| Report To: | EXECUTIVE CABINET | |
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| Date: | 12 DECEMBER 2018 | |
| Executive Member/Reporting Officer: | Councillor Bill Fairfoull – Deputy Executive Leader Tim Rainey – Assistant Director of Digital | |
| Subject: | ASHTON OLD BATHS PHASE 3 - ANNEXE AND NEW DATA CENTRE (FULL BUSINESS CASE) | |
| Report Summary: | This report presents the full business case for the Ashton Old Baths Phase 3 project, involving the redevelopment of the Annexe and a new Data Centre, and seeks approval of proposals to secure the delivery of the project. | |
| Recommendations: | That Executive Cabinet: a) Recommend to Council to amend the Capital programme to increase the budget by £1,157k to £2,757k subject to the conclusion of procurement. Any revisions to the budget requirement will be subject to a further report to Executive Cabinet. b) Subject to approval of the additional budget, approve the proposals for the Ashton Old Baths Phase 3 project, and give officers approval to proceed with the project and procurement as outlined within the report. c) Approve a waiver of Procurement Standing Orders for the award of the contract for the Supply and Installation of a new Electricity Sub-Station to Electricity North West (ENWL), the Licenced Distribution Network Operator (LDNO) for the North West of England, for the sum of £85,699.88 d) Approve a waiver of Procurement Standing Orders for the award of the main contract through a two-stage design and construct procurement process. e) Note that progress on the delivery of this project will be reported to the Strategic Planning and Capital Monitoring Panel on a quarterly basis. | |
| Links To Community Strategy: | Prosperous Tameside | |
| Policy Implications: | In line with approved policy | |
| Financial Implications: (Authorised By The Section 151 Officer) | The Capital programme includes an earmarked amount of \pounds 1.600m for the redevelopment of Ashton Old Baths Annexe. On 13 December 2017, Executive Cabinet approved \pounds 0.840m towards the new Data Centre as part of the Tameside Digital Infrastructure capital scheme. The proposals in this report would require an additional funding of \pounds 1.157m. This total of \pounds 2.757m will need to be funded entirely by the Council, from reserves or capital receipts. Further details on the project cost, including previously approved funding for the Data Centre is set out in | |

section 8.2.

The majority of capital programme has been placed on pause due to concerns about the achievement of capital receipts from asset sales, and cost overruns on a number of projects. Executive Cabinet agreed that only schemes that have already started and those of a business critical nature could proceed. This scheme was considered business critical due to the requirement to relocate the data centre and ensure that a disaster recovery capability was established.

However, the scheme outlined is greater than the original budget and if it commences will require other identified schemes to be delayed or removed from the capital programme, or additional assets identified for sale.

Delays to the Data Centre would cause financial and operational implications for the Council. Paragraph 2.23 of the report provides further detail, including the additional costs that would be incurred as a result of extending the current hosting arrangements with Rochdale by another 12 months. Overall annual costs of £150k per annum will be avoided by developing the data centre in Ashton Old Baths. This will be a saving that can be used to contribute to the balancing of the Council's budget.

Paragraph 8.7 of the report provides a summary of the operating arrangements in place for Ashton Old Baths. The management of the building is undertaken by Oxford Innovation, with the Council being entitled to any profit after the management fee. The forecast total revenue income stream from this profit share over the first five years is £0.036m. Completion of the Annexe increases this forecast to £0.154m over five years, or around £0.038m per annum, which again can be offered as a saving to help with the balancing of the Council's budget.

Section 4 provides a summary of forecast economic benefits, based on the Oxford Economics Greater Manchester Forecasting model (2017), including an additional £0.05m of income from Business rates, although these figures have not been verified by finance.

The total revenue impact of the scheme through reduced costs (para 2.23), additional rental income (para 8.9) and additional business rates income (para 4.1) is around £0.234m per annum, which represents a payback period of 16 years on the gross proposed spend of £3.847m.

| Legal Implications: (Authorised By The Borough Solicitor) | The Council will need to ensure that it has robust systems in place to ensure that the project is delivered within the budget. | |
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| | It is advisable for the Council to continue to review the position with the current data centre and plan for a contingency in the event of having to vacate Oldham and the new data centre at Ashton Old Baths not yet being ready. | |
| Risk Management: | The primary risks associated with scheme are set out in the report. | |
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Access To Information: The background papers relating to this report can be inspected by

