision where they have not been selected. This also reduces the overall programme and management costs;
- A contractor can be appointed much quicker. This is particularly relevant where buildability input may be beneficial to the project;
- A framework can be selected which includes contractors with a track record of delivering similar projects;
- Frameworks include KPI's which the contractors are assessed against and incentivises them to perform well. This is particularly important where a one-off project is being delivered. KPI's also incentivise the contractor to use local labour and suppliers;
- Delivery of Social Value – some frameworks are stronger than others for this

Some frameworks can be used for single-stage procurement routes, however the majority of them are based on a two-stage design and build procurement route.

Table 5 provides a summary of alternative frameworks, which may be deemed appropriate to this project.

TABLE 5: COMPARISON OF ALTERNATIVE CONTRACTOR FRAMEWORKS

FRAMEWORK PROVIDER	FRAMEWORK NAME	START DATE	END DATE	FRAMEWORK LOT (IF APPLICABLE)	FRAMEWORK SUPPLIERS	CALL-OFF METHODS	PRE-DEFINED CALL-OFF CONTRACT
PAGABO	Medium Works Framework	December 2018	December 2022	Lot 2 (£1m - £5m)	<ul style="list-style-type: none"> Ashe Construction Clegg Construction ENGIE Regeneration GF Tomlinson Building Interserve Construction Morgan Sindall Seddon Construction Speller Metcalfe VINCI Construction UK 	<ul style="list-style-type: none"> Direct Award Further Competition (two-stage 4-6 weeks) Further Competition (single-stage 8-10 weeks) 	<ul style="list-style-type: none"> NEC3 NEC4 JCT
CWM (Constructing West Midlands)	Capital Works Framework	1st December 2020	30th November 2024 (with option to extend for a further 2 years)	Lot 1 (£250k - £5m)	<ul style="list-style-type: none"> Interclass Tomlinson Speller Metcalfe Seddon 	<ul style="list-style-type: none"> Direct Award (Client discretion or automated selection) Mini Competition (fast-track or full) Single-Stage Two-Stage (open book) Hybrid 	<ul style="list-style-type: none"> NEC4 JCT
CCS Construction Framework – RM6088	Construction Works and Associated Services – North England	30th October 2019	30th October 2026	Lot 2.1 (£3m - £10m)	<ul style="list-style-type: none"> Conlon Construction GF Tomlinson Building Galliford Try Henry Boot Construction Henry Brothers ISG Jeakins Weir Kier Mclaughlin & Harvey Speller Metcalfe Tilbury Douglas Wates Willmott Dixon 	<ul style="list-style-type: none"> Competitive Award Procedure Direct Award 	<ul style="list-style-type: none"> NEC JCT PPC2000 TAC-1 SBCC
SCAPE	SCAPE Construction/ England and Wales	September 2021	September 2025 (with option to extend for a further 2 years)	up to £7.5m	<ul style="list-style-type: none"> Kier Morgan Sindall 	N/A	TBC
NHS Shared Business Services	Public Sector Construction Works	17th December 2020	16th December 2023 (with option to extend until 2027)	Lot 2 (£2.5m - £5m)	<ul style="list-style-type: none"> GF Tomlinson Building Interserve Construction J Tomlinson MTX Contracts 	<ul style="list-style-type: none"> Direct Award Mini Competition 	<ul style="list-style-type: none"> NEC JCT
Procure Partnerships Framework	Procure Partnerships Framework - West Midlands Contractor Framework	19th November 2019	18th November 2023	£1m - £4m	<ul style="list-style-type: none"> Harper VINCI Construction UK Speller Metcalfe Mac Midas Stepnell Seddon Construction Tilbury Douglas 	<ul style="list-style-type: none"> Two-Stage Mini Competition (4-6 weeks) Single-Stage Tender (7-10 weeks) Mini Competition Express (1 week) Direct Award (1 week) 	<ul style="list-style-type: none"> NEC JCT

Source: Procurement Overview Provided by Matthew Wallbank (Strategic Creditors & Procurement Manager - N&BBC) on 23/03/2022

6.5 TENDERING PROCEDURES - ABOVE TENDER THRESHOLD

The current Find a Tender (FTS) threshold for construction works is £5,336,937 (Gross)/ £4,447,448 (Net) (as of 1 January 2022).

There are five possible procedures that can be used to tender projects:

- Open
- Restricted
- Competitive Dialogue
- Competitive procedure with negotiation
- Innovation Partnership

For a project of this nature, the most suitable tendering route is considered the Restricted procedure, enabling the tender process to progress in parallel with the ongoing design development to maximise programme efficiency. However, more recently, Nuneaton & Bedworth Borough Council have adopted the Competitive procedure with negotiation. This route allows greater flexibility to run a tender process in a way that better suits construction procurement.

It is important the procedure for shortlisting and/or selection of contractors is clearly set out at the beginning of a procurement process, along with any negotiation points.

The Open procedure invites an unlimited number of interested parties to tender against defined parameters. This is not normally recommended for construction projects as the number of tenders received can inhibit a timely appointment of the contractor. In addition to this, there may be an increased possibility contractors will not bid under this procedure as the likelihood of appointment is diminished due to the number of bidders.

The Competitive Dialogue procedure is a much more involved process and is best suited to complex development projects where the bidders will be required to develop a design as part of their proposals, and the design is refined, along with the financial proposals, through dialogue with the Client.

If a FTS procedure is adopted, a Selection Questionnaire (SQ) would be issued upon request together with all procurement documents. The contractors would be required to provide information in response to the SQ including the following:

- Company Information (size, location etc.)
- Financial Information (audited accounts, ability to provide a performance bond/ parent company guarantee etc.)
- Insurance Details (Inc. level of Professional Indemnity)
- Project Team (experience of the team, track record, proposed sub-contractors etc.)
- Experience (track record, working with public bodies, experience of the procurement route)
- Health and Safety (H&S policy, track record, ability to act as the Principal Contractor etc.)
- Regulatory Issues

If an FTS procedure is used, it is recommended that a maximum of five contractors are shortlisted to tender from the expressions of interest received, in response to the Contract Notice (this is also the minimum allowed). From previous experience, contractors are generally unprepared to commit significant resources and costs to prepare a tender if more than five contractors have been asked to tender for the works.

Shortlisted tenderers will be invited to mid-tender meetings at which they can seek clarification of the Client's requirements, project priorities and critical objectives. Responses to contractor's questions will be circulated to each of the contractors tendering. This will also give the Client an opportunity to meet the individuals who will be responsible for delivering the construction of the project. A contractor would be appointed based upon the highest overall tender score for both quality and cost criteria. The other tenderers would then be notified accordingly.

The whole process can take 6 months to appoint a contractor. This approach is not considered suitable for a two-stage procurement route, although it technically could still be used.

Using the FTS route also carries a higher risk of challenge from unsuccessful contractors compared to frameworks. This is in part due to the costs associated with responding to a FTS tender. Additionally, a contractor is less likely to jeopardise their standing in a framework.

6.6 TENDERING PROCEDURES - BELOW TENDER THRESHOLD

The current Find a Tender (FTS) threshold for construction works is £5,336,937 (Gross)/ £4,447,448 (Net) (as of 1 January 2022).

That said, for small lots the threshold for Works is £884,720 (inclusive of VAT).

There are no prescribed procedures for a below threshold procurement, therefore the principles of the above threshold procurements are followed. However, selection stage may not be possible for a below threshold procurement.

The Open procedure invites an unlimited number of interested parties to tender against defined parameters. This is not normally recommended for construction projects as the number of tenders received can inhibit a timely appointment of the contractor. In addition to this, there may be an increased possibility contractors will not bid under this procedure as the likelihood of appointment is diminished due to the number of bidders.

The whole process can take 4 months to appoint a contractor. This approach is not considered suitable for a two-stage procurement route, although it technically could still be used.

Using an open below threshold tender route also carries a higher risk of challenge from unsuccessful contractors compared to frameworks. This is in part due to the costs associated with responding to a tender. Additionally, a contractor is less likely to jeopardise their standing in a framework.

6.7 INITIAL MARKET TESTING

Nuneaton & Bedworth Borough Council approached the Pagabo Framework team in March 2022 to obtain feedback/ interest from their Medium Works (Lot 2 £1m - £5m) contractor framework, based upon the latest RIBA Stage 3 design proposals.

The 'soft market testing' requested responses from each of the framework contractors to the following questions:

1. Interest and thoughts on a single-stage D+B procurement (Employer's Requirements designed up to RIBA Stage 3)
2. Interest and thoughts on a two-stage D+B procurement (Employer's Requirements designed up to RIBA Stage 3)
3. Interest and thoughts on Traditional procurement (fully designed up to and including RIBA Stage 4)
4. Preferred Form of Contract for the proposed scope, including rationale for the Form
5. Thoughts on programme (i.e. RIBA Stage 4 no. of weeks, Construction phase no. of weeks)
6. Thoughts on construction phasing options
7. Any relevant schemes contractor has delivered/ are delivering
8. Any other relevant feedback or commentary for the Client to consider whilst developing the procurement strategy

Tables 6 + 7 provide a summary of the contractor feedback regarding preferred procurement route and the proposed form of contract.

SUMMARY

Six contractors responded positively to the scheme (out of nine on Lot 2), all of which have demonstrated heritage experience. The majority of responses indicate that two-stage design and build is the preferred form of procurement, with the existing design team novated. However, all contractors noted the project could be procured via a traditional route (this was a preference of one contractor).

In terms of form of contract, this was fairly equally split between NEC and JCT.

There were differing thoughts on construction programme duration (no. of weeks), however given more information, this could be firmed up. Similar responses were provided regarding the proposed phasing of the works.

A full version of the Soft Market Test report issued by Pagabo on 24/03/2022 is included under Appendix E.

TABLE 6: PROCUREMENT ROUTE INTEREST

CONTRACTOR NAME	SINGLE-STAGE DESIGN and BUILD	TWO-STAGE DESIGN and BUILD	TRADITIONAL
Clegg Construction	No	Yes (Preferred)	Yes
GF Tomlinson Builders	Yes	Yes (Preferred)	Yes
Morgan Sindall	No	Yes	Yes
Seddon Construction	No	Yes (Preferred)	Yes
Speller Metcalfe	No	Yes (Preferred)	Yes
Tilbury Douglas	No	Yes	Yes (Preferred)

TABLE 7: FORM OF CONTRACT INTEREST

CONTRACTOR NAME	PREFERRED FORM OF CONTRACT
Clegg Construction	JCT
GF Tomlinson Builders	JCT or NEC
Morgan Sindall	JCT
Seddon Construction	NEC (Option A)
Speller Metcalfe	NEC
Tilbury Douglas	JCT or NEC

7.0 NEXT STEPS

7.1 PROGRAMME

The purpose of the summary programme is to map-out the sequence of activities during the remaining design development and construction phases. It has been developed in consultation with the wider design team and Client stakeholders, taking account of the ongoing funding application process and associated milestones.

The programme is based upon a traditional form of procurement, whereby a fully detailed and coordinated design is developed for Phases 1+2 during RIBA Stage 4, prior to tendering a Main Contractor to oversee the construction phase(s). This is deemed to be the most conservative approach in terms of overall programme duration, but demonstrates the funding application milestones remain achievable.

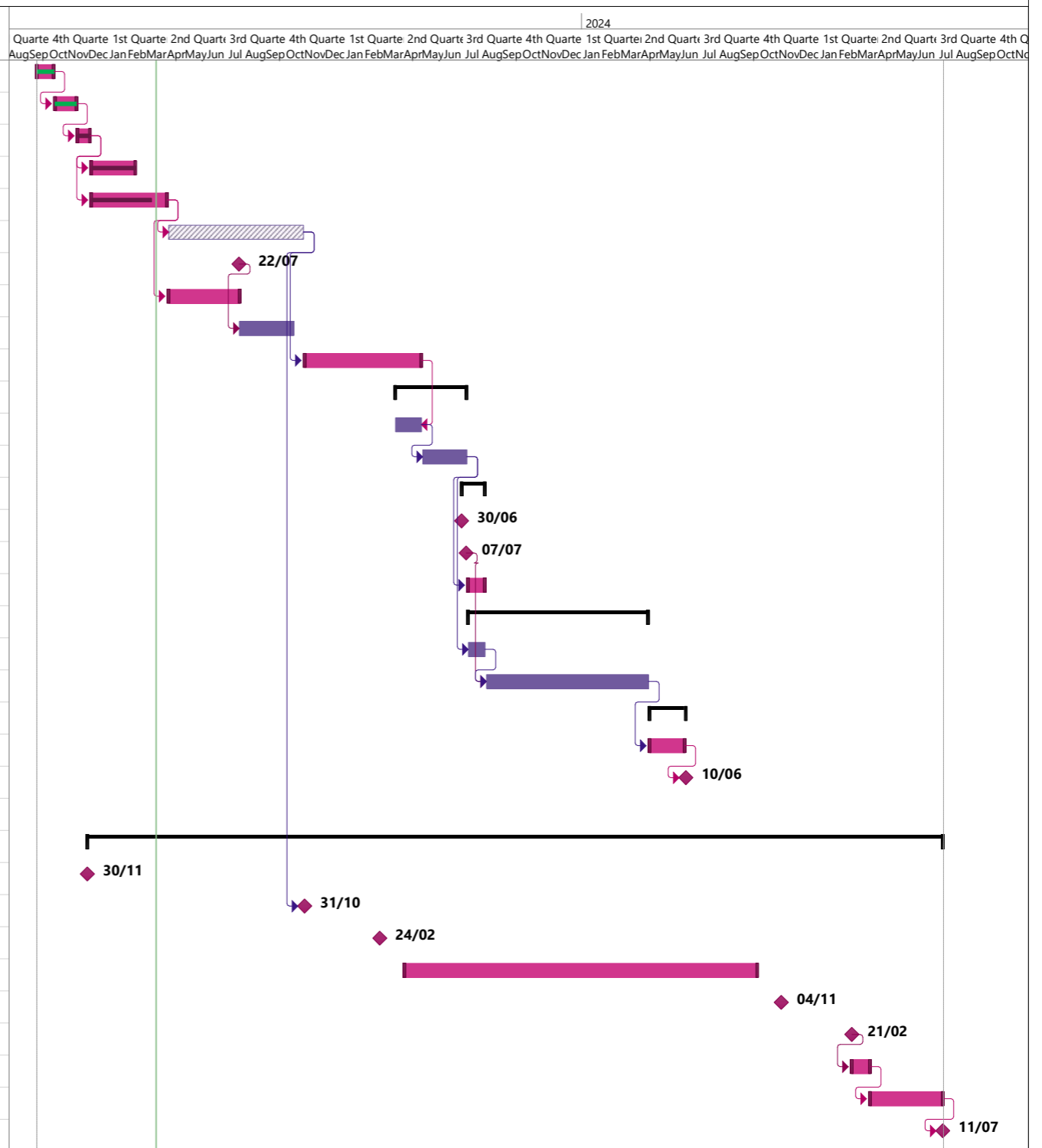
The programme identifies a gap between the completion of Phase 1 and commencement of the Phase 2, which suggests that the two phases would likely be let as separate contracts (either to the same or different Main Contractors). While it is possible to reduce the gap between the two phases, this depends on the Client's desire to progress the initial phase, funding application considerations and coordination with the wider Riversley Park improvements.

It is anticipated that the programme shall evolve once the funding application process and Client's operational constraints are better understood.

REIMAGINING NUNEATON MUSEUM & ART GALLERY SUMMARY PROGRAMME

Chana Projects Limited

ID	% Complete	Task Name	Duration	Start	Finish
1	100...	RIBA STAGE 1 (Preparation & Briefing)	20 days	Mon 13/09/21	Fri 08/10/21
2	100...	RIBA STAGE 2 (Concept Design)	25 days	Mon 11/10/21	Fri 12/11/21
3	100...	RIBA STAGE 3A (Planning)	15 days	Mon 15/11/21	Fri 03/12/21
4	100%	PLANNING (Submission & Approval Period)	39 days	Mon 06/12/21	Fri 11/02/22
5	75%	RIBA STAGE 3+ (Design Strategies & Spatial Coordination)	74 days	Mon 06/12/21	Fri 01/04/22
6	0%	TOWNS FUND (Application & Approval Period)	150 days	Mon 04/04/22	Fri 28/10/22
7	0%	Towns fund submission	0 days	Fri 22/07/22	Fri 22/07/22
8	0%	Procure and execute surveys (subject to additional funding)	80 days	Mon 04/04/22	Fri 22/07/22
9	0%	Procure exhibition design team	60 days	Fri 22/07/22	Thu 13/10/22
10	0%	RIBA STAGE 4 (Technical Design)	130 days	Mon 31/10/22	Fri 28/04/23
11	0%	CONTRACTOR PROCUREMENT (via CSW-Jets Portal)	80 days	Mon 20/03/23	Fri 07/07/23
12	0%	Stage 1 (SQQ)	30 days	Mon 20/03/23	Fri 28/04/23
13	0%	Stage 2 (ITT)	50 days	Mon 01/05/23	Fri 07/07/23
14	0%	N&BBC Pre-Construction Activities & Constraints	26 days	Fri 30/06/23	Fri 04/08/23
15	0%	Temporary closure of Warwickshire CC Registry Office	0 days	Fri 30/06/23	Fri 30/06/23
16	0%	New Riversley Park bridge completion (date tbc by Park's team)	0 days	Fri 07/07/23	Fri 07/07/23
17	0%	N&BBC exhibit / object decant	20 days	Mon 10/07/23	Fri 04/08/23
18	0%	RIBA STAGE 5 (Construction) - based on phasing option 2	200 days	Mon 10/07/23	Fri 12/04/24
19	0%	Contractor mobilisation and site set-up	20 days	Mon 10/07/23	Fri 04/08/23
20	0%	Phase 1 (New extension wings & Ground Floor) - estimated	180 days	Mon 07/08/23	Fri 12/04/24
21	0%	RIBA STAGE 6 (Handover)	40 days	Mon 15/04/24	Mon 10/06/24
22	0%	N&BBC exhibit / object / graphics install	40 days	Mon 15/04/24	Fri 07/06/24
23	0%	Museum reopens to public	0 days	Mon 10/06/24	Mon 10/06/24
24					
25	0%	Phase 2 NHLF Activities (Upper Floor)	932 days	Tue 30/11/21	Fri 11/07/25
26	100%	Expressions of interest submission deadline	0 days	Tue 30/11/21	Tue 30/11/21
27	0%	Submit development phase bid (subject to Towns Fund approval)	0 days	Mon 31/10/22	Mon 31/10/22
28	0%	Development phase bid approval	0 days	Fri 24/02/23	Fri 24/02/23
29	0%	Development phase works (inc. design and procurement)	390 days	Mon 03/04/23	Fri 27/09/24
30	0%	Delivery phase submission deadline	0 days	Mon 04/11/24	Mon 04/11/24
31	0%	Delivery phase approval	0 days	Fri 21/02/25	Fri 21/02/25
32	0%	Contractor mobilisation and site set-up	20 days	Fri 21/02/25	Thu 20/03/25
33	0%	Phase 2 fit-out period (Upper Floor) - estimated	80 days	Fri 21/03/25	Thu 10/07/25
34	0%	TARGET OVERALL PROJECT COMPLETION	0 days	Fri 11/07/25	Fri 11/07/25



Date: Wed 16/03/22

Task		Project Summary		Inactive Task		Manual Task		Start-only		Deadline	
Split		Inactive Task		Duration-only		Finish-only		Progress		Manual Progress	
Milestone		Inactive Milestone		Manual Summary Rollup		External Tasks		Manual Progress			
Summary		Inactive Summary		Manual Summary		External Milestone					

7.2 PROJECT RISK REGISTER

The purpose of the Project Risk Register is to identify risks which may otherwise impact the ongoing delivery of the project, specifically those which may have cost or programme implications. In identifying these risks, it provides the opportunity to implement mitigation strategies including associated (cost or programme) contingencies. The Project Risk Register is intended to remain a live document throughout the duration of the project, with an aim of reducing the impact and/or likelihood of the risk occurring as the project progresses. The entire project team shall contribute to the Project Risk Register, with a 'Risk Owner' assigned to lead the mitigation of each risk item.