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1. EXECUTIVE SUMMARY

Proposed Investment

- 1.1 The investment in Ashton Old Baths Annexe and New Data Centre, is the final piece in a vitally important jigsaw that will complete the re-invigoration of one of Ashton's historically significant buildings and at the same time create the environment for new and existing businesses in the digital, media and creative sectors to flourish. In addition, the Data Centre, a key part of the town's 21st Century infrastructure, can be delivered, repatriating important Council data centre capability back within Tameside Borough.
- 1.2 The investment required will deliver the final tranche of funds, which concludes a wider investment strategy that has delivered the Ashton Old Baths Project, including £1m European Regional Development Fund (ERDF) and £2m from HLF Heritage Enterprise programme. As both the ERDF and HLF funding programmes seek to achieve economic growth and protect heritage through their investment and there has been no change to the intended use of the building we do not envisage any implications for the Council from the existing grant agreements. The Heritage Lottery Fund and the Ministry of Housing, Communities & Local Government have been notified of the plans for the last phase of the Ashton Old Baths redevelopment.
- 1.3 The Data Centre and Annexe are a combined project. The continuing structural integrity of the building can only be achieved through a comprehensive approach to refurbishment. The funding for the Data Centre project has previously been approved. The funding being requested in this Business Case will allow for the works to the building structure to be completed and the delivery of an additional 677 square metres of business space.
- 1.4 The business space will provide an environment that can accommodate up to 73 new jobs, which will be targeted at the media, digital and creative sectors. Phases 1 and 2 of the Ashton Old Baths Project has seen a similar scale of development of business space, which has been highly successful with a range of businesses currently employing more than 83 people (mostly local) occupying the office space.
- 1.5 The investment being requested will allow for the completion of a highly successful project that has brought back to life one of Ashton's iconic buildings. The impact of the financial intervention required will support the next phase of the rejuvenation of Ashton town centre, seamlessly marrying the old and new.

Options for Investment

- 1.6 Reports to the Council's Executive Cabinet in December 2013 and August 2016 set out the option appraisal for investment for the redevelopment of the Ashton Old Baths building including the Annexe. A report presented to the Strategic Planning and Capital Monitoring Panel in December 2014 set out the funding envelope for the first two phases of the building and was the subject of a Key Decision in November 2014.
- 1.7 The above reports also included an initial high-level option appraisal for the future use of the Annexe as identified and approved the refurbishment and use of the Annexe for office accommodation and data/disaster recovery centre.

Project Delivery

1.8 There is a need to establish governance, undertake procurement and contracting in order to deliver the final phase of Ashton Old Baths. The procurement procedures to be followed and the contractor once selected in accordance with procurement standing orders who will undertake the required construction work, will enable the Council to understand the steps required to initiate, monitor, deliver and evaluate the project in a controlled way. In terms of tendering, a two stage approach is favoured in order to engage with contractors sooner in the process. The two stage ITT (invitation to tender) process is expected to take 6 months. The timeline for project delivery from contract completion is 44 weeks with the Data Centre

element completed within the first 14 weeks of the contract. Further details on project delivery are set out in section five of the report.

Financial Investment Requirement

1.9 £2,756,981 is required to be met from the capital programme which is a budget shortfall of £1,156,981 after taking account of the £1,600,000 already earmarked in the capital programme. The shortfall was originally intended to be funded through a loan from the Greater Manchester Investment Funds, however, the eligibility requirements for the funds means that this is no longer feasible. The Council will need to consider meeting the capital shortfall in order to complete the works at Ashton Old Baths Annexe and facilitate development of the new data centre. Detailed breakdown of costs is set out in section eight of the report.