Project Name:	Reimagining Nuneaton Museum & Art Gallery
Client	Nuneaton & Bedworth Borough Council
Date:	29/03/2022
Revision:	E



Risk No.	Description	Impact	Likelihood	Risk Level	Risk Mitigation	Risk Owner	Live / Closed	Comments
1	Programme delays - no flex in early stages of the programme set by the client driven by planning application and approval	H	H	High	1. Establish accurate programme drivers and milestones. 2. Establish critical path items - focus on where time can be saved 3. Client sign off periods of preferred layout required by 8th November 2021	N&B BC	Closed	CPL summary programme reflects wider programme milestones.
2	Planning Approval - impacts scope of works	H	H	High	1. Early pre-app meeting with LPA - ensure conservation officer is in attendance. 2. Understand non-negotiable items. 3. Arboriculturist to be appointed. 4. Limit scope to area immediately surrounding NM&AG to reduce survey timescales. 5. Survey will be based on 2012 topo info to reduce timescales.	Purcell/N&BBC	Closed	Pre-app time frames may not be compatible with programme constraints (e.g. formal feedback may be received too late for application date). No update on pre-app meeting timescales. Validation requirement includes Tree survey and constraints plan, Tree retention and removal plan, Arboricultural Impact Assessment and Arboricultural Method Statement. 4 weeks work.
3	Planning Approval - delay to programme	H	H	High	1. At pre-app, seek confirmation that outline application is acceptable - allows detail design to be completed while application is being considered. 2. N&BBC to confirm outline approval will satisfy HLF funding requirements.	Purcell/N&BBC	Closed	
4	Existing Fire Strategy - Checking document is available and accurate	H	H	High	1. Client PD to ensure document is available or commission strategy if not available. 2. Fire Engineer to be appointed before commencement of Stage 4.	N&B BC	Live	Existing Fire Strategy is not available. Indicative Fire Strategy discussed with Building Control - formal feedback awaited. Potentially onerous fire upgrades have been identified.
5	Consultant fees exceed client budget allocation.	H	L	Medium	1. Client PD to share information on current fee forecast for further review and management by team. 2. Team to advise on any additional consultants that may be required 3. Consultant fee estimates to be included in the Cost Plan as percentages of the total construction cost; until procurement route is agreed, it will not be possible to firm up fees	N&B BC	Live	Total proposed project fees vs. budget will be included within the Stage 3+ report and will be assessed for suitability.
6	Interface with landscape design - alignment of aspiration and programme	M	H	High	1. Client PD to ensure landscape architect is appointed to suit Museum programme. 2. CPL to ensure interface structure with landscape architect is established	Purcell	Live	Initial meeting with Colour (landscape architect) held. Advised landscape design will not be sufficiently developed to align with NMAG planning submission timescales - may impact LPA's ability to determine. Can this be conditioned with LPA on outline application?
7	Budget overspend	H	M	Medium	1. QS to confirm budget and scope align. 2. Change control procedure to be implemented to manage design process post Stage 4. 3. Client decisions on project priorities/aspirations required quickly if budget and design do not align. 4. Cost plan updates being undertaken, accounting for latest design changes, phased project delivery and additional surveys and specialist appointments	All	Live	NTS appointed and developing a Stage 3+ cost plan based on the completed design and, the programme.
8	Unforeseen additional site works required.	M	H	High	1. Survey work to be undertaken during design stage to mitigate construction delays. 2. visitors/ security/ phasing & continued occupation of parts of the building in between phases 3. Condition survey undertaken	Purcell	Live	Condition survey has been undertaken by Purcell to highlight any immediate remedial works required to existing building fabric (including where additional investigation work is required by others)
9	Changes in project scope of works results in additional costs and / or programme delays.	M	M	Medium	1. Implement simple change control process to protect budget and deliverables and manage expectations. 2. Client design freeze on preferred option required by 12/11/21.	CPL	Live	

10	Restrictions on site works due to operational requirements - visitors / security, etc.	H	M	Medium	1. Construction logistics plan to be agreed during RIBA Stage 4 design process. 2. Visitors/ security/ phasing & continued occupation of parts of the building in between phases to be considered in detail prior to construction	Purcell	Live	
11	Additional consultant support required which leads to pressure on project budget and programme (depending on timing).	M	L	Low	1. Adequate consultant fee budget to be retained by N&B BC. 2. Roles and responsibilities to be defined to ensure no scope gaps exist in design team. 3. fee proposals and quotes obtained during Stage 3+ for most surveys and appointments; Exhibition Design remains outstanding; all additional appointments and surveys to be in place before commencement of Stage 4	N&B BC	Live	Exhibition design team required to support the completion of the Phase 1 and Phase 2 schemes.
12	Lack of contractor interest impacts project programme.	H	M	High	1. CPL to undertake market engagement prior to contractor stage 1 procurement	CPL	Live	
13	Tender returns are higher than budget provision	M	M	High	1. VE exercise to be undertaken with preferred contractor if risk materialises (due to current stage of project works). 2. QS to advise where material inflation could affect tender returns	NTS	Live	
14	Delays and additional costs due to covid and Brexit	H	M	High	1. Working procedures, sickness in workforce, shortages / increased costs of supplies all potential issues. Contingency planning to be discussed with appointed contractor.	CPL	Live	
15	Exhibition/interpretation of design. Brief and architectural design to align (e.g. Visitor journey)	H	L	Medium	1. Stakeholder management and involvement to be established. 2. Project Steering Group involving decision makers required	CPL	Live	
16	Errors in available record information	M	H	High	1. Schedule of surveys to be produced for critical/risky elements 2. Updated measured building survey to be undertaken prior to commencement of RIBA Stage 4, including spot levels throughout the building 3. Design team to review 2012 topo to establish if fundamental changes have occurred 4. Quotes obtained for measured survey; measured survey to be carried out prior to commencement of Stage 4	Purcell	Live	Topo survey unlikely to be completed prior to planning application, therefore reliant on outdated information.
17	Unknown ground conditions-weak and/or contaminated ground	H	M	Medium	1. Ground SI to be commissioned by client as early as possible to influence design. 2. Survey scope determined by P&M and quotes obtained. Survey works to be carried out as soon as possible, prior to commencement of Stage 4	P&M	Live	
18	Existing drainage system inadequate/damaged	M	M	Medium	1. CCTV survey to be commissioned as early as possible by client. 2. Survey scope determined by P&M and quotes obtained. Survey works to be carried out as soon as possible, prior to commencement of Stage 4	P&M	Live	
19	Insufficient capacity in existing drainage system	H	L	Medium	1. P&M to establish following receipt of CCTV survey data. 2. Low water use equipment to be used	P&M	Live	
20	Existing building and/or foundations require strengthening	H	L	Medium	1. P&M to carry out exploratory works in locations where loading of the existing fabric is changing 2. Minimise additional loading on existing fabric 3. Intrusive structural investigations/exploratory work to be carried out to determine load bearing capacity of existing building 4. P&M to determine survey scope	P&M	Live	
21	Asbestos-delays due to asbestos being encountered (e.g within the wall under the stairs). Safety of contractors	H	H	High	1. Client PD to issue existing asbestos management survey 2. R&D asbestos survey to be commissioned 3. Asbestos removal contract to be awarded if necessary in advance of main works 4. May require redesign to avoid ACM locations	N&B BC	Live	

22	Low Zero Carbon-location of solution and delivering client objectives	M	M	Medium	1. CBG to propose LZC options for the scheme for consideration, including extent and appraisal of possible locations 2. Constraints of landscaping may hinder preferred solution. 3. Purcell to include screening options to mitigate planning risk 4. CBG to advise impact of phased development on location. e.g. minimise future moves/can it be moved cost effectively?	CBG	Live	
23	Low Zero Carbon - Warwickshire County Council Involvement and funding stream	H	M	Medium	1. Appetite for partnership and funding by WCC to be established 2. Mechanisms for partnership and funding to be agreed	N&B BC	Live	
24	Access to the roof limits use for plant	M	M	Medium	1. Principal designer to review existing access arrangements and advise on amendments required for safe access. 2. Consideration on cost/benefit of installing upgrading access (if necessary) to be considered	Purcell	Live	
25	Existing utility supplies inadequate-upgrades would cause time and cost issues	H	L	Medium	1. CBG to provide initial assessment on any increase in utility requirements and enquire with DNO/shipper of any concerns 2. May constrain LZC options 3. CBG to advise where detailed use monitoring may be necessary	CBG	Live	CBG to advise on application process for utility upgrades with DNO/shipper
26	Existing domestic water pipework and LTHW pipework not suitable for retention	H	L	Medium	1. Survey of existing infrastructure to be completed	CBG	Live	
27	Existing 11kV high voltage supplies adjacent to site	H	L	Medium	1. Principal Designer to identify on site plan. Contractor to put in systems to maintain safe working practices 2. Cables have been confirmed dead and are due to be removed.	CBG	Closed	
28	Amendments to Public Highway Requiring Separate Approvals/Resulting in Planning refusal (development to the west of N MAG)	H	H	High	1. Client to confirm extent of site ownership boundary in relation to surrounding public highways (roads/footpaths) 2. Client to support design option which avoids impact on public highway 3. Design team to adopt option which avoids impact upon public highway and identify any functional/operational constraints to the client 4. Where impact upon public highway is unavoidable, undertake consultation with Highways Authority prior to Planning application	All	Closed	Initial action with N&B BC
29	Cost inefficiencies of future proofing design/phased development	M	M	Medium	1. Design team to highlight risks associated with futureproofing and/or phased development 2. Cost consultant to undertake appraisal of phased/future development	All	Live	Initial action with Purcell
30	Implications or time changes on the client's decant of the contents of the building.	H	H	High	1. Client to ensure that decant of the buildings contents is carried out in designated time to avoid any delay to the programme.	N&B BC		Potential adverse impact on the programme.
31	Investigations to establish the make up of the existing roof structure and remove ceiling tiles and areas of plasterboard to properly inspect the building structure, request from the Structural Engineer. Could possibly have design, time and cost implications	M	M	Medium	1. P&M to specify the requisite opening up works.	P&M		
32	Requirement to re-use the existing portable ventilation systems for the rooms where the artefacts will be on display. Suitability of the ventilation equipment.	M	L	Medium	1. CBG to review design for mechanical installation. Possibility to incorporated into the permanent design	CBG		
33	Phasing. Inability to achieve completion of the building works for Phase 1 thus delaying commencement of Phase 2 works and subsequent delay to Phase 2 completion. If this arises it will result in an impact on programme.	H	M	High	1. Design team to fully consider the implications of the proposed project phasing.	Purcell		
34	Details and samples of materials proposed to be used in external parts of the building have been submitted and been approved in writing by the Local Authority.	M	M	Medium	1. Consult with Local Planning Authority as part of the pre-commencement process.	Purcell		
35	Before the development shall commence a landscaping scheme needs to be approved by the Local Authority.	M	M	Medium	Client PD and Programme Manager to ensure the wider Parks project is aligned with the RNM&AG works.	N&B BC		

36	The development shall not commence above dpc level until drainage plans for the disposal of surface water and foul sewage disposal have been submitted and approved by the Local Planning Authority.	M	M	Medium	Purcell to coordinate requirements on the commencement of RIBA Stage 4	Purcell		
37	Team to review the Condition Survey document - Issue 01 dated November 2021 - to ensure all items and comments noted have been considered.	M	M	Medium	Purcell to coordinate team review on the commencement of RIBA Stage 4	Purcell		
38	Planning – discharge of planning conditions and impact on programme	H	H	High	1. Monitor with LPA and discharge conditions as early as possible before works commence on site	Purcell/N&BBC		
39	Planning – non-material amendment of existing planning permission required for the changes to the west extension in relation to overheating	M	M	Medium	1. Monitor with LPA and submit NMA application as early as possible	Purcell/N&BBC		
40	Risk of structural strengthening being required to the roof of the original museum building, with impact on phasing and cost	H	M	Medium	1. Opening up works to be carried out before commencement of Stage 4; if strengthening is required, all strengthening works should be done in Phase 1; allocate contingency.	P&M/ N&BBC		
41	Risk of interruptions to Registrar's Office activities during construction	M	H	Medium	1. Early engagement and coordination with Registrar's office	N&BBC		
42	Design and specification of roof lanterns and risk of solar gain and impact of daylight on the artefact	M	H	Medium	1. Performance of these to be looked at in detail at Stage 4	Purcell/N&BBC		
43	Risk of flooding and damage to building/ property/ site compound during the works	M	H	Medium	1. Implementation of flood risk mitigation measures	Purcell/N&BBC		
44	Archaeology – identification of any further potential archaeological issues with impact on programme	M	H	Medium	Engage Archaeologist to understand the impact of known archaeology on site	N&BBC		

7.3 CONCLUSION

This report has presented the design development undertaken during RIBA Stage 3+ and has highlighted the key considerations of the proposed scheme in terms of structures, building services, costs, phasing, procurement and overall project and design risks.

The proposals have developed in response to the Client's brief, addressing the museum's current challenges and operational constraints, with any deviations from the original architectural objectives discussed in the initial section of this report. The scheme will address the long-term sustainability of the museum as a visitor attraction and as a place of learning and community engagement. It will create a much improved welcome space, allowing better management of increased visitor footfall, whilst strengthening the future of a well-established heritage and cultural asset within Nuneaton.

As the project moves into the next workstage (RIBA Stage 4), the design will require further development and coordination. Updated and refined proposals will be put forward at the next stage to ensure an adequate level of detail for the architectural, structural, and building services information, in accordance with the procurement route chosen. An appraisal of the procurement strategy is discussed within Section 6 of this report, describing the impact of the selected route and choice of Building Contract upon the level of detail to be prepared during subsequent stages. Cost information and construction phasing strategies will also be further refined within the next design stage.

The below provides a summary of the key next steps prior to progressing RIBA Stage 4 (Technical Design):

- Submit a NMA (Non-Material Ammendment) application to the Local Planning Authority to pick up the relaively minor changes to the west elevation of the proposed extension (Design Team Action)
- Upon recommencement of RIBA Stage 4, prepare and submit the necessary information to discharge any pre-commencement planning conditions following consultation with the LPA (Design Team Action)
- Agree procurement strategy to determine the level of information required during subsequent design development stages (Client/ Design Team Action)
- Review and update project phasing strategy to align with funding application milestones, any operational constraints and wider initiatives such as the Riversley Park improvements (I.e. the need to maintain public access to specific areas of the building including the Registry Office) (Client/ Design Team Action)
- Undertake all additional surveys identified within the Schedule of Surveys and Appointments enclosed within Section 5 of this report (Client Action)
- Commission specialist appointments identified within the Schedule of Surveys and Appointments enclosed within Section 5 of this report (Client Action)
- Complete Towns Fund application and approval activities (Client Action)
- Procure Exhibition/ Interpretive Designer (Client Action)



Cabinet Decision

Report Summary Sheet

Date: 24th May 2023

Subject: Creation of Flexible Tenancies, Downsizing Policy, and Local Lettings Plan within the Council Housing Stock

Portfolio: Housing and Community Safety

From: Nicola Botterill, Head of Housing & Responsive Repairs

Summary:

There are less than 100 x 4+ bedroom properties within the Council's housing stock and just over 150 applicants registered for housing with a 4+ bed need, 25% of which are in the very highest band, suggesting extreme housing need, indeed some are occupying emergency temporary accommodation due to homelessness.

The turnaround/churn of 4+ bed housing is rare, very infrequent and applicants will wait an exceptionally long time for this size of housing. Therefore, the purpose of this report is to seek approval of recommendations pertaining to the creation of Flexible Tenancies (Fixed Term Tenancies) for specific Council housing stock, namely 4 and 5 bed houses and stock that has been significantly adapted for a disabled household. Approval is also sought to enable the Council to offer Downsizing Initiatives so that the Council can encourage those tenants under occupying family accommodation to move to smaller accommodation that better suits their needs.

Recommendations:

Approval be given to issuing Flexible tenancies for all new or VOID 4+ bedroom properties.

Approval be given to issuing Flexible tenancies for new or VOID significantly adapted properties.

Approval be given for the Tenancy Policy and supporting Local Lettings Plan.

Delegated authority be given to the Head of Strategic Housing Services and Head of Housing & Responsive Repairs to determine the adapted property meets the criteria for a Flexible tenancy.

Approval be given for the Downsizing Initiatives and supporting Policy.

Options:

To approve the recommendations or not to approve the recommendations.

Reasons:

To allow the Council to encourage tenants under occupying 4+ bedroomed homes to move to smaller accommodation that better suits their needs. This will then allow families that require that size of accommodation to be housed, which will have a positive impact on temporary accommodation costs.

This will also apply to disabled adapted properties which are no longer required by the household.