Project Management and Monitoring

- 1.10 A report to the Council's Executive Cabinet in August 2016 established the need to develop the AOB Phase 3 – the Annex and Data Centre. The project has been developed to RIBA Stage 3. Further Governance is now required to:
 - a) Approve the proposals for the Ashton Old Baths Phase 3 project, and give officers approval to proceed with the project and procurement as outlined in this report.
 - Approve an indicative budget of £2,757k subject to the conclusion of procurement. Any revisions to the budget requirement will be subject to a further report to Executive Cabinet.
 - c) Approve a waiver of Procurement Standing Orders for the award of the contract for the Supply and Installation of a new Electricity Sub-Station to Electricity North West (ENWL), the Licenced Distribution Network Operator (LDNO) for the North West of England, for the sum of £85,699.88 (section 2, paragraph 2.38).
 - Approve a waiver of Procurement Standing Orders for award of the main contract through a two-stage design and construct procurement process (section 5, paragraph 5.6)
 - e) Give delegated authority to the Director of Growth, in consultation with the Director of Governance and Pensions, to enter into a contract subject to acceptable terms within the approved budget.
 - f) Note that any significant variation from the proposals and budget set out in this report is subject to a further report to Executive Cabinet.
 - g) Note that progress on the delivery of this project will be reported to the Strategic Planning and Capital Monitoring Panel on a quarterly basis.
- 1.11 The Council's Data Centre is currently temporarily hosted at Rochdale MBC and there are significant financial and operational impacts for the Council with continuing with this arrangement. The current agreement is open ended and will continue until determined by either party giving 3 months' notice to quit. Rochdale MBC have confirmed that they are happy for the current arrangements to remain in place at least until 2019. Copy of the Heads of Terms agreement attached as Appendix B. Continuing with current arrangements for a substantial period would require significant investment to minimise the risks to the resilience of the Council's data infrastructure. It is therefore imperative to deliver the project as quickly as possible.
- 1.12 Through regular project meetings, progress will be monitored against key milestone within the programme of work. Project risks will be managed through the Council's established process that allows individual risks and overall risk to be managed proactively. As with the earlier phases of the AOB project, the final phase of the project will be managed and delivered by the Council's Investment and Development Service.

Conclusion

- 1.13 The project for bringing Ashton Old Baths back into economic use has been supported by the Council from its inception and has been described as the jewel in the crown of our pioneering digital strategy. This final stage funding will facilitate the delivery of the concluding element of this highly successful scheme. The existing Innovation Centre opened in May 2017 and by October 2017 it was fully occupied. There are currently ten start-up businesses waiting for space to become available within the Centre. It has also established a significant presence within the digital and creative sectors in Greater Manchester and beyond. This is reinforced by features on the building appearing in the August edition of the North West Business Insider and Issue three of the Greater Manchester Chamber of Commerce Magazine and several newspaper articles.
- 1.14 It will specifically deliver a key piece of infrastructure by way of a new Data Centre plus a new business environment through provision of 677 square metres of office floor space that will continue the revitalisation of a strategically important part of Ashton town centre.

2. PROPOSED INVESTMENT

Background and Existing Arrangements

- 2.1 Ashton Old Baths (AOB) is an iconic Greater Manchester landmark that had been empty for over 40 years. Following intervention by the Council to regenerate the building, Phase 1 included the refurbishment and renovation works to convert the main pool hall of the Grade II listed building into an innovation Centre for the digital, creative and media sectors, Structural repairs to the Annexe were also completed as part of the main works. The Phase 1 works were completed in February 2016 on time and within the approved budget.
- 2.2 In August 2016, the Council's Executive Cabinet approved proposals for Phase 2, involving the final fit of the main pool hall and the appointment of an operator who essentially acts as the Council's managing agent. That report also noted progress on proposals to convert most of the Annexe into office space and the potential for locating a new data centre on the ground floor. The Phase 2 works were completed in March 2017 on time and within the approved budget.
- 2.3 The AOB Innovation Centre opened in May 2017 and has generated significant presence within the digital and creative media sectors in Greater Manchester. Features have appeared in the August 2018 edition of the North West Business Insider and Issue 3 of the Greater Manchester Chamber of Commerce magazine plus a number of newspaper articles. It has been fully occupied since October 2017, currently has ten potential tenants on the waiting list and is significantly exceeding income and performance targets (monitored monthly through the Council's contract management arrangements with Oxford Innovation).
- 2.4 Proposals for Phase 3, the final phase of the AOB refurbishment work focus on the Annexe section of the building. This report seeks approval for refurbishment and fit out works, which will incorporate a new Data Centre to provide hosting for the Council and other public-sector partners as well as opportunities for additional space to be let commercially.
- 2.5 Detailed proposals for the Data Centre to be located within the Annexe section of the Ashton Old Baths building were approved by the Council's Executive Cabinet in December 2017. This included a review of existing need of public sector partners, commercial viability and value for money. Funding is now required for refurbishment of the derelict Annexe section of the AOB building to enable the installation of the new Data Centre and creation of new office space. The Data Centre works cannot start on site until enabling works to the Annexe building have been completed including the installation of additional power provision through a new substation.