Consultation undertaken with Members/Officers/Stakeholders

Deputy Leader of the Council and Portfolio Holder for Housing & Communities.
Director – Housing & Community Safety
Council's Equalities and Safeguarding Officer
Head of Strategic Housing
Housing Solutions Manager
Tenancy Services Manager
Tenancy Services Team Leader

Subject to call-in:

Yes

Ward relevance:

All

Forward plan:

Yes

Building a Better Borough Aim:

Aim 1. Live

Building a Better Borough Priority:

Priority 1: Promote residents' health & wellbeing

Priority 2: Enable appropriate housing development

Relevant statutes or policy:

- o The Housing Act 1985
- o The Housing Act 1996
- o Introductory Tenants (Review) Regulations 1997
- o The Human Rights Act 1998
- o The Housing and Regeneration Act 2008
- o The Equality Act 2010
- o The Localism Act 2011
- o Flexible Tenancies (Review Procedures) Regulations 2012
- o Allocation of accommodation: guidance for local housing authorities in England June 2012 (as amended)
- o Right to Move and Social Housing Allocations 2015
- o The Domestic Abuse Act 2021
- o The Regulator's Regulatory framework and in particular the Tenancy Standard.

Equalities Implications:

(Does this require an Equalities Impact Assessment? If so, please append.)

Yes – Equalities Impact Assessments for the Tenancy Policy and Downsizing Policy attached at Appendix 4 and 5

Human resources implications:

None related directly to this report.

Financial implications:

Budgets have been put in place for 2023/24 with additional funding being granted from the Government as homelessness assistance as the Council will be using the vacant freed up properties for homeless families.

Health Inequalities Implications:

None

Section 17 Crime & Disorder Implications:

None

Risk management implications:

None

Environmental implications:

None

Legal implications:

None

Contact details:

Nicola Botterill – Head of Housing & Responsive Repairs

Nicola.botterill@nuneatonandbedworth.gov.uk

AGENDA ITEM NO. 8

NUNEATON AND BEDWORTH BOROUGH COUNCIL

Report to: Cabinet – 24th May 2023

From: Head of Housing & Responsive Repairs

Subject: Creation of Flexible Tenancies, Downsizing Policy and Local Lettings Plan within the Council Housing Stock

Portfolio: Housing and Communities- Councillor C Golby

Building a Better Borough Aim: Aim 1

Building a Better Borough Priority: Aim 1, Priority 2

1. Purpose of Report

- 1.1 The purpose of this report is to seek approval of recommendations pertaining to the creation of Flexible Tenancies (Fixed Term Tenancies) for specific Council housing stock, namely 4 and 5 bed houses and stock that has been significantly adapted for a disabled household. Approval is also sought to enable the Council to offer Downsizing Initiatives so that the Council can encourage those tenants under occupying family accommodation to move to smaller accommodation that better suits their needs.
- 1.2 The report and attached appendices include the new Tenancy Policy, Downsizing Policy and Local Lettings Plan, which are also seeking approval.

2. Recommendations

- 2.1 Approval be given to issuing Flexible tenancies for all new or VOID 4+ bedroom properties.
- 2.2 Approval be given to issuing Flexible tenancies for new or VOID significantly adapted properties.
- 2.3 Approval be given for the Tenancy Policy and supporting Local Lettings Plan.
- 2.4 Delegated authority be given to the Head of Strategic Housing Services and Head of Housing & Responsive Repairs to determine the adapted property meets the criteria for a Flexible tenancy.
- 2.5 Approval be given for the Downsizing Initiatives and supporting Policy.

3. Background

- 3.1 There are less than 100 x 4+ bedroom properties within the Council's housing stock. There are just over 150 applicants registered for housing with a 4+ bed need, 25% of which are in the very highest band, suggesting extreme housing need, indeed some are occupying emergency temporary accommodation due to homelessness.
- 3.2 The turnaround/churn of 4+ bed housing is rare, very infrequent and applicants will wait a very long time for this size of housing.
- 3.3 When you consider that the Councils overall stock is in the region of 5800 units the proportion of these larger family homes is significantly underrepresented.
- 3.4 In the last financial year, the Council has carried out the following adaptations to its properties:

Workstream	Number completed	Total Cost
DFG Adaptations	54	£243,282.60
DFG Extensions	4	£356,878.42
Stairlifts	16	£42,009.02

- 3.5 It is worth noting that there are currently 31 adaptations and 7 extensions ongoing.
- 3.6 The Council also recognises that some of its larger family accommodation is occupied by couples or singles, as their secure tenancies were granted when they had children living at home. Now that their children have become adults and have moved out of the family home, it has left the property underoccupied and the Council have no powers to gain possession of that property unless there is a tenancy breach. In order to try and encourage underoccupied tenants to move away from that much needed family accommodation, the Council can offer some incentives in the hope that the offer of smaller accommodation will be more attractive to them. This will also assist in larger accommodation becoming more available. The funding for this has come from the Government as homelessness assistance, and therefore we will be using the vacant freed up properties for homeless families.

4. Body of Report

- 4.1 The proposal to commence giving Flexible Tenancies is not new in the social/affordable housing world, and most Housing Associations and some LAs already use this type of Tenancy Agreement to make best use of stock by being able to review the households continued need for the property every few years.

- 4.2 The proposal is to grant a 5- year flexible tenancy, which is reviewed during the 5th year, so that consideration is given to downsizing the household if there is no longer a 4 + bed housing need. Our records show that we have many underoccupied 4+ bed properties in our stock and due to the secure life-time tenancy agreement we are unable to insist on rehousing the household. The Tenancy Policy and the new Flexible Tenancy Agreement that will be granted to all new tenants moving into 4+ bed properties or properties that have been adapted will prevent this from happening in the future. The details of how the flexible tenancies are managed are clearly outlined in the attached Tenancy Policy.
- 4.3 The Council recognises that there is a chronic under supply of family homes within the Borough. To increase the number of larger properties that become available each year, the Council will utilise a ‘downsizing incentive scheme’ to support tenants seeking to downsize from family sized Council homes (2 bedrooms and above) to smaller accommodation that better meet their household’s need. The details of the incentive scheme are detailed in the attached Policy document.
- 4.4 The Council’s Allocations Policy gives the highest priority band to tenants who are releasing under occupied properties if they meet the eligibility criteria which does not permit under occupation or certain levels of income and savings. It is also proposed to implement a specific The Local Lettings Plan (attached) which allow a household to under occupy by one bedroom and will not apply the income and savings eligibility criteria, so households will not be restricted in moving to smaller dwellings.

5. Financial Impact

- 5.1 The table below shows how many 4+ bed properties are currently underoccupied and how many major disabled adapted properties the Council has within its stock:

	Total no.	How many properties are underoccupied
5 Bedroom property	7	5
4 Bedroom property	91	68

- 5.2 As at the end of February 2023, the total number of households on the waiting list for 4+ beds was **159** of which 20 were homeless households in Band 1+. 144 families are waiting for 4 bedroom properties and 15 families require 5 bedroom accommodation. Given the churn within the stock is so very slow/rare it can be a very long time- on occasion up to 12 months, before a household of this size can be housed.
- 5.3 The cost of Temporary Accommodation for large families averages at £75 per night. This equates to £18,900 for a 9 month stay in Temporary Accommodation- the net cost to the Council assuming the family are not working equals £14,780 due to the subsidy loss incurred.
- 5.4 From April 2022 to March 2023, the total subsidy loss for 10 families requiring 4 beds with 4 or more children was **£70,464.35**. If 10 underoccupied properties were paid the downsizing initiative of £2500 each this would equate to **£25,000**, meaning the General Fund would save approximately **£45,464.35** just for those 10 properties/families.
- 5.5 It is clear therefore that by increasing the supply of 4+ beds by increasing the availability through a downsizing policy, will save the Council money in relation to Temporary Accommodation costs.

6. Conclusion

There are less than 100 4 bed + bedroomed properties within the Councils Housing stock and at least 150 families waiting to be housed in accommodation of this size. In addition to this, the Council are aware that many of these properties currently house single people or couples and have no legislative powers to move those tenants to smaller properties as they have been granted secure (lifetime) tenancies.

In order to tackle this situation, the Council wishes to grant a Flexible Tenancy (Fixed term Tenancy) to those tenants moving into a 4+ bedroom property or disabled adapted property. This means that after 5 years, the Council can end the tenancy if the families needs or circumstances change.

In addition to the Tenancy Policy, there is also a requirement for the implementation of a Downsizing Policy and subsequent Local Lettings Plan in order to encourage underoccupied tenants to move to smaller accommodation that better suits their needs. The Policy outlines incentives that can be granted to tenants if they move to smaller accommodation and free up much needed family accommodation.

It is clear that the General Find will benefit financially by having the policies in place.

Therefore, approval is sought for the implementation of a Tenancy Policy, Downsizing Policy and subsequent Local Lettings Plan.

7. Appendices
 - 1.Tenancy Policy
 2. Downsizing Policy
 - 3.Local Lettings Plan
8. Background Papers (if none, state none)

None



Tenancy Policy

Issued by Housing & Community Safety

April 2023

Downsizing Policy Quality Record

Revision	Date	Description	Stage	Agreed
Draft	19.4.23	1 st revision		
Draft		Single Member Decision		
Draft	2.3.23	EqIA	Approved	

**This Policy is available in larger print.
Please contact Human Resource if you require
assistance.**

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1. Introduction

1.1 The purpose of this Tenancy Policy is to ensure that:

- our tenants received the correct form of tenancy agreement
- the Council meets all applicable legal and regulatory requirements in relation to the form, use and management of its tenancy agreements.

1.2 In particular as a registered provider of social housing, the Council is required to comply with the Regulatory Framework set by the Regulator of Social Housing (the “Regulator”), including the Tenancy Standard.

1.3 By way of background, the Localism Act 2011 introduced more flexible tenure arrangements for tenants entering social housing. The Localism Act 2011 amended the Housing Act 1985 and the Housing Act 1996, to allow the Council to grant a new type of fixed term tenancy to its tenants called the flexible tenancy, which must be for a fixed term of at least 2 years, in addition to any probationary (introductory) period.

1.4 Following on from this the Tenancy Standard was updated and provides that the Council must publish clear and accessible policies which outline its approach to tenancy management, including interventions to sustain tenancies, preventing unnecessary evictions, and tackling tenancy fraud and set out:

- the types of tenancies it will grant
- the circumstances where a tenancy of a particular type will be granted,
- where it will grant a fixed term (flexible tenancy), the length of that fixed term
- the circumstances where a flexible (fixed term) tenancy term of less than 5 years will be granted in general needs housing following any probationary period
- the circumstances in which it may or may not grant another tenancy on the expiry of the fixed term in the same property or in a different property
- how applicants/tenants can appeal against the length of a fixed term tenancy offered, the type of tenancy offered and a decision not to grant another tenancy on the expiry of the fixed term
- its policy on taking into account the needs of those households who are vulnerable by reason of age, disability or health and households with children, including the provision of tenancies which provide a reasonable degree of stability
- the advice and assistance it will give to tenants on finding alternative accommodation in the event that it decides not to grant another fixed term tenancy at the end of the fixed term
- its policy on granting discretionary succession rights, taking into account the needs of vulnerable household members.

1.5 The Council is also required under the Tenancy Standard to:

- let its properties in a fair, transparent and efficient way, which takes into account, the housing needs and aspirations of applicants/tenants
- demonstrate how its letting terms make the best use of available housing, are compatible with the purpose of the housing and contribute to its Tenancy Strategy and sustainable communities
- have clear applications, decision making and appeals processes

- enable its tenants to gain access to opportunities to exchange their tenancy with that of another tenant by way of internet based mutual exchange services
- offer tenancies or terms of occupation which are compatible with the purpose of the accommodation, the needs of individual households, the sustainability of the community and the efficient use of its stock
- ensure its letting terms meet all applicable statutory and legal requirements
- grant general needs tenants either a periodic secure tenancy or a fixed term (flexible) tenancy for a minimum fixed term of 5 years, in addition to any probationary (introductory) tenancy period
- serve a written notice on tenants before a fixed term (flexible) tenancy ends stating that either that the Council propose to grant a new tenancy on the expiry of the existing fixed term or that the Council proposes to end the tenancy
- grant probationary (introductory) tenancies for a maximum of 12 months or a maximum of 18 months where reasons for extending the probationary period have been given to the tenant and where the tenant has been given the opportunity to request a review of the decision to extend the probationary period;
- offer reasonable advice and assistance to tenants on fixed term (flexible) tenancies where their tenancies are brought to an end at the end of the fixed term
- develop and provide services that will support tenants to maintain their tenancy and prevent unnecessary evictions.
- grant those who were social housing tenants before 1 April 2012 and have remaining social housing tenants since that date a tenancy with no less security where they move to another social rented home, either with the Council or with another landlord. This requirement does not apply however where a tenant chose to move to accommodation let on affordable rent terms
- grant tenants who have been moved into alternative accommodation during any development or other works a tenancy with no less security of tenure on their return to settled accommodation.

1.6 In addition, the Localism Act 2011 requires local authorities to publish a Tenancy Strategy, which must set out the matters to which registered providers of social housing in the local authority district are to have regard to in formulating their tenancy policies relating to:

- the types of tenancies they grant
- the circumstances in which they will grant a tenancy of a particular type
- where they grant tenancies for a certain term, the lengths of those terms and
- the circumstances in which they will grant a further tenancy on the ending of an existing tenancy.

1.7 The Council has therefore developed a Tenancy Strategy jointly with 3 other local authorities in Warwickshire, namely, Warwick District Council, Rugby Borough Council and North Warwickshire Borough Council (the “Warwickshire Tenancy Strategy”).

1.8 All registered providers of social housing with housing stock in Warwickshire are therefore required by the Localism Act 2011, to have regard to the Warwickshire Tenancy Strategy when formulating and implementing their own tenancy policies. The Tenancy Strategy was produced to give guidance to all registered providers of social housing on the 4 Councils’ expectations of how their tenancy policies should be framed.

- 1.9 The Council has therefore considered the Warwickshire Tenancy Strategy when formulating this Tenancy Policy.
- 1.10 This Tenancy Policy, in conjunction with the Tenants' Handbook, the Council's Housing Allocations Policy and the Council's other housing management policies, sets out how the Council will comply with the requirements of the Tenancy Standard, the Warwickshire Tenancy Strategy, and in particular:
- the types of tenancy agreements the Council will grant and in which circumstances
 - the reasons for granting the types of tenancy agreement including taking into account the needs of vulnerable people and ensuring a reasonable degree of stability in tenure
 - how the Council will help tenants to sustain their tenancy agreements including how the Council makes tenants aware of their rights and responsibilities, how the Council take interventions to sustain tenancies and prevent unnecessary evictions and how the Council deal with tenancy changes
 - how the Council tackle tenancy fraud.
- 1.11 This policy:
- should be read in conjunction the Tenants' Handbook and with other relevant policies and procedures published by the Council including its Housing Allocations Policy
 - has been developed to take account of all relevant legislation, regulations and statutory guidance including:
 - The Housing Act 1985
 - The Housing Act 1996
 - Introductory Tenants (Review) Regulations 1997
 - The Human Rights Act 1998
 - The Housing and Regeneration Act 2008
 - The Equality Act 2010
 - The Localism Act 2011
 - Flexible Tenancies (Review Procedures) Regulations 2012
 - Allocation of accommodation: guidance for local housing authorities in England June 2012 (as amended)
 - Right to Move and Social Housing Allocations 2015
 - The Domestic Abuse Act 2021
 - The Regulator's Regulatory framework and in particular the Tenancy Standard.

Vulnerable persons statement

- 1.12 The Council is committed to developing an equal and diverse culture where people are valued from all sections of society. The Council therefore oppose any form of discrimination in service delivery and employment practice. The Council aims to treat all applicants/tenants fairly and it will look to tailor its policies, procedures and services to meet the needs of all applicants/tenants.
- 1.13 Where the Council identify an applicant/tenant who is vulnerable by reason of age, disability or illness, it will look to make reasonable adjustments to its services accordingly to meet the needs of those individuals. This may include altering the way it communicates with an applicant/tenant or adjusting the service it offers to that person. Each case will be judged on its individual merits to avoid a one size fits all

approach. The Council will monitor its services regularly to ensure it is meeting all its applicants'/tenants' needs and make any adjustments required to improve and enhance the service it delivers.

2. Responsibilities

- 2.1 The Head of Housing & Responsive Repairs retains the overall responsibility for the implementation of this Policy.
- 2.2 The Tenancy Services Manager and Tenancy Services Team Leader are responsible for the operational delivery of this policy and the associated procedures. This includes responsibility for monitoring and reviewing, staff awareness and training, policy development and communication to tenants.

3. The types of tenancy the Council will grant

- 3.1 The Council aim to give customers as much security of tenure as appropriate, taking account of the purpose of the accommodation the needs of individual households, the sustainability of the community and the efficient use of its stock.

Introductory Tenancies

- 3.2 The Council operates Introductory Tenancies whereby all new secure or flexible (fixed term) tenancies will have an introductory trial period (an "introductory period") which enables the Council to decide whether the tenant is able to sustain a tenancy and meet the conditions of the Council's standard tenancy agreement.
- 3.3 During the introductory period, an Introductory Tenancy can be ended by the Council by getting an order for possession by serving notice on the tenant in accordance with section 128 of the Housing Act 1996 for any reason.
- 3.4 If the Introductory Tenancy is to become a fixed term (Flexible Tenancy) at the end of the introductory period, the Council will serve a notice on the tenant in accordance with section 137A of the Housing Act 1996 before the grant of the Introductory Tenancy to make the transition from an Introductory Tenancy to a Flexible Tenancy clear, and setting out:
 - that the tenancy would become a Flexible Tenancy at the end of the Introductory Tenancy as long as possession proceedings have not been commenced against the tenant by the Council
 - the length of the fixed term of the Flexible Tenancy;
 - the express terms of the Flexible Tenancy.
- 3.5 The introductory period will generally be 12 months, unless the tenant has been an introductory tenant under another Introductory Tenancy with the Council or an introductory or assured shorthold tenancy of another registered provider of social housing. In this case, any such period as an introductory or assured shorthold tenant will count towards the introductory period as long as:
 - the period ended immediately before the start date of the new Introductory Tenancy; or
 - If there was more than one period, then the most recent period ended immediately before the start date of the new Introductory Tenancy and each period followed the other consecutively without a break.