Justification for Proposal

- 2.6 The Council has a responsibility to facilitate an environment that will create the optimum conditions to enhance the economic wellbeing of the borough. Digital technologies are becoming more and more vital to all forms of business and in all areas of life. Tameside is fortunate to be part of a city region where the digital sector is strong and growing but the GMCA Deep Dive Sectoral Report in 2016 identified that only 2.8% of Greater Manchester's employment within digital industries is in Tameside.
- 2.7 The ripple effect from the City Centre is having a positive impact on GM Authorities. Stockport has seen a strong growth in its office sector, serving the needs of those in the digital and creative sectors. Tameside is in a position to benefit if the 'convivial spaces' that attract those companies operating in the digital and creative sectors exist. By providing the environment and both strategic and practical support, Tameside can nurture and actively develop a thriving digital economy and achieve a significant increase in local employment in these sectors.
- 2.8 A report to the Executive Cabinet in December 2017 on Tameside Digital Infrastructure set out the Council aspiration to use digital technology to transform public services, offering new and superior services at lower cost. It also identifies the use of digital technology as a driver for economic growth, directly through the development of the digital sector and related businesses, and indirectly through the impact on productivity in the wider economy. Tameside has a strong technical, manufacturing and industrial heritage, and linking in with the Vision Tameside programme, it can develop its own special role as a centre for the industrial application of digital technology in areas such as software, digital networks and high-end engineering.
- 2.9 In 2013 an Executive Decision was taken which set out the process and costs associated with the temporary move of the Council's Computer Systems from TAC to Rochdale MBC Data Centre. The report detailed a 2-stage approach whereby Rochdale would be used as an interim facility whilst options were looked at to consider an affordable and sustainable future. The report acknowledged the requirement for the Council to have a Disaster Recovery facility where key "life and limb" systems could be quickly recovered in the event of a major disaster affecting the main Data Centre.
- 2.10 Following an evaluation of sites around Tameside, a development at Ashton Old Baths was identified as the most appropriate location for the new Data Centre facility. It has excellent connectivity being directly linked to the Tameside Digital Infrastructure. Floor plans and structural surveys indicate that the former ladies pool at the centre of the Annexe building would be large enough, and floors strong enough, for an appropriately sized Data Centre. However, it cannot be installed within a derelict redundant building. Therefore, feasibility work was undertaken to develop office space within the AOB Annex to complement the Data Centre. This has included evaluating demand for office space within the digital, creative and media sectors and positive soft market testing.
- 2.11 A new Data Centre would enhance the business offer for Ashton Old Baths by completing the refurbishment of the last remaining element of the building whilst also providing the Council and its public-sector partners with a commercial data centre operation. This is an opportunity to strategically plan and grow the digital creative media sectors on a borough wide scale. The completion of the AOB building with a new Data Centre would also provide the St Petersfield Business Quarter with a key anchor and confidence to investors and developers within the digital and creative sectors. It also improves the financial viability of the AOB development as a whole.
- 2.12 The proposed works to the Annexe at Ashton Old Baths represent Phase 3, the final phase of extensive efforts by the Council to bring a landmark building back into economic use. Since the main pool hall fit out in early 2017, it has received national and regional

recognition for its innovative design and contribution to the Council's economic growth ambitions within the digital and creative media sectors.

Existing Funding Arrangements

2.13 A progress update presented to the Strategic Planning and Capital Monitoring Panel in December 2014 set out the grant funding secured for the redevelopment of the AOB Phases 1 and 2 including £1m European Regional Development Fund and £2m from HLF Heritage Enterprise programme towards total project costs. The Council's contribution was £343,000. It was always envisaged the Council would complete the final phase of the building – the Annexe.

Data Centre

- 2.14 The Council's Executive Cabinet in December 2017 approved the business case for a further £1.725m capital investment in networking equipment, ducting and fibre optic cable, and £840,000 for a new Data Centre located within AOB Annexe to provide the services, speeds and connectivity the Council and its partners will require for the next 5 years.
- 2.15 The report provided details of a £2.2m grant from the Department of Culture, Media and Sport (DCMS) Local Full Fibre Programme that will help accelerate and expand the Tameside Digital Infrastructure programme with £250,000 of this to be used to create a Digital Exchange within a new Data Centre in the Annexe of AOB.
- 2.16 The Council currently pays around £70k a year to Rochdale MBC for hosting its systems. This agreement with Rochdale MBC will end in September 2018 but agreement has been reached for it to roll forward monthly. In addition, there are 2 high speed data links connecting the Tameside Network to the Rochdale Data Centre. The combined cost of these circuits is £35,330 per year (£16,290 for BT and £19,040 for Virgin).
- 2.17 Whilst the interim arrangement with Rochdale has worked relatively well for the last few years, the distance from Tameside has caused significant problems in terms of support and maintenance of the systems hosted there. However, in order to meet the critical timescales for the exiting arrangements with Rochdale MBC for hosting Tameside's Data Centre, it is imperative we have in place an operational data centre as soon as possible. Meeting these timescales will avoid further cost increase and significant risks to the resilience of the Council's data systems. There are therefore significant financial and operational impacts for the Council.