- 3.6 In order to achieve sustainability of its tenancies and communities, the Council recognise that monitoring of the conduct of Introductory Tenancies and early intervention by the Council, is fundamental to the operation of Introductory Tenancies, particularly during the early stages of the tenancy.
- 3.7 During the introductory period, the Council will monitor the conduct of Introductory Tenancies to enable early intervention by the Council and prevention methods to tackle anti-social behaviour and other breaches of the tenancy to enable it to decide whether the tenant is able to sustain a long-term tenancy with the Council without breaching its terms.
- 3.8 The Council is able to extend the introductory period by further period of 6 months if the tenant does not conduct the tenancy to the Council's satisfaction during the introductory period in accordance with section 125A of the Housing Act 1996.
- 3.9 If the Council does intend to extend the introductory period, the Council will serve a notice on the tenant in accordance with section 125A of the Housing Act 1996 at least 8 weeks before the end of the introductory period, informing the tenant of the reason for extending the introductory period and that the tenant has a right to request a review of the decision within 14 days (a "notice of extension").
- 3.10 If the tenant does make a request to review the decision to extend the introductory period within 14 days, the Council will review its decision and notify the tenant of its final decision before the end of the introductory period.
- 3.11 Where the Council has served a notice of extension on the tenant and either the tenant has not requested a review of the Council's decision or the tenant has requested a review and the decision on the review was to uphold the Council's decision, then the introductory period will be extended by 6 months.
- 3.12 If the tenant does not conduct the introductory tenancy to the Council's satisfaction, the Council may seek to bring the introductory tenancy to an end and recover possession of the property. If the Council does this, it will:
- notify the tenant of their right to request a review of the decision to end the Introductory Tenancy; and if applicable:
 - review its decision to end the Introductory Tenancy; and
 - advise the tenant of the result of the review of the decision to end the Introductory Tenancy
 - advise the tenant where they can seek advice and assistance in relation to the Council's decision to end the Introductory Tenancy in accordance with the Housing Act 1996.

Equitable tenancies

- 3.13 As persons under the age of 18 ("minors") cannot hold a legal interest in land, the Council uses equitable tenancies for all tenancies granted to minors aged 16 or 17. As the tenancy will be held in trust for the minor, there must be a "trustee" to the tenancy agreement. The trustee will hold the benefit of the tenancy on trust for the tenant until they reach the age of 18. The trustee must be a third party and will usually be Warwickshire County Council but could also be a relative of the minor. Their details should be entered as a party to the agreement and they need to sign it.

- 3.14 The Council will not enter into an equitable tenancy without a third-party trustee. This is because otherwise, the Council (by default) would be the trustee, which would prevent it regaining possession of the property (as it would be a breach of trust).
- 3.15 The trustee must be served with any notices that are served on the equitable tenant.
- 3.16 A third party may also be asked to enter into a Guarantor Agreement to guarantee the obligations in the tenancy agreement, particularly payment of rent (this may be a different person to the trustee).
- 3.17 Equitable tenancies can be terminated in the same way as their respective non-equitable tenancies. In any court proceedings, the first defendant should be listed as the trustee and the second defendant as the minor. The minor cannot however represent themselves in court and the trustee should arrange for the appointment of a litigation friend.
- 3.18 Where a minor is going to be a tenant, the tenancy should be an equitable version of whatever form of tenancy the Council would grant to an adult in the same circumstances.
- 3.19 When the tenant reaches 18, the Council should grant the tenant a new “legal” tenancy in accordance with this policy.

Tenancy types

- 3.20 The Council has the following tenancy agreements available for use:
- Secure Tenancy
 - Flexible Tenancy
 - Introductory to Secure Tenancy
 - Introductory to Flexible Tenancy
 - Equitable Introductory to Secure Tenancy
 - Non-Secure Contractual Tenancy
- 3.21 Listed below is a brief summary of the different tenancy agreements:
- **Secure Tenancy:** is a tenancy granted for life and can only be ended by the Council by getting an order for possession on one or more of the grounds for possession listed in Schedule 2 to the Housing Act 1985. Tenants on a Secure Tenancy have the rights set out in the Housing Act 1985, including the right to buy and the right to carry out improvements and compensation for improvements.
 - **Flexible Tenancy:** is a tenancy granted for a fixed period of time but which may be ended by the Council during the fixed term by the Council getting an order for possession on one or more of the grounds for possession listed in Schedule 2 to the Housing Act 1985. At the end of the fixed term of the tenancy, the Council may end the tenancy or grant the tenant a new tenancy, depending on the circumstances at the time and the way the tenant has conducted the tenancy. Tenants on a Flexible Tenancy have most of the same rights under the Housing Act 1985 as secure tenants, but do not have the statutory right to carry out improvement or to receive compensation for improvements. Tenants granted Flexible Tenancies will however be granted, through their tenancy agreement, both the Right to Improve and the Right to Compensation for Improvements

- Introductory to Secure Tenancy: is an Introductory Tenancy which converts automatically to a Secure Tenancy after 12 to 18 months (the “introductory period”) unless the Council or the tenant take action to end the Introductory Tenancy during the introductory period. During the introductory period tenants have the rights set out in the Housing Act 1996, which are fewer compared to rights of tenants on a Secure Tenancy (for example there is no right to buy, right to carry out improvements or to take in lodgers or sublet the property)
- Introductory to Flexible Tenancy: is an Introductory Tenancy which converts automatically to a Flexible Tenancy after 12 to 18 months (the “introductory period”) unless the Council or the tenant take action to end the Introductory Tenancy during the introductory period. During the introductory period tenants have the rights set out in the Housing Act 1996, which are fewer compared to rights of tenants on a Flexible Tenancy (for example there is no right to buy or right to take in lodgers or to sublet the property)
- Equitable Introductory to Secure Tenancy: an equitable version of an Introductory to Secure Tenancy to be used when the tenant is a minor
- Non-Secure Tenancy: is a tenancy excluded from statutory protection under the Housing Act 1985, and is usually given to tenants who are required to move out of their main home while works are carried out to their main home which cannot be carried out whilst the tenant remains living in their main home or to provide temporary housing to persons owned a homelessness duty by the Council. A Non-Secure Tenancy is a contractual tenancy without security of tenure and can be brought to an end by the Council by serving a notice to quit in accordance with the provisions of the tenancy for any reason. Because of the nature of a Non-Secure Tenancy, tenants on a Non-Secure Tenancy will have fewer rights than tenants on the other forms of tenancy agreement granted by the Council

4. Criteria for granting tenancy types

- 4.1 The tenancy agreements that the Council grant are based on the following principles:
- tenure status – the tenure circumstances and status and history of the incoming tenant
 - creating sustainable communities - making the best use of our available housing and granting tenancy agreements that are compatible with the purpose of the housing, taking into account the needs of households, particularly those who are vulnerable by reason of age, disability or illness and households with children.
- 4.2 The main tenancy agreement that the Council offer to new tenants joining the Council is an Introductory Secure Tenancy to enable a settling in period, with the exception of those tenants who will be occupying a 4+ bedroom or extensively adapted property or who have the right to a Secure Tenancy.
- 4.3 If the customer conducts the Introductory Tenancy to the Council’s satisfaction during the introductory period, then it will automatically convert to a Secure Tenancy at the end of the introductory period.
- 4.4 Where an Introductory to Secure Tenancy or a Secure Tenancy is offered by the Council, the form of agreement will be the Council’s current form of Secure Tenancy, which since 1 April 2012, contains reduced rights than were previously offered to Secure tenants, due to changes made to the Housing Act 1985 by the Localism Act 2011. Further details are set out below at paragraph 10.

- 4.5 There are occasions when we will grant other tenancy agreement types. The list of tenancy agreements offered by the Council and the circumstances and reasons these are granted are outlined in the table below. In particular:
- The Council will offer Introductory Flexible Tenancies to persons who will be occupying 4 bedroom or extensively adapted properties
 - the Council will protect the tenure status of existing and new tenants in the following way:
 - tenants who previously had a Secure Tenancy with the Council or a Secure or Assured Tenancy with another registered provider of social housing will be offered a Secure Tenancy where they (or a member of their household) was a victim of domestic abuse (within the meaning of the Domestic Abuse Act 2021) and the new Secure Tenancy is granted in connection with that abuse
 - tenants who have consecutively held a Secure Tenancy with the Council or a Secure or Assured Tenancy with another registered provider of social housing since or prior to 1 April 2012 will be given a Secure Tenancy unless the tenant choses to move to accommodation let on affordable rent terms
 - tenants who have held a Secure Tenancy with the Council after 1 April 2012 who are under occupying their current accommodation and transfer to a property owned by the Council with less bedrooms, will be given another Secure Tenancy. Such tenure protection will only though be given on one occasion
 - the Council will grant existing tenants who have been moved into alternative accommodation during any redevelopment or other works a tenancy agreement with no less security of tenure on their return to settled accommodation.

Tenancy Type	Circumstances and Reasons
Introductory to Secure Tenancy	Is the usual offer to new tenants who will be permanently occupying Independent Living Accommodation, unless they: <ul style="list-style-type: none"> • will be occupying a 4+ bedroom or extensively adapted property • have the right to a Secure Tenancy
Introductory to Flexible Tenancy	Offered to new tenants who will be occupying 4 bedroom or extensively adapted properties, unless they have the right to a Secure Tenancy
Secure Tenancy	Offered to tenants: <ul style="list-style-type: none"> • who have held a Secure Tenancy with the Council after 1 April 2012 and are under occupying their current accommodation and are transferring to a property with less bedrooms within the Council's stock • who previously had a Secure Tenant with the Council or a Secure or Assured Tenancy with another registered provider of social housing where they (or a member of their household) was a victim of domestic abuse (within the meaning of the Domestic Abuse Act 2021) and the new Secure Tenancy is granted in connection with that abuse • who can prove they currently and consecutively (i.e. with no breaks) have held a secure of assured tenancy since, or prior to April 1st 2012, unless the tenant choses to move to accommodation let on affordable rent terms.

Flexible Tenancy	Offered to existing Flexible re-let tenants and tenants who are moving from another Secure or Flexible Tenancy within the Council's stock if the property has 4+ bedrooms or is extensively adapted, unless they have the right to a Secure Tenancy.
Equitable Introductory to Secure Tenancy	Offered to minors who would be granted an Introductory to Secure Tenancy if they were an adult
Non-Secure Contractual Tenancy	Offered to tenants occupying temporary accommodation whose tenancy will be excluded from security of tenure under the Housing Act 1985, including: <ul style="list-style-type: none"> • where a tenant is decanted from their permanent home whilst works are carried out. In such cases the tenant is not required to pay rent in relation the temporary tenancy but does have a continuing obligation to pay rent in respect of their main home • a tenancy granted to a person owed a homelessness duty by the Council under the Housing Act 1996

5. Introductory to Flexible and Flexible Tenancies

Length of fixed term of Flexible Tenancies

- 5.1 The length of new Flexible Tenancies the Council will offer will be 5 years (in addition to any introductory period).
- 5.2 Exceptionally the Council may grant Flexible Tenancies of 10 years in special circumstances (see paragraph 5.11 below.)
- 5.3 Under section 107B of the Housing Act 1985, the applicant/tenant may request a review of the Council 's decision about the length of the Flexible Tenancy offered.
- 5.4 The applicant/tenant may only request a review if the length of fixed term of the Flexible Tenancy does not comply with this Tenancy Policy.
- 5.5 The applicant/tenant must make the request for a review within 21 days of the days of receipt of the offer of the tenancy or the notice required by paragraph 3.4 above, whichever is earlier.
- 5.6 The review will be dealt with by the Council in accordance with the Flexible Tenancies (Review Procedures) Regulations 2012 (see paragraph 6 below).
- 5.7 At the commencement of each Introductory to Flexible and Flexible Tenancy, the Council will notify the tenant of the assessment criteria the Council will use at the end of the fixed term of the Flexible Tenancy to determine whether a further tenancy (either Secure or Flexible) will be offered to the tenant at the end of the fixed term.

- 5.8 During the fixed term of the Flexible Tenancy, the Council will monitor the conduct of the Flexible Tenancy and the tenant's occupancy and financial circumstances against its assessment criteria to enable it to decide whether to offer the tenant another tenancy of the same or another property (Secure or Flexible) at the end of the fixed term or whether it intends to bring the tenancy to an end.
- 5.9 In reaching its decision, the general presumption will be that a further Flexible Tenancy of the existing property will be offered to the tenant. Where a new Flexible Tenancy is to be offered to the tenant at the end of the fixed term, the Council will serve notice of this on the tenant in writing before the end of the fixed term.
- 5.10 A further tenancy Flexible Tenancy of the same property may not be granted by the Council and the Council may instead seek to end the Flexible Tenancy in the following circumstances.
- the tenant (or a member of their household) has been guilty of serious unacceptable behaviour, that would justify the issue of possession proceedings against the tenancy by relying on a ground for possession set out in Schedule 2 to the Housing Act 1985 (including rent arrears and other breaches of tenancy conditions)
 - the tenant is under-occupying the accommodation (when considering people required to live with the tenant, for example family members and not lodgers). In these circumstances a further Flexible or Secure tenancy (as appropriate) may be offered to the tenant on a suitable smaller property, provided that none of the other assessment criteria apply
 - where the accommodation is statutorily overcrowded. In these circumstances a further Flexible or Secure tenancy (as appropriate) may be offered to the tenant on a suitable larger property, provided that none of the other assessment criteria apply
 - where the property has been extensively adapted and there is no one in occupation who is in need of these adaptations, and there is an applicant on the housing register who is in need of the adapted accommodation. In these circumstances a further Flexible or Secure tenancy (as appropriate) may be offered to the tenant on a suitable alternative property, provided that none of the other assessment criteria apply.
 - where, from in accordance with the Council's Allocations Policy the tenant, in the opinion of the Council, has sufficient income and/or assets to enable them to meet their housing need themselves.
- 5.11 If any of the above circumstances apply but there are special circumstances, including where:
- the tenant is an active foster carer
 - the Council's medical advisor confirms that the tenant, or member of their household, has a terminal illness or a long-term disability
 - the tenant is a care leaver who is still in need of support; and/or
 - there are dependent vulnerable children

a further Flexible Tenancy for a fixed term of 10 years may be granted, to enable those special circumstances to be monitored and re-assessed at a later date.

- 5.12 The Council recognise that there may be special or exceptional circumstances not covered by this Tenancy Policy. In such instances, the Head of Housing & Responsive Repairs will have delegated authority to make decisions as considered appropriate.
- 5.13 If the Flexible Tenancy is to be brought to an end at the end of the fixed term, at least 6 months before the end of the fixed term of the tenancy, the Council will serve on the tenant a notice in writing (a “minded to” notice):
- stating that it does not propose to grant another tenancy of the property on the expiry of the Flexible Tenancy
 - setting out the Council’s reasons for not proposing to grant another tenancy of the property;
 - informing the tenant of their right to request a review of the Council’s decision not to grant another tenancy and the time when such a request must be made
 - setting out the deadline for requesting a review of the Council’s decision is 21 days.
- 5.14 The tenant must make the request for a review within 21 days of the days of receipt of the receipt of the minded to notice.
- 5.15 The review will be dealt with by the Council in accordance with the Flexible Tenancies (Review Procedures) Regulations 2012 (see paragraph 6 below).

Ending the Flexible tenancy

- 5.16 During the fixed term of a Flexible Tenancy the Council is able end the tenancy if any of the grounds for possession listed in Schedule 2 to the Housing Act 1985 applies by serving notice on the tenant and getting a court order for possession of the property.
- 5.17 If at the end of the fixed term a further Flexible Tenancy is not to be granted, the Council can end the Tenancy by getting a court order for possession by either:
- serving notice on the tenant relying on one or more of the grounds listed in Schedule 2 to the Housing Act 1985; or,
 - serving 2 months’ notice on the tenant in accordance with section 107D of the Housing Act 1985
- 5.18 If the tenant refuses to vacate the property when the notice period expires, possession proceedings will be commenced by the Council.
- 5.19 If the notice was a notice under section 107D of the Housing Act 1985, a court can only refuse to order possession if the Council has not followed the correct procedures, where a review of a decision has not been carried out by the Council in accordance with the Housing Act 1985 or where a review decision made by the Council is wrong in law.
- 5.20 A Flexible tenant may give 4 weeks’ notice in writing to end the Flexible Tenancy at any time during the fixed term; this may only be accepted by the Council where there are no arrears outstanding, and any other breaches of the tenancy are remedied.

Advice and Assistance if a further tenancy is not granted at end of Flexible Tenancy

- 5.21 If at the end of the fixed term a further tenancy (Flexible or Secure) or the same or another property is not to be granted, the Council will provide advice and assistance to the tenant at least 56 days prior to the end of the fixed term to help the tenant find alternative housing. This advice and assistance will be provided by the Council's homelessness team and may include:
- assistance with securing privately rented accommodation
 - assessing eligibility for a rental loan, damage deposit guarantee, a discretionary housing payment to assist with securing accommodation in the private rented sector, or any other forms of assistance available at the time
 - advice on securing owner-occupied accommodation; and
 - advice on joining the Council's housing register

6. Flexible Tenancies (review procedures)

- 6.1 All Flexible Tenancy reviews (referred to above at paragraph 5) will be undertaken in accordance with the Flexible Tenancies (Review Procedures) Regulations 2012 as follows:
- 6.2 The Applicant must make an application for a review of the Council's decision in writing including the following:
- The applicant's name and address
 - A description of the original decision of the Council in respect of which the review is sought including the date when the Council's decision was made;
 - Where the review relates to the length of the Flexible Tenancy offered, a statement of the reasons why, in the applicant's opinion, the length of the tenancy does not accord with this Tenancy Policy .
 - In any other case, a statement of the grounds on which the review is sought.
 - A statement to the effect that the applicant does, or does not, require the review to be conducted by way of an oral hearing; and
 - A statement to the effect that the applicant does, or does not, agree to receive communications relating to a review by email and, if so, the email address to which such communications should be sent.
- 6.3 Following receipt of the application, if the review is to be undertaken without an oral hearing, the Council will send a written notice to the applicant stating that the applicant may make written representations in support of the application (which will be considered by the person undertaking the review) not less than 5 days after the day on which the applicant receives the notice. The review will be conducted by a person who the Council has appointed for that purpose and may be an officer or employee of the Council. The appointed person will be of greater seniority than the person who made the original decision.

- 6.4 Following receipt of the application, if the review is to be undertaken by way of an oral hearing, the Council will send written notice to the applicant to notify the applicant of the day on which, and the time and place at which, it is proposed that the oral hearing is to take place, which will not be earlier than five days after the day on which notice is received by the applicant. If at any time before the hearing date the applicant requests, the Council may postpone the hearing to a later date.

Procedure at any hearing

- 6.5 The hearing will be conducted by an officer senior to the officer who made the original decision and who was not involved in the original decision. It will be conducted with minimum formality and in accordance with the directions of the office conducting it. The tenant will be given every opportunity to make written or oral representations and be able to call persons to give evidence on any matter relevant to the decision to be made on review and put questions to any person who gives evidence at the hearing. The applicant will be able to be accompanied or represented by another person (appointed by the applicant) who will have the same rights and obligations as the applicant (or, as the case may be, the person who made the original decision) for the purposes of the conduct of the hearing.
- 6.6 If the applicant fails to attend the hearing, the person conducting it will either proceed with the hearing or re-arrange the hearing if it is considered appropriate. If the hearing is adjourned for more than one day, the person conducting the hearing will specify the date on which it will be resumed by sending a notice in writing to the applicant and any other person whose attendance is required at the resumed hearing.
- 6.7 The decision on review will be made by the person conducting the review who will notify the applicant in writing of the decision.
- 6.8 If, generally, there is no engagement from the tenant in the review process then the Council (if considered appropriate) will commence possession proceedings if applicable.

7. Demoted Tenancies

- 7.1 If the Council has concerns about the way in which a tenant on a Secure or Flexible Tenancy has been conducting their tenancy, but the concerns are such that seeking possession is not felt appropriate, it may proceed to Court and seek a Tenancy Demotion Order. If the tenancy is demoted, the tenant will hold a lesser form of tenancy with reduced security of tenure for a period of 12 months. During this period, demoted tenants do not have the same rights as secure tenants, for example they do not have:
- The right to exchange
 - The right of succession
 - The right to take in lodgers; or
 - The right to buy which is suspended until the tenancy is no longer demoted.
- 7.2 If the tenant continues to breach their tenancy conditions whilst the tenancy is a demoted tenancy, then the Council can proceed to Court for possession and provided the correct procedures have been followed by the Council, the Court will have no alternative, , but to grant the Council possession of the property.

- 7.3 On the expiry of the demotion period, a demoted tenancy that was a Secure Tenancy will be restored to a Secure Tenancy, unless the demoted tenancy is brought to an end by the Council.
- 7.4 In the case of demoted tenancy that was a Flexible Tenancy, on the expiry of the demotion period, the tenancy will be restored to a Flexible Tenancy, unless the demoted tenancy is brought to an end by the Council, as long as the Council has served a written notice stating that on the expiry of the demoted tenancy, the tenancy will become a flexible tenancy and specifying the length of the fixed term (which must be at least 2 years) and the other express terms of the Flexible Tenancy.

8. Joint Tenancies

- 8.1 A Secure or Flexible Tenancy can be held by one person or by up to four joint tenants all of whom must be eligible for housing accommodation. However many tenants there are, there is still only one tenancy and the rights and duties relating to the tenancy apply jointly and severally to all joint tenants.
- 8.2 When a joint tenant dies, the tenancy passes in law to the surviving joint tenant/s. In these circumstances the tenancy will continue in the names of the surviving joint tenant/s. This is called the right of survivorship and happens automatically on the date of death. The names of any joint tenants cannot be removed from the tenancy unless by an Order of the Court, or where the joint tenant's interest in the tenancy is assigned to the other tenant/s.
- 8.3 Where the tenancy is an Introductory Tenancy or a Secure Tenancy a notice to quit served by one joint tenant will end the Tenancy for all tenants even if the other tenant/s object.
- 8.4 Where the Tenancy is a Flexible Tenancy, joint tenants may collectively end the tenancy by serving at least 4 weeks' written notice on the Council. In this case, the consent of all joint tenants is required.
- 8.5 For all tenancy types, the tenants may collectively seek to surrender the tenancy. In this case the consent of all joint tenants is required but no offer to surrender by joint tenants will take effect until it has been accepted by the Council in writing.
- 8.6 Joint tenancies will be offered to:
- married couples or civil partners, provided that both home seekers are named on the application form, unless both parties request the tenancy to be granted in a sole name
 - unmarried couples, or those living as civil partners who can demonstrate a relationship similar to marriage or a civil partnership, providing that both request it, and the partner of the lead home seeker is registered on the application form; and
 - home seekers and their live-in carers, where the live-in carer has occupied the property as their only or principal home for over 12 months and the Council considers it to be justified.

9. Transfers, assignments and mutual exchange

- 9.1 The Council encourages the promotion and use of transfers, assignments and mutual exchange as a housing option. The Council has a separate Succession Policy which should be referred to for details.
- 9.2 The Council offers, an internet-based mutual exchange service, free of charge to assist qualifying tenants who want to enter into a mutual exchange. Any tenant who does not have access to the internet will be provided with support on request.
- 9.3 Where a mutual exchange takes place, unless the Localism Act 2011 applies or the particular tenancy agreement provides otherwise, the mutual exchange is carried out by a deed of assignment which means that a tenant takes over the rights and responsibilities and rent level of the other tenancy they swap with.
- 9.4 The Localism Act 2011 introduced a new mechanism for mutual exchanges which only applies when there is a certain combination of tenants. In summary this is when there is a mutual exchange between a tenant on an “old style tenancy” and a tenant on a “new style tenancy”.
- 9.5 The Localism 2011 Act applies to mutual exchanges between tenants on:
 - a fixed term social rent tenancy of 2 years or more (“new style”); and
 - a lifetime secure or assured tenancy if the tenancy began before 1 April 2012 (“old style”)
- 9.6 When the Localism Act 2011 applies the parties do not sign a deed of assignment but follow a process called “surrender and grant” in accordance with section 158 of the 2011 Act. This means that both tenants must surrender their respective tenancy agreements with their current landlords. The new landlord must then grant each tenant a new tenancy.
- 9.7 The Localism Act 2011 does not however apply where a tenant on an “old style tenancy” exchanges with a tenant on a “new style tenancy” whose property is let on an affordable, intermediate or mortgage rescue rent.
- 9.8 The Council is able to choose what tenancy to offer to any incoming tenant previously on a “new style tenancy” (this will be the Council’s current standard form of tenancy) but the Council must offer the tenant on an “old style tenancy”, a secure tenancy. For example, the Council cannot offer the tenant an Introductory Tenancy.
- 9.9 The Council will always check the tenancy agreement type of each tenant applying for a mutual exchange to establish whether the Localism Act 2011 applies.
- 9.10 The Council offers financial incentives under its Downsizing Policy to tenants who transfer to smaller accommodation. The incentives apply to Secure Tenants but only apply to Flexible Tenancies up to 3 years after the tenancy start date (including any introductory period). The Council’s Downsizing Policy should be referred to for details.
- 9.11 The law on transfers, assignments and mutual exchanges is complicated. Any tenants who are considering either a transfer, assignment of the tenancy or a mutual exchange should seek advice from their Tenancy Management Officer.
- 9.12 Where transfers, assignments and mutual exchanges take place, the Council will explain to tenants what will happen to their security of tenure if the transaction proceeds.

10. Succession Rights

Family Members Pre-April 2012 Tenancies

- 10.1 All of the Council's tenants on Secure Tenancies who signed up to their tenancy prior to 1 April 2012 enjoy many rights under the Housing Act 1985 Part IV. One of these is the right of succession to the tenancy to a spouse, civil partner or family member, subject to various conditions, upon the death of the tenant. Since 1 April 2012, any successor tenant who is either a spouse or a Civil Partner is able to remain at the accommodation regardless of any under-occupation. Under the amended legislation, however in the case of succession by a family member who meets all of the rules, if the accommodation afforded by the dwelling-house is more extensive than is reasonably required by the tenant, then the Council can serve a Notice of Seeking Possession more than 6 months but less than 12 months after becoming aware of the tenant's death. The notice requires the successor tenant to vacate the property and move to smaller accommodation.

Post April 2012 Tenancies

- 10.2 Under the Localism Act 2011, for all tenancies (including flexible tenancies) commencing after 1 April 2012, the statutory right to succeed under the Housing Act 1985 was repealed for family members, unless an express term of the tenancy makes provision for a person other than a spouse or civil partner to succeed to the tenancy. This means that if at the time of the tenant's death, the dwelling-house is occupied by a family member (as defined by Section 113 of the Housing Act 1985) and not occupied by a spouse or a civil partner of the tenant as their only or principal home, the following additional rights will apply through the terms of the tenancy agreement:

- Provided there is no under-occupation, a family member will be allowed to succeed to the tenancy provided they meet all of the succession rules set out under the Housing Act 1985 Part IV and has been residing at the property as their only or principal home for over 3 years
- Where the property is under-occupied by a family member, if the family member meets all of the succession rules set out under the Housing Act 1985 Part IV and has been residing at the property as their only or principal home for over 3 years, they will be made one offer of suitable alternative accommodation. If the successor tenant refuses to move, then the Council will take court action to seek possession under Ground 15A of the Housing Act 1985
- Where the property is under-occupied by a family member who has resided at the property for less than 3 years then they can be required to vacate. If the occupier refuses to vacate, then the Council will take court action to seek possession.

11. Tackling Social Housing Fraud

- 11.1 The Council employs a Corporate Fraud Team as part of the Government's national initiative to tackle social housing fraud, which in the main includes:
- The unlawful sub-letting of Council properties
 - The detection of Right to Buy fraud
 - The detection of fraudulent housing register applications
 - The detection of fraudulent grant applications

- The investigation of all joint tenancy applications
 - The investigation of all applications for succession to a tenancy; and
 - The investigation of all mutual exchange requests
- 11.2 The Council participates in the Cabinet Office's National Fraud Initiative which is a data matching exercise to assist in the prevention and detection of fraud.
- 11.3 As social housing is a valuable asset, the Council considers it is important to ensure that properties are let fairly and are occupied by legitimate tenants. For this reason, all applications listed above are subject to anti-fraud vetting.
- 11.4 Before & during the tenancy, the tenant must inform the Council if they own a residential property or have another residential lease or tenancy.

12. Tenancy Management

- 12.1 The Council offers a range of support to tenants in order to assist them in sustaining their tenancy and preventing evictions, including:
- Undertaking in-depth sign-up interviews with all new tenants to ensure the tenant understands the terms and conditions of their tenancy
 - Tenancy Management Officers undertaking new tenant visits to offer advice and support and to clarify the conditions of tenancy
 - Recognising that early identification and intervention in response to unpaid rent can prevent long term difficulties for the tenant, including the use of standard letters, regular rent statements, home visits, office interviews and pre-court visits
 - The Council offer a Tenancy Support Officer service who can provide support to those tenants who require it
 - Housing Management collaborating closely with the Council's Homelessness Team
 - Safeguarding policies including staff training and reporting procedures—including making referrals to appropriate social care agencies (Children Services, Adult Social Care, Mental Health etc). and liaise with partner agencies to support tenants and their tenancy.
 - All tenants receiving the Council's tenant newsletter which includes articles on tenancy issues
 - Offering mediation services to assist in resolving neighbour disputes
 - Consulting regularly with the Council's Communities Team in order to design out anti-social behaviour, working in partnership to seek methods to avoid neighbour conflict

13. Equal Opportunities

- 13.1 The Council is committed to fulfilling its public sector duty under the Equality Act 2010 to:
- eliminate unlawful discrimination, harassment and victimisation, and other conduct prohibited by the Equality Act 2010,
 - advance equality of opportunity between people who share a protected characteristic and those who do not,

- foster good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding.

13.2 As an aid to ensuring that home seekers are not discriminated against on the grounds of their protected characteristics, the Council will monitor the protected characteristics of home seekers on the housing register and home seekers allocated housing.

14. Related Documents

Tenancy Agreement

Allocation Policy

Downsizing Policy

Warwickshire Tenancy Strategy

https://www.nuneatonandbedworth.gov.uk/download/downloads/id/551/warwickshire_tenancy_strategy.pdf

15. Review Date

15.1 This Policy will be reviewed every 3 years or when there is a change in legislation.



Downsizing Policy

Issued by Housing & Community Safety

April 2023

Downsizing Policy Quality Record

Revision	Date	Description	Stage	Agreed
Draft	23.2.23	1 st revision	Draft	
Draft		Single Member Decision		
Draft	2.3.23	EqIA	Approved	Yes

**This Policy is available in larger print.
Please contact Human Resource if you require
assistance.**

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1. Policy statement

- 1.1 Nuneaton and Bedworth Borough Council recognises that there is a chronic under supply of family homes within the Borough. To increase the number of larger properties that become available each year, the Council will utilise a 'downsizing incentive scheme' to support tenants seeking to downsize from family sized Council homes (2 bedrooms and above) to smaller accommodation that better meet their household's need.

2. Responsibilities

- 2.1 The Head of Housing & Responsive Repairs retains the overall responsibility for the implementation of this Policy.
- 2.2 The Tenancy Services Manager, Tenancy Services Team Leader are responsible for the operational delivery of this policy and the associated procedures. This includes responsibility for monitoring and reviewing, staff awareness and training, policy development and communication to tenants.
- 2.3 All housing staff will be made aware of this Policy so that they can identify tenants who may benefit from the scheme and also promote the initiatives.

3. Strategic Aims

- 3.1 There is a need to make the most effective use of council housing stock to meet known demand on the NBBC Homes register and in particular reduce long term reliance on temporary accommodation for homeless families. This downsizing policy compliments the Nuneaton and Bedworth Borough Councils Allocation Policy.

4. Objectives

- 4.1 The key objectives of the downsizing policy are:
- To encourage and assist tenant's under-occupying family accommodation to downsize into Independent Living accommodation, or two bedroom/one bedroom/studio bedsit general needs accommodation
 - To make best use of Council stock
 - To release family accommodation to maximise occupancy
 - To give tenants a financial incentive and support when moving home through this scheme;
 - The financial incentive is intended to contribute towards the costs incurred as a result of moving;

5. Eligibility

- 5.1 Tenants who apply to transfer under the downsizing incentive scheme will be considered providing the tenant:
- Is a tenant of Nuneaton and Bedworth Borough Council
 - Holds a secure tenancy on their current home and has done for minimum of 2 years
 - Has kept to the terms of their tenancy agreement
 - Is under occupying a general needs family home by one or more bedrooms when considered against NBBC Homes criteria

- Is registered with NBBC Homes and is willing to downsize to non-family size accommodation
 - Have no housing related debt with the council (this is considered as current/former rent arrears, use and occupation charges, housing benefit, court costs, rechargeable repairs)
 - Have no council tax arrears
 - Agree to provide vacant possession of their present home
- 5.2 If tenants with housing related debt and/or Council Tax arrears (but not in excess of the grant limit) agree with the council that the incentive payment can be used as payment to clear the debts then tenants may still be approved for the downsizing scheme.
- 5.3 In exceptional circumstances, where the debt is higher than the amount of the incentive amount but the property the tenant currently occupies has been found to be unaffordable due to the welfare benefit changes, approval may be given providing the tenant agrees to adhere to a payment plan following an assessment with Nuneaton and Bedworth Borough Council's Financial Inclusion Team. Approval would have to be sought from the Head of Housing & Responsive Repairs.
- 5.4 Additionally the council will not accept applications where:
- The consequence of the move causes the homelessness of a member of the current household
 - A move to a smaller property will result in the tenant and their household being overcrowded
 - The tenant moved into their current property under the mutual exchange process within the last two years.
 - The tenant has an introductory or flexible tenancy
 - The tenant is required to downsize following a succession
 - The tenant is being 'decanted' due to their current property being part of a redevelopment scheme
 - The tenant is not considered 'a qualifying' applicant on NBBC Homes.
 - The tenant has previously received a downsizing incentive scheme payment from Nuneaton and Bedworth Borough Council within the last two years.
- 5.5 Those who do not meet the eligibility criteria for the incentive scheme but who are still under occupying their property may still apply for a transfer in the normal way via NBBC Homes [Home - Homechoice \(nbbchomes.org.uk\)](http://nbbchomes.org.uk)

6. Incentive Payment and support

- 6.1 Where a Nuneaton and Bedworth Borough Council tenant of a general needs property is occupying a property that is larger than their needs and they agree to transfer to a smaller more suitably sized property, they will receive support to assist them with finding an alternative property and will be eligible for a downsizing grant.
- 6.2 Tenants of a Nuneaton and Bedworth Borough Council general needs property wishing to downsize (move to accommodation with fewer bedrooms than their current property) will be placed on NBBC Homes housing register and will normally be assessed as Band 1 plus They will be able to 'bid' on all suitable properties advertised through the Home Option Choice Based Lettings Scheme. In exceptional circumstances, tenants maybe Direct Matched to a property. The decision of a Direct Match will be made by the Head of Housing & Responsive Repairs and/or the Head of Strategic Housing.

6.3 Tenants in **general needs housing downsizing to Independent Living Accommodation** (bungalows, flats designated for over 50's)

£2500 cash payment, paid once the move is complete

Plus

Dedicated officer to oversee the moving process

Assistance with decorating undertaken by our in-house repairs team (painting only)

Assistance with putting up curtains or blinds

Removals undertaken by the councils appointed removal company (up to the cost of £500)

Assistance with carpet / floor covering e.g., Vinyl flooring for your new home (up to the cost of £500)

Disconnection and reconnection of cooker and washing machine (please note that some properties within Independent Living Accommodation are not large enough to accommodate a washing machine).

Help with the disposal of unwanted furniture (conditions apply and prior agreement is required)

6.4 Tenants in **general needs housing downsizing (moving to a property with fewer bedrooms than their current property) to a smaller general needs property**

£2000 cash payment, paid once the move is completed

Plus

Dedicated officer to oversee the moving process

Assistance with decorating undertaken by our in-house repairs team (painting only)

Assistance with putting up curtains or blinds

Removals undertaken by the councils appointed removal company (up to the cost of £500)

Assistance with carpet/floor covering e.g. Vinyl flooring for your new home (up to the cost of £500)

Disconnection and reconnection of cooker and washing machine

Help with the disposal of unwanted furniture (conditions apply and prior agreement is required)

6.5 If there are any rent arrears or any other outstanding monies owed to the Council or there are any recharges relating to damage caused to the property then this will be deducted from the downsizing payments.