Data Centre Security and Resilience

- 2.18 The new Data Centre has been designed to the Uptime Institute TIER 3 standard which is an industry standard defining Data Centre Security and resilience. Data Centres are typically designed to meet the requirements of a specific TIER. The higher the TIER level the higher the expected availability and security. Typically TIER 4 is used for military grade installations; TIER 3 is Government use and TIER 2 commercial data centres.
- 2.19 Whilst the Data Centre in AOB is physically located within a building that will be managed by a third party - Oxford Innovation – they will have no involvement with the day to day operation or maintenance of the facility or access to the actual Data Centre. The Data Centre itself will be a self-contained building built within what originally was the ladies swimming pool area within the annex.
- 2.20 Access to main AOB building will be via the main building access control, but access into the Data Centre will be via a separate access control process which not only restricts access to authorised personnel but also by way of an air-lock door restricts access to one person at a time so ensuring there is no tail-gating. In addition, each of the 36 racks in the facility will have its own locks, and each of bank of 4 racks is housed within a secure locked cage (2x10 Racks and 2x8 racks). One of these cages will house the Councils computer systems, another will host NHS systems, another will be for the Digital Cooperative

members and the final cage will be for commercial applications. The whole Data Centre facility as well as the entry door will be covered by CCTV which will be monitored and recorded by the main CCTV centre at Dukinfield Town Hall.

Data Centre Resilience

- 2.21 The Council has never had a disaster recovery site for its ICT systems and as services rely more and more on ICT this present a significant risk to the organisation. The new Data Centre is designed to meet TIER 3 standards and so will be inherently resilient. There are no single point of failures, with duplicate generators and Uninterruptable Power Supplies (UPS's) to ensure that power is maintained at all times and N+2 air conditioning plant to ensure that cooling is maintained even if an equipment fails whilst other equipment are off-line due to maintenance. Fibre connectivity to the facility is also resilient entering the building at different locations and feeding into opposite directions around the resilient figure of 8 loop around the borough.
- 2.22 Despite this there still remains a small risk of the centre becoming unusable and so a second Disaster Recovery (DR) site based in the Data Centre at Tameside Hospital is being commissioned. All the key Council ICT systems will be duplicated in this facility and should a disaster strike the AOB centre services will automatically be able to continue accessing their ICT services though the DR Site.
- 2.23 The original plan was to continue using the Rochdale Data Centre as our Disaster Recover site once the new centre at Ashton Old Baths was completed. This would have meant continuing to pay Rochdale for the hosting of our systems and the costs of 2 x resilient high-speed circuits from Tameside to the Rochdale Data Centre. The table below shows what the costs would have been for this arrangement.

| Location | One Off | Annual | 5 year Costs |
|----------------------------------|---------|----------|--------------|
| BT Link Rochdale to Tameside | £19,000 | £38,000 | £209,000 |
| Virgin Link Rochdale to Tameside | £24,000 | £42,000 | £234,000 |
| Rochdale DC hosting | £0 | £70,000 | £350,000 |
| Total costs | £43,000 | £150,000 | £793,000 |

 Table 1: Costs for Using Rochdale Data Centre as Tameside DR Site.

2.24 Instead of this we now have reciprocal arrangements with Tameside and Glossop Integrated Care NHS Foundation Trust & Tameside and Glossop CCG whereby we will provide them with rack space in our new Data Centre for their DR provision and in return they provide us with rack space in their Data Centre.

Costs and Risks of Data Centre Delay

- 2.25 The Council is the midst of a major project which will see its entire Local and Wide Area Networks replaced. The existing managed service, which is provided by Updata comes to an end on 6 October 2018 at which point the connectivity for the Council (and shared NHS Sites) will be based on the Councils Dark Fibre Network supported and managed by the inhouse team. This means that the existing resilient links from Tameside to Rochdale will also cease on 6 October. When approval for the Data Centre was given in December 2017, it was envisaged that the new facility would be operational in September 2018 and therefore on-going connectivity to Rochdale wouldn't be an issue.
- 2.26 Delays to the Data Centre project have meant that a new link to Rochdale has now been installed to maintain connectivity to our systems hosted there. This circuit costs £26k for a

12-month period and will provide the on-going connectivity to Rochdale until the new Data Centre is complete. Each month of delay to the Data Centre being complete and during which we continue to host systems in Rochdale costs £6k.

- 2.27 During this period it is also important to note that access to all the Councils ICT systems is reliant on this single BT fibre connection. Whilst fibre is reliable, should it become unavailable for any reason, access to all the Councils ICT systems will be lost. These links are not cheap to install and can have long lead times for delivery however if timescales for the Data Centre completion are expected to be prolonged a second resilient link could be installed to reduce the risk of system down-time. A second resilient link would cost a further £26k for 12 months.
- 2.28 The AOB Annex and Data Centre Phase 3 is the final phase of the AOB project. The case for the Data Centre has been made and approved. To achieve the full benefits envisaged when the Ashton Old Baths project was conceived, the delivery of the final phase (The Annexe) is essential. Therefore, extensive work has been undertaken to develop design specification and budget costs for the refurbishment, internal fit out and associated works for the Annexe section of the AOB building. It will establish the location as a key business incubator hub at a regional level wrapped around a new Data Centre which in turn protects the Council's significant investment thus far, the structural integrity and the condition of the building's complex infrastructure moving forward.
- 2.29 Consultation with Historic England and the Council's Planning Service has taken place to establish how the remaining heritage aspects of the building are to be restored and/or maintained including how the building could be optimised to support 21st century use. This established Listed Building Consent (LBC) requirements and commenced pre-application discussions. Planning application for the new Data Centre and LBC was approved at Planning Committee on 5 September 2018.

Proposals

- 2.30 The proposed works to the Annexe at AOB represent the final phase of extensive efforts by the Council to bring back into economic use a landmark building. Since the main pool hall fit out in early 2017, it has received national and regional recognition for innovative design and economic growth ambition within the digital and creative media sectors.
- 2.31 The concept and design principles have already been established through the Design and Access Statement as part of the refurbishment and fit out of the main pool hall area of the AOB building (Phase 1 and 2). The Annexe is a natural extension of the work completed on the building to date. The proposals set out in this report highlight how the Annexe relates to the main pool hall and how the different elements of the development function as a whole. Oxford Innovation (who operate the building on behalf of the Council) have been engaged throughout the process thus far. Their comments on layout of the office space and fit out have been taken on board and reflect the final agreed layout which also includes some changes to main pool hall to enable the building to function as a whole.
- 2.32 The proposal includes provision for associated plant and services to be housed externally to the rear of the building on Fleet Street, within a separate compound. This street will be closed off to general traffic. A new single consolidated electricity supply will feed both the office areas as well as the new Data Centre. Planning application for construction of compound/service yard to enable highway closure has also been approved.
- 2.33 In total the Annexe will provide an additional 677 sqm (7,287 sq ft) new office space to the existing 765 sqm within the main pool hall area. Details of the updated design proposals are shown in Appendix 1. Each floor has the following key elements:

Ground Floor: Approximate gross internal floor area of 289m², consolidates the main entrance to the building which incorporates a new reception

office, an integrated coffee bar area supporting the Innovation centre, co-working space (relocated from Phase 1) and the new Data Centre within the former ladies pool area (with new glazed screens to its perimeter, increased visual openings and lighting).

- First Floor: Approximate gross internal floor area of 388m² made up of 3 new offices, co-working space (relocated from Phase 1) and meeting rooms.
- **Main Pool Hall:** The relocation of co-working space (as above) allows for new office space and flexible meetings rooms to be created on the ground floor level through new partitions and modification of external glazed screens to increases the financial viability of the innovation centre. The proposals also consolidate works inside the existing pods and to upgrade heating to communal areas.
- **External:** The external works involve repairs to existing elevations, external lighting and signage and has secured planning approval.

New Substation

- 2.34 The need to provide a new substation and supply to Ashton Old Baths is a key part of the works to provide a new Data Centre. Whilst a portion of the works could be undertaken by an Independent Distributed Network Operator (IDNO) including construction of the compound, the non-contestable works such as the final connection and commissioning would have to be carried out by ENWL. Using ENWL to undertake all the substation and supply installation works makes coordination easier and also avoids potential future confusion over responsibilities for maintenance etc. reducing risk to the council.
- 2.35 The Council doesn't have any existing contracts with an IDNO that could be used for the contested elements of work. ENWL have been actively involved in early discussions around the proposed supply and are fully acquainted with requirements of the scheme and they are considered to be the best available provider for what is an essential facility for the efficient functioning of the Council.
- 2.36 It is proposed that the new electricity sub-station is provided by Electricity North West (ENWL) as the Licenced Distribution Network Operator (LDNO) for the North West of England.