6.6 Tenants will be eligible to be paid only one downsizing grant. In very exceptional circumstances, if a tenant needs to move to alternative accommodation again then a

second payment may be made, this will be at the discretion of the Head of Housing & Responsive Repairs.

- 6.7 Downsizing grants are not payable to under-occupying family member successors as the council can apply for possession of the property. Spouse, partners (including same sex partners) and those in civil partnerships are not family successors and therefore qualify for a downsizing grant upon moving to a smaller property.
- 6.8 Under-occupying households that are subject to an active ASB complaint against them are not eligible to downsize.

7. Applications & Assessment

- 7.1 Downsizing Tenants applying to the downsizing scheme must complete and return the downsizing incentive application form (available on the Council's website www.nuneatonandbedworth.gov.uk) in addition to completing an application on NBBC Homes. The website also provides details of the documentation to be provided to support the application. Support will also be provided to tenants who need assistance in completing the application form.
- 7.2 The applications will be assessed and notification will be sent to the tenant advising:
- If they qualify to the NBBC Homes Register
 - If they meet the eligibility criteria of the downsizing scheme
 - The size property they are eligible for
- 7.3 Tenants will be offered an alternative property that is adequate for their housing need and in line with Nuneaton and Bedworth Borough Council's Allocations Policy.
- 7.4 Tenants express an interest in properties by bidding via NBBC Homes (choice based lettings); assistance with the bidding line can be made available under the downsizing scheme if required.

8. Local Lettings Plan

- 8.1 NBBC Allocations Policy gives the highest priority band to tenants who are releasing under occupied properties if they meet the eligibility criteria which does not permit under occupation or certain levels of income and savings.

The Local Lettings Plan will allow a household to under occupy by one bedroom and will not apply the income and savings eligibility criteria, so households are not restricted to move to smaller dwellings.

Tenants would need to demonstrate that they are:

- eligible for accommodation in accordance with the Allocation Policy.
- able to demonstrate that they have sufficient income to pay rent.
- Receiving an offer that is considered suitable and reasonable in accordance with the Allocation Policy

- 8.2 The number of offers of accommodation under the Downsizing Incentive Scheme will be made in line with the Councils Allocation Policy.

9.0 Accepting an Offer of Accommodation

- 9.1 An accompanied viewing will be offered, and the applicant will be shown around the property and will need to decide whether or not to accept.
- 9.2 If the applicant accepts the offer, a tenancy agreement will need to be signed with an agreed tenancy start date and arrangements will be made with regards to the incentives i.e. decorating, removals and carpets if applicable.

10.0 After downsizing takes place

- 10.1 The tenant/s will receive the incentive payment via their bank account on completion of the move and receipt of the keys from the home they are vacating. The amount paid will have any void loss incurred (calculated on a daily rate) due to late return of keys deducted from the final incentive payment?
- 10.2 Prior to issuing the final incentive being issued an inspection of the vacated property will be undertaken and any rechargeable works identified, over and above normal wear and tear, will be deducted from the final incentive payment. This also includes the cost of clearing excessive items left in the property or garden without prior agreement with the Council.
- 10.3 If the tenancy is a joint tenancy, then the payment will be split equally between the joint tenants but can be paid into one bank account on receipt of written authority from both tenants.
- 10.4 An applicant, who has moved home and received an under-occupation incentive payment, will not be expected to increase their household size and subsequently overcrowd the new property.
- 10.5 The applicant may apply for a transfer and will be assessed in the usual manner under the Council's Allocation Policy. However, if another transfer is completed within 2 years then the Council reserves the right to request that the full incentive grant amount is returned to the Council.

11. Budget Limits

- 11.1 The budget for downsizing incentive is subject to an annual limit. If there are more requests for incentive payments than the funding available, priority will be given to those tenants moving from accommodation that is more urgently required. Priority will be decided by the Head of Housing & Responsive Repairs and/or the Head of Strategic Housing.
- 11.2 The Council reserves the right to reduce the incentive payments by:
- The amount of any current/former rent arrears, use and occupation charges, housing benefit overpayments, court costs, rechargeable repairs and repayable rent deposits owing to the Council at time of transfer
 - The amount of any council tax arrears outstanding to the council at time of transfer
 - The cost of any works that the council has to undertake to the vacated premises as a result of damage or neglect on the part of the outgoing tenant and/or
 - Any other reinstatement works to bring the work back to the Council lettable standard, that are not regarded as fair wear and tear

11.3 Payments will be authorised once the tenant has moved and following an inspection of the vacated property. Applicants must be registered and accepted on the downsizing incentive scheme before a move takes place for a payment to be authorised

12. Mutual Exchanges

12.1 The Council recognises that Mutual Exchanges provide a cost-effective solution to help tenants move to more suitable accommodation, to move to take up a job and/or be closer to family. By offering incentives to under occupying tenants who wish to downsize via a mutual exchange, the council aims to assist those living in overcrowded situations.

12.2 With a view to promoting mutual exchanges the council works in partnership with **Home Swapper**, a national web-based scheme, which helps tenants to find another tenant to swap with. This service is free to all Nuneaton and Bedworth Borough Council tenants.

12.3 Tenants applying to mutual exchange must submit the mutual exchange request in the normal way (details available on the council's website www.nuneatonandbedworth.gov.uk). In addition; an application form for the downsizing incentive scheme should be completed and returned.

12.4 An assessment regarding eligibility of the downsizing scheme must have been made prior to the mutual exchange request being approved.

12.5 Eligibility criteria for mutual exchange incentives for tenants that are under occupying are that the tenant:

- Holds a secure tenancy on their current home and have done for a minimum of two years.
- Is under occupying their current home and is exchanging to a smaller property suitable for the household's housing need in accordance with the Councils allocation policy
- is exchanging with another secure tenant of Nuneaton and Bedworth Borough Council who and is currently overcrowded as defined by the councils allocation policy
- Mutual Exchange Application has been approved
- Is under occupying, does not owe any current/former rent arrears, use and occupation charges, housing benefit overpayments, court costs, rechargeable repairs, repayable rent deposits and/or council tax arrears to the Council at the time of the mutual exchange approval in order to be eligible for the incentives.
- Has not previously received any incentives under the Council's downsizing incentive scheme within the last two years.

12.6 Tenants transferring by mutual exchange who are freeing up an underoccupied property will receive the following package:

- Removals undertaken by the Councils appointed removal company
- Property decoration pack determined suitable for the size property you are exchanging to by the Council

- Assistance with carpet/flooring for your new home if downsizing into a one bed/studio bedsit property (up to £250)

Please note. The above is applicable only to tenant/s that are currently underoccupying and exchanging into a property that would not result in additional bedrooms above their assessed housing need in accordance with the Council's allocation policy.

13. Right to Appeal

- 13.1 All tenants who have applied to move under the downsizing incentive scheme or mutual exchange incentive scheme will be informed in writing of the decision and will have the right to appeal by using the appeals procedure.
- 13.2 Full details how to appeal will be provided in the decision letter.
- 13.3 We reserve the right to refuse payments under all sections of the scheme because of breaches of conditions of tenancy and any other breaches as appropriate.
- 13.4 The incentives under this enhanced scheme are only available from the commencement of this policy and whilst there are sufficient funds available.

14. Monitoring

- 14.1 The scheme will be reviewed annually and any alteration to the level of assistance paid will be made by the Head of Housing & Responsive Repairs

15. Related Documents

Tenancy Agreement
Allocation Policy
Tenancy Policy

16. Review Date

- 16.1 This Policy will be reviewed annually.

Local Letting Plan- Downsizing

Introduction

This Plan has been put together by Nuneaton and Bedworth Borough Council, (NBBC), Housing Solutions Team and NBBC Tenancy Services Team to confirm the process for the allocation of current tenants who are under-occupying properties and need to downsize to smaller accommodation in accordance with the Downsizing Policy 2023.

Background

The Allocations Policy currently gives an additional preference (Band 1+) for existing tenants to release under occupied properties.

The Downsizing Policy aims to increase the number of larger properties that become available each year, to support tenants to move the council will offer a downsizing incentive scheme. Applicants will remain in band 1+ but will have the extra incentives to encourage downsizing.

The overall objective is to assist tenant's under-occupying family accommodation to downsize, releasing family accommodation and re allocating these properties to homeless families following the allocation policies discretion for the purposes of making direct matches for Homeless Households.

Eligibility Criteria

A Local Letting Plan is required because NBBC Allocation Policy only permits direct matches to 25% of NBBC's available stock and this would be an increase to the 25%.

NBBC Allocations Policy gives our highest priority band to tenants who are releasing under occupied properties if they meet the eligibility criteria which does not permit under occupation or certain levels of income and savings.

The Local Letting Plan will allow a household to under occupy by one bedroom and will not apply the income and savings eligibility criteria, so households are not restricted to move to smaller dwellings.

Applicants for this facility will need to:

- Be eligible for accommodation following the Allocation Policy.
- Be able to demonstrate that they have sufficient income to pay rent.
- That the offer is considered suitable and reasonable following the Allocation Policy
- The transfer has been agreed in accordance with the Downsizing Policy 2023.

Individual Cabinet Member Decision – Housing and Communities - DATE

Name of Policy/Procedure/Service	Downsizing Policy
Service Unit	Housing and Communities
Date of Implementation	TBC

Does this policy/procedure/service have any differential impact on the following groups/people? (please tick):

Group	This may have a positive impact	This may have a negative impact	No adverse impact
Age			X
Disability			X
Gender			X
Gender Reassignment			X
Marriage and Civil Partnership			X
Pregnancy and Maternity			X
Race – which includes ethnic or national origins, colour, caste or nationality			X
Religion or Belief – this also includes no religion/belief			X
Sexual Orientation (Including LGBT)			X
impact on Serving and/or Ex Serving Armed Forces Personnel and their families			X

Please tick if you believe that this document:

- Should proceed to a Full Impact Assessment Red
- Needs some minor changes, but does not need a Full Impact Assessment Amber
- Needs no further action Green

Recommendations (If any):

No direct equality considerations identified.

Signed	C.Dicken
Officer completing assessment	C.Dicken
Date	2 nd March 2023

Equality Impact Assessment - Screening

Name of Policy/Procedure/Service	Tenancy Policy
Service Unit	Housing and Communities
Date of Implementation	TBC

Does this policy/procedure/service have any differential impact on the following groups/people? (please tick):

Group	This may have a positive impact	This may have a negative impact	No adverse impact
Age			X
Disability			X
Gender			X
Gender Reassignment			X
Marriage and Civil Partnership			X
Pregnancy and Maternity			X
Race – which includes ethnic or national origins, colour, caste or nationality			X
Religion or Belief – this also includes no religion/belief			X
Sexual Orientation (Including LGBT)			X
impact on Serving and/or Ex Serving Armed Forces Personnel and their families			X

Please tick if you believe that this document:

Should proceed to a Full Impact Assessment

Red

Needs some minor changes, but does not need a Full Impact Assessment

Amber

Needs no further action

Green

Recommendations (If any):

No adverse impact identified.

Signed	C.Dicken
Officer completing assessment	C.Dicken
Date	2 nd March 2023

Cabinet

Report Summary Sheet

Date:

24th May 2023

Subject:

Funding Arrangements – Economic Development and Public Safety

Portfolio:

Business & Regeneration (Councillor K Wilson) and Housing & Communities (Councillor C Golby)

From:

Strategic Director –Housing & Community Safety and Strategic Director – Economy & Transformation

Summary: This report proposes a redirection of discretionary funding previously provided to the Coventry and Warwickshire Local Enterprise Partnership (CWLEP) and the Coventry and Warwickshire Growth Hub (CWGH) to enable more support of locally focused economic growth and an increase in capacity within the Borough Council’s Communities & Public Safety team.

Recommendations:

1. That approval be given to establish a Town Centres Business Grant Scheme;
2. That delegated authority be given to the Head of Economic Development and Communities, in conjunction with the Cabinet Member - Business & Regeneration to administer the Scheme;
3. That approval be given to increase capacity within the Communities & Public Safety team within the financial envelope detailed within the financial implications.

Options:

To accept the recommendations: – this will provide the opportunity to establish a locally focused business grant scheme that is able to support businesses to set up, relocate and / or grow within the borough’s administrative boundaries. Additionally, improving the capacity within the Communities & Public Safety Team will ensure that crime and ASB receive greater focus and therefore contribute both to the reduction of crime and the reduction of the fear of crime. When taken together, these initiatives will support an environment that is attractive to businesses of all sizes, supporting the economic growth of our borough; or

To reject the recommendations: - Members may reject the recommendations contained within this report and propose alternative recommendations and rationale.

Reasons:

The Local Enterprise Partnership (LEP) functions are now subsumed within Warwickshire County Council’s duties, negating the historical discretionary £20k annual funding contribution to the LEP that NBBC has made for many years. The Coventry & Warwickshire Growth Hub is an “add on” function set up by the LEP which has attracted annual discretionary funding of £15k from NBBC and the other four district and borough councils in Warwickshire [as well as larger annual contributions from Warwickshire County Council and Coventry City Council]. Coventry & Warwickshire Growth Hub has now been established as a Community Interest Company separate from the LEP functions that have been subsumed within the County Council. However, given the level of UK Shared Prosperity Fund (UKSPF) investment proposed to support businesses, coupled with existing local and regional arrangements, it is recommended that the £35k of funding contributions previously made to the LEP and the Growth Hub is redirected to provide more locally focused resources for the benefit of the borough.

Consultation undertaken with Members/Officers/Stakeholders

Consultation has taken place with the;

- Portfolio Holders, Business & Regeneration, Housing & Communities, Finance & Corporate, Public Services, Planning & Regulation and Health & Environment

Subject to call-in:

Yes

Ward relevance:

ALL

Forward plan:

Yes

Building a Better Borough Theme:

1 – Live
2 - Work

Building a Better Borough Priority:

A1 – Priority 4: Prioritise Community Safety and Empowerment
A2 – Priority 1: Grow a Strong and Inclusive Economy

Relevant statutes or policy:

Crime and Disorder Act 1998
Police Crime Sentencing and Courts Act 2022

Equalities Implications:

(Does this require an Equalities Impact Assessment? If so please append.)

Improving the local economy and reducing crime and the fear of crime will positively impact all residents of the borough.

Human resources implications:

No direct human resources implications.

Financial implications:

It is proposed that £20k is set aside to establish a Small Grant for Businesses Scheme to support local businesses. It is proposed that £15k be set aside to increase capacity within the Communities & Public Safety Team to improve the reduction of crime and the fear of crime.

Health Inequalities Implications:

Residents of the borough overall experience poorer health and wellbeing to that of our Warwickshire neighbours. Health and Wellbeing is adversely impacted by crime and the fear of crime, and by low incomes and poor life chances. Improving the reduction of crime and the fear of crime will have a positive effect on residents' health and wellbeing. In addition, initiatives that strengthen our local economy will offer greater opportunity for employment, increasing disposable income and offering enhanced life chances for all residents, again, delivering a positive effect of residents' health and wellbeing.

Section 17 Crime & Disorder Implications:

Nuneaton and Bedworth Borough Council has a statutory duty under Section 17 of the Crime and Disorder Act 1998 to do all that it reasonably can to prevent crime and

disorder within its administrative boundary. Increasing capacity of the Communities and Public Safety Team will improve the Council's ability to meet this statutory requirement.

Risk management implications:

None

Environmental implications:

None

Legal implications:

The Council has a duty to comply with its statutory duty contained within Section 17 of the Crime & Disorder Act 1998.

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NUNEATON AND BEDWORTH BOROUGH COUNCIL

Report to: Cabinet – 24th May 2023

From: Strategic Director – Housing & Community Safety and Strategic Director – Economy & Transformation

Subject: Funding Arrangements – Economic Development and Community Safety

Portfolio: Business & Regeneration (Councillor K Wilson) and Housing & Communities (Councillor C Golby)

Building a Better Borough: 1 and 2

Building a Better Borough Aim: 1.4 and 2.1

1. Purpose of Report

- 1.1 To propose a redistribution of discretionary funding previously provided to the Coventry and Warwickshire Local Enterprise Partnership (CWLEP) and the Coventry and Warwickshire Growth Hub (CWGH) to enable more support of locally focused economic growth and an increase in capacity within the Borough Council's Communities & Public Safety team..

2.0 Recommendations

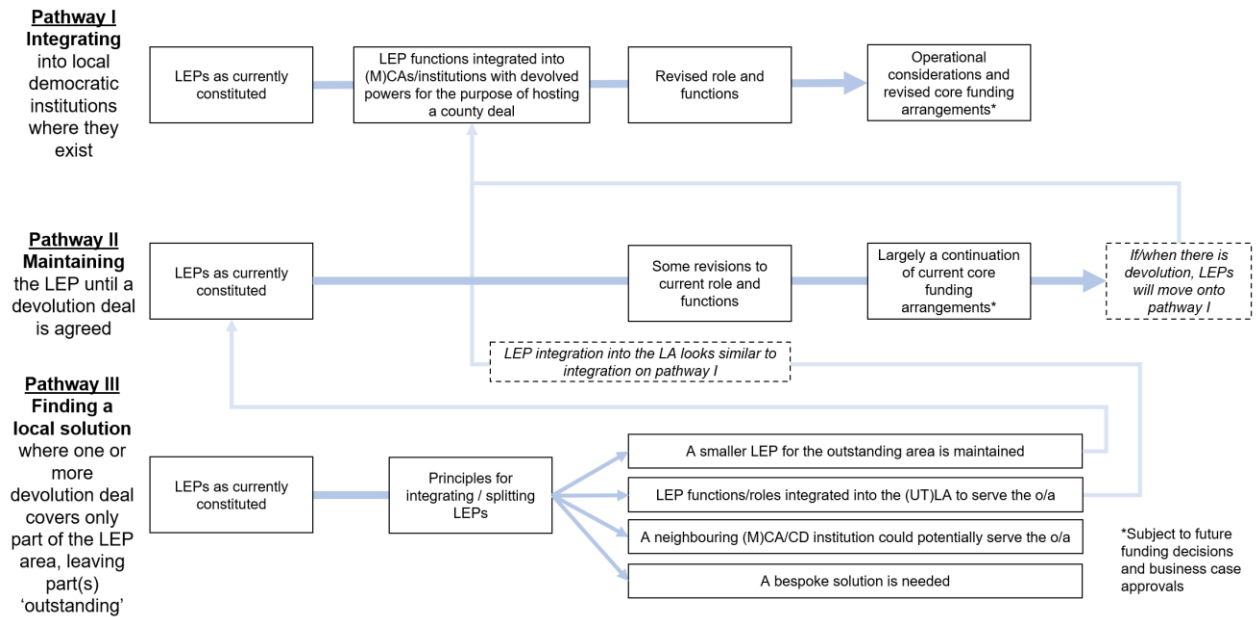
- 2.1 That approval be given to establish a Town Centres Business Grant Scheme;
- 2.2 That delegated authority be given to the Head of Economic Development and Communities, in conjunction with the Cabinet Member - Business & Regeneration to administer the Scheme;
- 2.3 That approval be given to increase capacity within the Communities & Public Safety team within the financial envelope detailed within the financial implications.