3. OPTIONS FOR INVESTMENT

- 3.1 Innovation (Incubation) Centres such as the Ashton Old Baths, offering office space and advice to new start-up to digital, creative and media sector businesses, can provide valuable services and support innovation by encouraging business growth in the town centre and help attract business that would have located elsewhere. The creation of a Business Incubator Centre will assist new businesses in the town centre by providing an environment that supports them through their first three years, offering office space, advice and training. The proximity of students and graduates with new businesses is designed to enable and foster greater links between them.
- 3.2 The Ashton Old Baths project has facilitated the creation of more than 83 jobs in its first year of operation. It also supports measures to ensure private sector investment in the town centre.
- 3.3 Reports to the Council's Executive Cabinet in December 2013 and August 2016 set out the option appraisal for investment for the redevelopment of the AOB building including the Annexe. A report presented to the Strategic Planning and Capital Monitoring Panel in

December 2014 set out the funding envelope for the first two phases of the building and was the subject of a Key Decision in November 2014.

- 3.4 Executive Cabinet approval was obtained in August 2016 based on the Council's and its public-sector partners need for a Data Centre including commercial operations and disaster recovery capability for the Council's business-critical ICT systems. The new data centre will be located within the former ground floor ladies pool area with conversion of the remaining parts of the Annexe into office space to let.
- 3.5 This is an intervention by the Council to deliver a project for which there is both need and demand. The benefits to the Borough have been assessed from a wider perspective than return/profit. Creating the environment that will help deliver circa 73 jobs, with the associated Gross Value Added (GVA) outputs and Business Rates income as the key 'measures' for TMBC. The delivery of an essential piece of infrastructure can only be truly quantified through a risk assessment. The Data Centre is critical to the future economic wellbeing of Tameside.

4. ECONOMIC BENEFITS

4.1 The economic impacts associated with this scheme have been calculated in accordance with best practice guidance. Table 2 shows the operational economic outputs from the Ashton Old Baths project:

| | Area (m²) | Estimated Jobs Created | Estimated GVA Per Annum | Business Rates Per Annum |
|-----------------------|-----------|------------------------------|----------------------------|-----------------------------|
| New Office Space | 677 | 73 | £4,044,200 | £45,922 |
| Existing Office Space | 765 | 83 | £4,598,200 | £51,891 |
| Total | 1442 | 156 | £8,642,400 | £97,813 |

Table 2: Operational Economic Outputs

- 4.2 GVA is a productivity measure. Measuring productivity helps define both the scope for raising living standards and the competitiveness of an economy. The new 677 sq m office floor space is estimated to create 73 direct permanent digital sector jobs (9.29 sq m/ employee of Gross Internal Area). The employee value for the digital sector in Tameside per annum is based on Oxford Economics Greater Manchester Forecasting model (2017) figures for Tameside. The value per employee per annum is therefore assumed at £55,400. This figure was then multiplied by the estimated direct new jobs created which produced estimated GVA per annum for the new office space of £4,044,200.
- 4.3 The new office floor space will also generate extra business rates of circa £45,922 per annum from the AOB project. This figure is based on actuals from 2017/18 from Oxford Innovation who manage the Ashton Old Baths Phase 1.

5. PROJECT DELIVERY

Procurement Mechanism

5.1 A report to the Council's Executive Cabinet in August 2016 established the need to develop the AOB Phase 3 – the Annex and Data Centre. The project has been developed to RIBA Stage 3 under delegated authority of the Executive Director – Place.