3. Background

- 3.1 Local Enterprise Partnerships were established in 2011 by the Department for Business Innovation and Skills, abolishing the Regional Development Agencies. Their remit was to determine local economic priorities and lead economic growth and job creation within the local area. Subsequently, the CWLEP was established, working across Coventry and Warwickshire. Nuneaton and Bedworth Borough Council has contributed £20k per annum to the operation of the CWLEP for a number of years.
- 3.2 The CWGH was established in 2014 with the purpose as acting as a single access point for businesses requiring support. The CWGH were established

to assess individual business needs and to signpost or refer to the most appropriate source of support. The CWGH formally became a subsidiary of CWLEP in 2015, as a company limited by shares. Nuneaton and Bedworth Borough Council has contributed £15k per annum to support the operation of CWGH for a number of years.

3.3 Following a review of LEPs as set out in the Levelling Up White Paper. The review identified 3 pathways to integrate LEPs into local democratic institutions, in line with the Government’s mission to everywhere that wants one by 2030. The integration pathways are set out below:



3.4 CWLEP has been identified as being on Pathway 3, meaning that a bespoke solution needed to be developed locally, due to the complexity of the geography. This is because part of the CWLEP was within the West Midlands Combined Authority (WMCA) and part within Warwickshire. Subsequently, functions and activities of the CWLEP will be transitioned into both the WMCA and Warwickshire County Council (WCC). This means that the Council will no longer be required to contribute £20k per annum to the operation of the LEP.

3.5 Following the outcome of the LEP review, at its meeting of 16th March 2023, WCC’s Cabinet were advised of the need to consider options for the functions of the CWGH to continue to be delivered as a separate entity. The current proposal under consideration is to maintain the CWGH as a separate company, with Coventry City Council (CCC) and WCC as joint shareholders. A report will be taken to WCC Cabinet setting out detailed proposals for the future of CWGH. Given that the operation and legal standing of the CWGH are to be decided by CCC and WCC as likely joint shareholders, and that there is a commitment by both Councils to maintain its core purpose, it is proposed that the Borough Council ceases its discretionary £15k per year payment to the CWGH and instead uses this to help deliver its Corporate Plan

“Building a Better Borough” high priority of increased community safety and empowerment.

4.0 Future Arrangements

4.1 As noted at paragraph 3.5 above, there is a commitment from CCC and WCC to maintain the core function of the CWGH. This means that businesses operating within Nuneaton and Bedworth can continue to seek advice from the CWGH moving forward.

4.2 In addition to services offered by the CWGH, the Council has already increased capacity within its own Economic Development Team to forge greater links with local businesses, the Coventry and Warwickshire Chamber of Commerce and the Federation of Small Businesses, to offer appropriate support and signposting. The team also has a close and productive working relationship with the Inward Investment, Economic Development and Skills Hub teams at WCC. Taken together, there is and will remain, existing support available for businesses.

4.3 In order to further strengthen the offer to businesses, the UK Shared Prosperity Fund (UKSPF) has a standalone investment theme for ‘supporting local business’. For Nuneaton and Bedworth, the investment level for our local businesses, for the period 2023/24 and 2024/25 is £750,000. As part of this investment theme, Officers have been working in partnership across all Warwickshire councils to undertake a business support review, aimed at identifying the most advantageous locally tailored support for our businesses. The review has identified the need to provide services to businesses in the following areas:

- Start Up businesses;
- Resilience and Growth;
- High Growth and Innovation;
- Net Zero;
- Manufacturing;
- Tourism.

4.4 The final outcomes of this work will be completed by the end of April 2023, and a report, detailing the outcomes and full proposals is included within the agenda for Cabinet in June 2023.

5.0 Town Centres Business Grant Scheme

5.1 The Council has prioritised support for businesses with the Building a Better Borough Corporate Plan. As described at Section 4, the Council continues to work across partners to maximise the opportunities and benefits for all businesses based within the borough. However, it is clear from discussions with town centres based businesses, that localised, focused support would provide much needed assistance, allowing them to remain viable, grow and support and benefit from regeneration projects.

5.2 It is therefore proposed to establish a Town Centres Business Grant Scheme, utilising the £20k previously contributed to the CWLEP. The proposed scheme combines the elements of the previously successful Shop Front grant scheme and the various business support grants administered during the pandemic. The list of eligible projects is not prescriptive as the Council recognises the entrepreneurship of its local businesses, and wishes to support rather than stifle business innovation. The proposed scheme is attached at Appendix A.

6.0 Public Safety and Communities Team

6.1 The Council has also prioritised community safety and empowerment within the Corporate Plan – Building a Better Borough. The Public Safety and Communities Team hold statutory duties as contained within Section 17 of the Crime and Disorder Act 1998 and the Police Crime Sentencing and Courts Act 2022. The Crime and Disorder Act 1998 places a duty upon the Council to work in partnership with the Police and other key agencies to formulate and implement local crime reduction strategies. The Police Crime Sentencing and Courts Act 2022 places a duty upon the Council to work with specified authorities to prevent and reduce serious violence in the local area.

6.2 The data contained within the table below is taken from the countywide Community Safety Performance metrics. It illustrates that the level of crime experienced per capita in the borough is consistently higher than the rest of Warwickshire;

Theme	Warwickshire	Nuneaton & Bedworth	N&B % of Warwickshire total
Knife related violence	297	116	39.06
Possession of article with blade or point	247	95	38.46
Possession of other weapons	246	115	46.75
Serious acquisitive crime	10,266	2,664	25.95
Drugs & Alcohol	2,186	621	28.41
Anti-Social Behaviour	18,976	6,045	31.86

6.3 The data is a small sample of the statistics collated, and do not include the impact of increasing levels of modern day slavery and County Lines cases. However, it does highlight the significant demand upon the Public Safety Team, both in terms of the level of partnership work required, and the level of demand for the use of the Council's powers.

6.4 In addition to the duties described at 6.1, and the demand identified at 6.2, it is anticipated that further legislation will be brought forward to strengthen the role of Community Safety Partnerships and introduce new powers and responsibilities to deal with Anti-Social Behaviour. The existing and emerging responsibilities are borne by a Public Safety Team comprising of 1.6 members of staff, and 1 Manager covering Public Safety, Community Development, Community Engagement, Third Sector Partnerships and community skills development and educational attainment.

6.4 Given the significant demand being placed on an extremely small team, it is proposed to utilise the £15,000 previously paid to the CWGH to enhance the Public Safety Team. Should the recommendation at 2.3 be approved, the team will be restructured and increased in consultation with the Portfolio Holder for Housing and Communities.

7.0 Conclusions

7.1 The proposals contained within this report are mutually beneficial. Reducing crime and the fear of crime positively impacts upon the perception of Place, leading to greater confidence for businesses to both remain and locate within Nuneaton town centre and Bedworth town centre, thus positively affecting our local economy.

7.2 The Council has prioritised support for businesses and community safety and empowerment via its corporate plan – Building a Better Borough. These proposals are a tangible demonstration of that support and prioritisation, to the benefit of residents and businesses alike.

8. Background Papers

None

DAWN DAWSON
TOM SHARDLOW



Nuneaton and Bedworth Borough Council Town Centres Business Grant Scheme

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1. Introduction

Nuneaton and Bedworth Borough Council has prioritised support for businesses within its corporate plan – Building a Better Borough. We are keen to ensure that wherever possible, focused, localised support is available to ensure businesses in the borough continue to thrive, grow and diversify.

Following discussions with town centre business representatives, the Council has understood the need to support existing town centres based businesses. The Town Centres Business Support Grant Scheme is designed to support businesses operating in our town centres to achieve their fullest potential and to capitalise on regeneration activities that are both underway and planned.

The Council has made available an initial amount of £20,000 to support town centres businesses to adapt to gain new customers, increase turnover and or increase the long term viability of their operation. The Scheme will be regularly reviewed to consider the effectiveness of the criteria and popularity of the scheme. Due to demand, the scheme may be extended, revised or ended based upon available funding.

2. Aim

The Town Centres Business Support Grant Scheme provides funding to enable local town centres businesses to implement changes and initiatives that will support their plans for viability, investment, diversification and growth, and to capitalise upon the regeneration activities both underway and planned for both Nuneaton Town Centre and Bedworth Town Centre.

3. Funding Availability

Grants will be available to all businesses based within Nuneaton town centre and Bedworth town centre. The grant payments will be made available for one-off costs, up to a maximum amount of £5,000 per business.

4. Eligibility Criteria

There is no restriction upon the upon the category of businesses who can apply. To qualify for this scheme, your business must:

- be located within either Nuneaton Town Centre or Bedworth Town Centre;
- not be in administration, insolvent or in receipt of a striking-off notice;
- employ less than 25 full time equivalent (FTE) employees;
- provide quotations to carry out the proposed projects from businesses/ individuals who are independent from your business;
- ensure your project complies with current State Aid regulations and you must submit a State Aid Declaration as part of the application process.

Further details of the current State Aid regulations are attached at Appendix B.

- Businesses that have substantial financial reserves and that we consider can afford to fund the project without a grant will not be eligible.
- Applicants must satisfy us that their proposals are viable, realistic and deliverable.
- Applications will be assessed on their relative merits in terms of the outputs offered, in particular, the number of jobs safeguarded and/or the number of jobs created.

5. Eligible Projects

The Town Centres Business Support Grant Scheme will fund both capital and one-off revenue costs. This scheme is deliberately non-prescriptive within this envelope, in relation to the activities that individual businesses require to support them to achieve their fullest potential and capitalise upon regeneration activities that are both underway and planned. Nuneaton and Bedworth Borough Council is keen to receive proposals directly from businesses.

The grant can be used towards the following projects:

Digital

- Product or service design and development;
- Specialist digital focused consultancy;
- Consultancy costs to improve or build a website;
- Consultancy costs for social media and online marketing services;
- Graphic Design for digital and online use;
- Content writing services;
- Search engine optimisation services;
- Social media boost services.

Premises

- New shop front;
- Repairs to shop frontages;
- New or improved signage;
- External lighting;
- Window display lighting;
- Window display equipment;

- Professional fees associated with the development and delivery of the project, including Planning fees, consultancy fees and advisory services.

***NB** – Applicants must obtain the relevant permissions and consent to implement their proposals.

There are a small number of ineligible activities and costs. A list of these is attached at Appendix A .

Please note that this scheme will not reimburse for costs incurred or paid out by businesses, prior to your application submission.

6. Application Process

The application form must be completed in full, with the following supporting information supplied:

- Up to date financial accounts for at least the last two years. If your business has been trading for less than 2 years, your most recent business plan/management accounts must be provided.
- You may wish to provide additional information to support your application, such as relevant research.

As part of the assessment process, the Council may need to share your business case with the Council's partners – commercial sensitivity will be protected, and your actual consent will be sought prior to the sharing of any information.

If successful for a Grant under this scheme, you consent to the participation in publicity, press releases, case studies and photographs (subject to commercial sensitivity), undertaken by Nuneaton and Bedworth Borough Council.

7. Grant Offer

Successful applicants will be invited to enter into a grant agreement with Nuneaton and Bedworth Borough Council. This will explain when a project can start and all terms and conditions including any project specific conditions.

Payment will be made upon receipt of a validated invoice for the activities specifically funded and identified within the grant agreement.

Nuneaton and Bedworth Borough Council reserve the right to withhold, vary or reclaim funding if any information supplied through the application and approval process proves to be inaccurate, misleading, or incomplete.

8. Post Assurance Checks

Nuneaton and Bedworth Borough Council will undertake due diligence checks on information provided in support of applications, for example, for the prevention of fraud.

If it is established that any award has been made incorrectly due to error, misrepresentation or incorrect information provided to the Council by an applicant or their representative(s), the Council will look to recover the amount in full.

9. Taxation and the provision of information to Her Majesty's Revenues and Customs (HMRC)

The Council has been informed by Government that all payments under this scheme are taxable. The Council does not accept any responsibility in relation to an applicant's tax liabilities and all applicants should make their own enquiries to establish any tax position.

All applicants should note that where a grant is paid by the Council, details of each individual grant may be passed to Government.

10. Fraud or financial irregularity

Nuneaton and Bedworth Borough Council has a zero-tolerance approach to fraud, corruption, and other forms of financial irregularity. It will take any necessary steps where fraud is suspected, for example, full recovery of costs and/or referral to the police.

11. Data Protection and Use of Data

All information and data provided by applicants shall be dealt with in accordance with the Council's Data Protection Policy and Privacy Notices. These are available on the Council's website.

Appendix A - Ineligible Costs and Activities

- The purchase of land or property.
- The speculative conversion of buildings into business premises.
- Internal staffing costs.
- Projects where the applicant cannot demonstrate a market demand (either new or existing).
- Notional expenditure.
- Depreciation, amortisation and impairment of assets purchased with the help of the Grant.
- Interest charges unless under an approved State Aid scheme.
- Service charges on finance leases, hire purchase and credit arrangements.
- Costs resulting from the deferral of payments to creditors.
- Reclaimable VAT.
- Expenditure supported from other government sources, local authority grants, charges, paid by leaseholders, or EC structural funds, to the extent that the combined grants and other support total more than 100% of the project or scheme costs.
- Any cost relating to insurance policies.
- Projects or events which promote or condone extremist ideology, activities, hate or terrorism.
- Costs for any expenditure incurred prior to the award of the grant.

Appendix B – UK Subsidy Control Regime

Your project must comply with the new UK Subsidy Control Regime.

Any grant is given as aid under the UK Subsidy Control Regime (Subsidy Control Act 2022). This means that businesses receiving support under these provisions can receive up to £315,000 in aid over the preceding three years (being the current year and the previous two years).

Any grant awarded is required to comply with the UK Subsidy Control Regime. This will involve the applicant declaring to the Council if they have received any other de minimis State Aid or Aid provided under the EU Commission COVID-19 Temporary Framework.

Applicants must therefore declare how much public sector funding (including consultancy support) they have received under the De Minimis Regulation within the last three years. This may reduce the amount of grant available to support your project.

The UK Subsidy Control Regime declaration is included within the Grant application.

For more information, please visit
<https://www.gov.uk/government/collections/subsidy-control-gegime>

Cabinet

Report Summary Sheet

<p>Date: 24th May 2023</p>
<p>Subject: UK Shared Prosperity Fund (UKSPF)</p>
<p>Portfolio: Business & Regeneration (Councillor K Wilson) and Housing & Communities (Councillor C Golby)</p>
<p>From: Strategic Director – Housing & Community Safety</p>
<p>Summary:</p>
<p>Recommendations:</p> <p>2.1 That progress against Year One projects be noted;</p> <p>2.2 That the Town Centres Commercial Units Conversion Grant Scheme, attached as Appendix A, be endorsed;</p> <p>2.3 That delegated authority is given to the Strategic Director – Housing & Community Safety, Strategic Director – Economy & Transformation, and Strategic Director – Public Services, in consultation with the relevant Portfolio Holders, to administer the projects.</p>
<p>Options:</p> <p>To accept the recommendations: – this will provide the opportunity to deliver locally focussed interventions and initiatives, that will deliver against the Council’s corporate priorities as contained within the corporate plan – Building a Better Borough; or</p> <p>To reject the recommendations: - Members may reject the recommendations contained within this report and propose alternative recommendations and rationale..</p>
<p>Reasons:</p>

The UKSPF replaces European Funding and is intended to reduce the inequalities between communities. The three intervention themes of Community and Place, Supporting Local Businesses and People and Skills, reflect the priorities of the Council and which are contained within the Build a Better Borough corporate Plan. The proposed interventions and projects contained within this report provide a cohesive approach to supporting local businesses, improving the local economy, reducing crime and disorder and offering improved life chances and opportunities for residents.

Consultation undertaken with Members/Officers/Stakeholders

Consultation has taken place with the;

- Portfolio Holders, Business & Regeneration, Housing & Communities, Finance & Corporate, Public Services, Planning & Regulation and Health & Environment

Subject to call-in:

Yes

Ward relevance:

ALL

Forward plan:

Yes

Building a Better Borough Theme:

1 – Live
2 - Work

Building a Better Borough Priority:

A1 – Priority 4: Prioritise Community Safety and Empowerment
A2 – Priority 1: Grow a Strong and Inclusive Economy
A2 – Priority 2: Champion Education and Skills

Relevant statutes or policy:

N/A

Equalities Implications:

(Does this require an Equalities Impact Assessment? If so please append.)

Improving the local economy, reducing crime and the fear of crime and improving the life chances of residents will positively impact all residents of the borough.

Human resources implications:

No direct human resources implications.

Financial implications:

Government funding totalling £4,028,173 for the period 2022/23 to 2024/25 has been awarded. The annual allocations for this period are;

2022/23	488,856
2023/24	977,712
2024/25	2,561,605

Health Inequalities Implications:

Residents of the borough overall experience poorer health and wellbeing to that of our Warwickshire neighbours. Health and Wellbeing is adversely impacted by crime and the fear of crime, and by low incomes, lack of employment opportunities and poor life chances. The proposed interventions and projects all cohesively and positively impact upon these factors, thus delivering a positive effect on residents' health and wellbeing.

Section 17 Crime & Disorder Implications:

Nuneaton and Bedworth Borough Council has a statutory duty under Section 17 of the Crime and Disorder Act 1998 to do all that it reasonably can to prevent crime and disorder within its administrative boundary. The Community Safety Interventions will support the priorities identified by the Nuneaton and Bedworth Community Safety Partnership and the Crime and Disorder Summit 2022.

Risk management implications:

None

Environmental implications:

None

Legal implications:

The Council has a duty to comply with its statutory duty contained within Section 17 of the Crime & Disorder Act 1998.

The funding must be utilised in accordance with the grant conditions.

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Report to: Cabinet – 24th May 2023

From: Strategic Director – Housing & Community Safety

Subject: UK Shared Prosperity Fund (UKSPF)

Portfolio: Business & Regeneration (Councillor K Wilson) and Housing & Communities (Councillor C Golby)

Corporate Aim: 1 and 2

Corporate Priority: 1.4, 2.1 and 2.2

1. Purpose of Report

1.1 To provide Members with information regarding progress to date against agreed UK Shared Prosperity Fund (UKSPF) projects. To seek approval for proposed Year 2 projects.

2.0 Recommendations

2.1 That progress against Year One projects be noted;

2.2 That the Town Centres Commercial Units Conversion Grant Scheme, attached as Appendix A, be endorsed;

2.3 That delegated authority is given to the Strategic Director – Housing & Community Safety, Strategic Director – Economy & Transformation, and Strategic Director – Public Services, in consultation with the relevant Portfolio Holders, to administer the projects.

3. Background

3.1 The UKSPF is a Government-allocated fund which is intended to reduce inequalities between communities, as part of the Government's wider "levelling up" agenda. The Fund was launched with the publication of its full prospectus on 13 April 2022 and replaces outgoing European Funding.

3.2 The stated primary goal of the UKSPF is "to build pride in place and increase life chances across the UK. This aligns with Levelling Up White Paper missions, particularly: 'By 2030, pride in place, such as people's satisfaction with their town centre and engagement in local culture and community, will have risen in every area of the UK, with the gap between the top performing and other areas closing.'"

3.3 Nuneaton and Bedworth Borough Council has been allocated total funding of £4,028,173 for the period 2022/23 to 2024/25. Funding can be utilised for both capital and revenue funding. However, there is a capital spend floor for each year. The annual allocation and capital spend floor over this period is as follows;

Year	Allocation £	Capital Floor %
2022/23	488,856	10
2023/24	977,712	13
2024/25	2,561,605	20

3.4 There are three UKSPF investment priorities:

- Communities and Place;
- Supporting local business;
- People and Skills.

There are detailed objectives associated with each of these priorities which are aligned to the relevant Levelling Up White Paper mission. A copy of the Interventions, Objectives, Outcomes and Outputs Framework is attached at Appendix A.

3.5 The Investment Priority themes become live at different points during the next three years. Communities and Place and Supporting Local Businesses are live from Year One (2022) with People and Skills coming on stream in Year Three (2024).

3.6 The Council was required to develop an Investment Plan, setting out the intended use and delivery of the funding. The Investment Plan also identified the local opportunities and challenges as they pertain to the three Investment Priorities.

3.7 Following consultation with stakeholder partners from the public, private and third sectors, In July 2022, following endorsement at Cabinet, the Council submitted the required Investment Plan, detailing locally identified priorities. The Investment Plan focused upon the following strategic themes:

- Funding for improvements to town centres and high streets, regenerating areas and improving accessibility for all members of the community;
- Building resilient and safe neighbourhoods, reducing anti-social behaviour and the fear of crime;
- Improving local green spaces, providing enhanced opportunities for leisure and active travel;
- Supporting and improving our Leisure, Heritage and Cultural offer, fostering a sense of pride and belonging;
- Improving the business support offer for all sectors of the economy, including start-ups and Small and Medium Enterprises;
- Improving the provision of support for economically inactive persons, supporting people into the labour market.
- Improving the provision of support and training for improved skills / re-skilling to support ongoing economic development and business growth in the borough.

4.0 Year One Projects

4.1 On 27th July 2022, Cabinet endorsed the Year One projects that were required to be specified within the Investment Plan. The confirmation of suitability of the Investment Plan, and therefore the confirmation of funding was not received until December 2022. This was later than the originally anticipated timescale.

4.2 Year One of the funding relates to 2022/23, and the projects, together with their associated progress is identified in the following table;

Investment Priority	Project	Funding Allocation	Comments
Communities & Place	Removal of the Lilly Pad Fountain	£35,000	The works to remove the fountain and make good the surface have been completed. Locations for additional seating have been identified and will be installed by the end of May Total spend £35,000
	Improvements to Multi Storey Car Parks	£56,000	Improvements to CCTV, concrete repairs, structural repairs, installation of new shutters, realigning to create larger spaces at Harefield Road Total spend £56,018
	Daytime CCTV active monitoring.	£35,000	Daytime monitoring in place. Funding allocation increased to cover all associated costs. Total spend £35,000
Supporting Local Business	Viability and Feasibility studies for Bedworth Indoor Market.	£25,000	Following soft market testing, allocation reduced to £25k from £30k. Consultant specification completed and currently out to tender. Works due to commence in May and complete early Autumn.
	Research and Development of Business Support strategies and associated actions.	£20,000	Research identifying business needs and support streams completed. Total spend £8,166 The allocation was increased to facilitate an Economic Development Study to inform the local plan to be undertaken with remaining £11.8k
	Feasibility study relating to Community Wealth Building.	£50,000	Consultants engaged. Initial scoping, identification of context, review of policies and meetings with identified anchor organisations undertaken. Total spend £30,000 Final draft of options to be completed by beginning of Autumn - £20k commitment.

4.3 In addition to these projects, the report of 27th July 2022, gave delegated authority to identify and undertake specific projects for the business support and Communities and Place initiatives. These additionally identified projects are detailed below;

Investment Priority	Project	Funding Allocation	Comments
Communities & Place	Community Safety Interventions	£40,000	Additional resources to improve community safety; <ul style="list-style-type: none"> • 2 additional CCTV Nomad Units & associated works; • security improvements • Mosquito equipment & associated works Total spend £30,000 Works outstanding; Procurement & installation of Nomad security spikes, an additional 5 mosquito devices and data costs for Nomad units.
	Nuneaton Harriers PA system	£5,478	The improvement of equipment to facilitate usage of The Harriers track, encouraging improvement in physical activity and sport participation levels Total spend £5,478
	Greenmoor Rd BMX lighting	£25,000	The improvement of lighting and therefore safety of the track. £20,572 of match funding from Sport England was secured. Total spend £25,000
	Museum Lift	£150,000	The renewal of the lift will ensure that the museum is accessible to all. Surveying work has now been completed and the lift ordered. Anticipated installation in early autumn 2023.
	Town Centres Events & Marketing	£25,000	The funding has been utilised to support town centres events such as the Xmas Lights switch on, Eat & Beats etc.

5.0 Future Years Projects

5.1 Table 1 below identifies a number of specified initiatives for the Council to move forward with. Included here is the proposed Town Centres Commercial Units Conversion Grant Scheme, attached as Appendix A. Nationally, our Town Centres are changing. A number of national retail chains have either ceased trading or have amended their business model occupy premises in out of town retail parks. These national retail chains typically occupied the larger, more costly retail / commercial units in both town centres.

There is a demand for smaller retail/commercial units with lower rateable values, that are more affordable for independent and smaller businesses. The Town Centres Commercial Units Grant Scheme is designed to support landlords to convert those larger units, to provide a much needed smaller, affordable offer to businesses. This Scheme will bring an additional dimension to local the support available to businesses operating in our town centres, to achieve their fullest potential and to capitalise on regeneration activities that are both underway and planned.

5.2 It is proposed to set aside £50,000 for this financial year and for 2024/2025 to support this initiative, creating affordable opportunities for new businesses to relocate to our town centres and provide opportunities for start-up businesses.

2023 / 2024				TABLE 1	
Revenue			Capital		
40,000	Community Wealth Implementation	The actions will be identified via completion of the Feasibility Study, and will be specific for the borough. Examples from other local authority areas include apprenticeship support and work progression, improved procurement practices across anchor institutions and improve the approach to social value to ensure our local SME's are not disadvantaged	50,000	Changing Places Toilets	The project is to install two changing places toilets (one each in Bedworth and Nuneaton). The tender documents will be issued during May, with an anticipated start date of December 2023.
30,000	Bedworth Town Centre Lease/Developer information	To identify leaseholder and freeholder interests within Bedworth Town Centre to support inward investment into the town	200,000	Riversley Park Improvements	These funds will support the delivery of the Riversley Park Concept plan, supporting the improvement to Nuneaton's Destination park.
15,000	Changing Places Toilets	Funding for the servicing and cleaning of the Changing Places toilets	45,000	Stockingford Recreation Ground Improvements	Funding for the development of a green space project within the recreation ground.
250,000	Support for local businesses	To provide targeted support for businesses. The specific schemes are being finalised and will be brought to Cabinet in June 2023	75,000	Community safety initiatives	The specific projects will support the outcomes of the NABSCOP Crime & Community Safety Summit 2022, along with other locally identified priorities.
100,000	People and skills	Programmes and interventions aim to support people to overcome barriers to work by providing cohesive, tailored support, including access to the attainment of basic skills. Additionally, tailored support will be provided to help people in employment, who are not supported by mainstream provision, to address barriers to accessing education & training courses.	50,000	Town Centres Commercial Units Grant scheme	To support the conversion of existing larger retail units into smaller more cost effective units, thereby supporting smaller and start-up businesses.
40,000	Daytime CCTV	A continuation of daytime CCTV monitoring, to support the reduction of crime and fear of crime.			
15,000	Town Centres Events and Marketing	To support and promote the offerings in both town centres and increase footfall. This includes the Knife Angel memorial for June 2023.			
2024 / 2025					
20,000	Changing Places Toilets	Funding for the servicing and cleaning of the Changing Places toilets	250,000	Riversley Park Improvements	These funds will support the delivery of the Riversley Park Concept plan, supporting the improvement to Nuneaton's Destination park.
5,000	Community Wealth Implementation	Continuation and final delivery of the actions identified via the Feasibility Study	50,000	Town Centres Commercial Units Grant scheme	A continuation of the scheme to support the conversion of existing larger retail units into smaller more cost effective units, thereby supporting smaller and start-up businesses.
500,000	Support for local businesses	To provide targeted support for businesses. A continuation of the initiatives identified to Cabinet in June 2023	350,000	Community safety initiatives	The specific projects will support the outcomes of the NABSCOP Crime & Community Safety Summit 2022, along with other locally identified priorities.
15,000	Town Centres Events and Marketing	To support and promote the offerings in both town centres and increase footfall.	716,184	Bedworth Market development	To develop the market offering within Bedworth town centre to increase/diversify the offering and thereby increase footfall into the town centre, supporting economic stability.
421,044	People and skills development	Programmes and interventions aim to support people to overcome barriers to work by providing cohesive, tailored support, including access to the attainment of basic skills. Additionally, tailored support will be provided to help people in employment, who are not supported by mainstream provision, to address barriers to accessing education & training courses.	125,000	Open Space Improvements (Sherbourne)	Funds identified to support delivery of a refurbished play area facility for the local community.
40,000	Daytime CCTV	A continuation of daytime CCTV monitoring, to support the reduction of crime and fear of crime.			

- 5.3 In addition to the specific schemes identified in the table above, a significant amount of work is underway to identify explicit projects for the future years programmes. As per the requirement of the Fund, the Council is required to consult with other partners, for example, the Police, Warwickshire County Council and Third Sector agencies, in order to identify the most appropriate interventions and initiatives. Officers are focussed upon the Council's priorities and the needs of residents and businesses, framing projects to achieve the best possible outcome for the borough.
- 5.4 It is proposed that updates reports be brought to future Cabinet meetings, ensuring that Members are aware of projects, progress, and importantly, the impact of those projects upon the residents and businesses of the borough.
- 6.0 Conclusions
- 6.1 The report details the significant progress made to date, particularly in light of the delayed announcement of funding. The intervention plan and associated projects are cohesive, representing the priorities set by the Council via the corporate plan, Building a Better Borough.
7. Background Papers
- None

DAWN DAWSON



Nuneaton and Bedworth Borough Council Town Centres Commercial Units Grant Scheme

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1. Introduction

Nuneaton and Bedworth Borough Council has prioritised support for businesses within its corporate plan – Building a Better Borough. We are keen to ensure that wherever possible, focused, localised support is available to ensure businesses in the borough continue to thrive, grow and diversify.

Nationally, our Town Centres are changing. Many of the national retail chains have either ceased trading or have amended their business model reducing town centre locations. These national retail chains typically occupied the larger, more costly retail / commercial units in both town centres.

There is a demand for smaller retail/commercial units with lower rateable values, that are more affordable for independent and smaller businesses. The Town Centres Commercial Units Grant Scheme is designed to support landlords to convert those larger units, to provide a much needed smaller, affordable offer to businesses. In this way, the Scheme will bring an additional dimension to the support available to businesses operating in our town centres to achieve their fullest potential and to capitalise on regeneration activities that are both underway and planned.

The Council has made available an initial amount of £50,000 to support town this initiative, creating affordable opportunities for new businesses to relocate to our town centres and provide opportunities for start-up businesses. The Scheme will be regularly reviewed to consider the effectiveness of the criteria and popularity of the scheme. Due to demand, the scheme may be extended, revised or ended based upon available funding.

2. Aim

The Town Centres Commercial Units Grant Scheme provides funding to facilitate landlords of larger town centres retail/commercial units to create smaller units, thereby increasing the affordability to businesses. The scheme will support the longer term viability of businesses, support the ongoing diversification of the town centres and capitalise upon the regeneration activities both underway and planned for both Nuneaton Town Centre and Bedworth Town Centre.

3. Funding Availability

Grants will be available to all businesses based within Nuneaton town centre and Bedworth town centre. The grant payments will be made available for one-off costs, up to a maximum amount of £10,000 per business.

4. Eligibility Criteria

There is no restriction upon the upon the category of businesses premises for which the application can be made. You must provide match-funding that is at least equivalent to the amount of grant and the works must be completed within

12 months of the application. Failure to complete within this timeframe may result in the Council clawing back all or part of the funding provided.

To qualify for this scheme, the premises must be located within either Nuneaton Town Centre or Bedworth Town Centre , and your business must:

- not be in administration, insolvent or in receipt of a striking-off notice;
- provide quotations to carry out the proposed projects from businesses/ individuals who are independent from your business;
- ensure your project complies with current State Aid regulations and you must submit a State Aid Declaration as part of the application process. Further details of the current State Aid regulations are attached at Appendix B.
- Applicants must satisfy us that their proposals are viable, realistic and deliverable.
- Applications will be assessed on their relative merits in terms of the outputs offered, in particular, the number of units created and new business attracted.

5. Eligible Projects

The Town Centres Business Support Grant Scheme will fund both capital and one-off revenue costs. This scheme is deliberately non-prescriptive within this envelope, in relation to the activities that individual businesses require to support them to achieve their fullest potential and capitalise upon regeneration activities that are both underway and planned. Nuneaton and Bedworth Borough Council is keen to receive proposals directly from businesses.

The grant can be used towards the following projects:

- Construction and fabrication
- Provision of utilities
- Professional fees associated with the development and delivery of the project, including Planning fees, consultancy fees and advisory services.

***NB** – Applicants must obtain the relevant permissions and consent to implement their proposals.

There are a small number of ineligible activities and costs. A list of these is attached at Appendix A .

Please note that this scheme will not reimburse for costs incurred or paid out by businesses, prior to your application submission.

6. Application Process

The application form must be completed in full, with the following supporting information supplied:

- Proof of ownership of the retail/commercial unit being converted;
- You may wish to provide additional information to support your application, such as relevant research.

As part of the assessment process, the Council may need to share your business case with the Council's partners – commercial sensitivity will be protected, and your actual consent will be sought prior to the sharing of any information.

If successful for a Grant under this scheme, you consent to the participation in publicity, press releases, case studies and photographs (subject to commercial sensitivity), undertaken by Nuneaton and Bedworth Borough Council.

7. Grant Offer

Successful applicants will be invited to enter into a grant agreement with Nuneaton and Bedworth Borough Council. This will explain when a project can start and all terms and conditions including any project specific conditions.

Payment will be made upon receipt of a validated invoice for the activities specifically funded and identified within the grant agreement.

Nuneaton and Bedworth Borough Council reserve the right to withhold, vary or reclaim funding if any information supplied through the application and approval process proves to be inaccurate, misleading, or incomplete.

8. Post Assurance Checks

Nuneaton and Bedworth Borough Council will undertake due diligence checks on information provided in support of applications, for example, for the prevention of fraud.

If it is established that any award has been made incorrectly due to error, misrepresentation or incorrect information provided to the Council by an applicant or their representative(s), the Council will look to recover the amount in full.

9. Taxation and the provision of information to Her Majesty's Revenues and Customs (HMRC)

The Council has been informed by Government that all payments under this scheme are taxable. The Council does not accept any responsibility in relation to an applicant's tax liabilities and all applicants should make their own enquiries to establish any tax position.

All applicants should note that where a grant is paid by the Council, details of each individual grant may be passed to Government.

10. Fraud or financial irregularity

Nuneaton and Bedworth Borough Council has a zero-tolerance approach to fraud, corruption, and other forms of financial irregularity. It will take any necessary steps where fraud is suspected, for example, full recovery of costs and/or referral to the police.

11. Data Protection and Use of Data

All information and data provided by applicants shall be dealt with in accordance with the Council's Data Protection Policy and Privacy Notices. These are available on the Council's website.

Appendix A - Ineligible Costs and Activities

- The purchase of land or property.
- The speculative conversion of buildings into business premises.
- Internal staffing costs.
- Notional expenditure.
- Depreciation, amortisation and impairment of assets purchased with the help of the Grant.
- Interest charges unless under an approved State Aid scheme.
- Service charges on finance leases, hire purchase and credit arrangements.
- Costs resulting from the deferral of payments to creditors.
- Reclaimable VAT.
- Expenditure supported from other government sources, local authority grants, charges, paid by leaseholders, or EC structural funds, to the extent that the combined grants and other support total more than 100% of the project or scheme costs.
- Any cost relating to insurance policies.
- Costs for any expenditure incurred prior to the award of the grant.

Appendix B – UK Subsidy Control Regime

Your project must comply with the new UK Subsidy Control Regime.

Any grant is given as aid under the UK Subsidy Control Regime (Subsidy Control Act 2022). This means that businesses receiving support under these provisions can receive up to £315,000 in aid over the preceding three years (being the current year and the previous two years).

Any grant awarded is required to comply with the UK Subsidy Control Regime. This will involve the applicant declaring to the Council if they have received any other de minimis State Aid or Aid provided under the EU Commission COVID-19 Temporary Framework.

Applicants must therefore declare how much public sector funding (including consultancy support) they have received under the De Minimis Regulation within the last three years. This may reduce the amount of grant available to support your project.

The UK Subsidy Control Regime declaration is included within the Grant application.

For more information, please visit
<https://www.gov.uk/government/collections/subsidy-control-gegime>