- 5.2 Given the anticipated value of the main contract, the project will be subject to the full requirements of the Public Contracts Regulations 2015 as a works contract. Procurement subject to the application of the Public Works Contract Regulations requires application of specific processes to support the appointment of suppliers. Compliance with the regulations can be achieved by carrying out a contractor selection through either a Tendering Portal (for example, The Chest) or Contractor Framework (for example North West Construction Hub).
- 5.3 Consideration has been given to traditional, design & build and negotiated contract procurement approach. Technical advice has therefore been sought from cost surveyors and STAR Procurement on the most appropriate procurement approach to deliver the project within the delivery timescales and associated project budget, maintaining the high quality aspirations relating to a Grade 2 Star listed building and control of risk. An analysis of the OJEU procurement process for Phase 1 and 2 was also carried out. The Phase 1 works were procured by Place First under the terms of Funding and Sale Agreements with the Council and the contract was novated to the Council at practical completion. The Phase 2 fit out works were procured through the LEP.
- 5.4 Given the status of the building and the requirements of the approvals process (in particular Listed Building Consents) a traditional procurement route would be favoured. Given that the first phase main contract and the fit out were both successfully delivered by the same contractor on time and within budget,. In the current market and for the size of the project, the technical advice from the cost surveyors is that it is entirely appropriate to consider the use of a two-stage contract tender approach to the procurement of the main contract. This will ensure:
 - Full control over design and quality
 - Reasonable cost certainty prior to placing a contract
 - Programme certainty
 - Potentially lower contract price
- 5.5 Advice from STAR Procurement (the Council's procurement partner) has indicated that due to the time constraints, risks and the need to appoint a contractor with a view to enter into further negotiations on cost and design, then a two-stage design and construct procurement would best allow flexibility upon the selection of the contractor and speed up delivery without a lengthy open tender period. Given that the project is currently at RIBA Design Stage 3, this would provide the opportunity for the contractor and architectural practice to further collaboratively develop the design, programme and cost, once a contractor has been appointed based upon such factors as:
 - Some already defined works packages
 - Outline design and programme of works
 - Preliminaries
 - Target cost/agreed maximum price
- 5.6 The value of the contract is below the current OJEU threshold for works contracts (£4.55m) and hence is subject to the Council's Procurement Standing Orders (PSO). It currently states within the PSO that procurement of contracts £60,000 or over but below the procurement rules threshold, must use the open procedure except where permission has been obtained in advance. However, to mitigate some of the risks regarding timescales for an open tender, but to still satisfy that sufficient competition is carried out, it is proposed that a waiver is sought to PSO with a suggestion to carry out the following:

- Design Team appointed to carry out design and produce tender and working drawings and specifications.
- Invite a sufficient number of contractors with known demonstrable experience (minimum of 5 in this instance if possible).
- Develop a two-stage ITT (invitation to tender) procurement process as identified above with a view to notifying the selected contractors of the requirements, timescales and current design stage to identify capacity for the works prior to issuing the tender.
- Issue the tender documents with a proposed 4-week tender period.
- Receipt of tenders with an evaluation period of a week based on the above criteria at 5.5 along with qualitative and social value criteria.
- Once a preferred contractor is selected, enter into a defined period (4 weeks) of design/negotiation on cost and programme based on a Pre-Construction Services Agreement.
- Final agreement on design and cost programme with a site commencement date.
- 5.7 The main contractor will need to have fundamental knowledge of the existing building and site's important grade II* Listed building status, heritage constraints and key understanding of the building's historical integrity, service capabilities and location of services so that an efficient design and then implementation into the build on site, can be a smooth process. The two stage ITT (invitation to tender) process is expected to take 6 months. This will involve a two stage tender approach and a defined period (4 weeks) of design/negotiation with a preferred contractor as set out in 5.6 above. Once the contract is let, the project delivery timescales have been refined to enable the Data Centre enabling works (4 weeks) to be completed first with a further 14 weeks to fit out and operational. The total works programme period is envisaged to last 44 weeks in total.
- 5.8 It is therefore proposed to delegate authority to the Director of Growth, in consultation with the Director of Governance and Pensions, to enter into contract subject to acceptable terms within the approved funding.

6. RISKS

6.1 A detailed risk register is maintained and reviewed on a monthly basis to ensure appropriate mitigating actions are in place. A summary of the main residual risks can be found in Table 3.

| Risk | Potential Impact | Mitigation | |
|--|--|---|--|
| Failure to develop an appropriate business case | Failure to obtain approval for the scheme to be developed beyond RIBA stage 3 | • Experienced specialist cost consultants engaged to provide cost information to inform a robust business plan. | |
| Inappropriate redevelopment of a Grade II listed building | Failure to redevelop the building sympathetically and compliant with listed building consents. | Early and on-going engagement with Historic England and TMBC Planning team Listed Building application submitted in a timely manner. | |
| Delays with Electricity North West to the delivery of substation | Failure to deliver an operational data centre within time constraints. | Assurance given by ENW to deliver a new substation within 12 weeks of placing order. Planning application for substation approved. Road closure application for works compound submitted | |
| Insufficient funding available to complete all aspects of the project | Elements of project not completed or fully funded | The project is subject to close monitoring to ensure that overall costs are contained within an overall approved budget. Fit out costs will be included within the budget. Appropriate contingency budget established as part of the Stage 3 / 4 costs. | |
| Delays to data centre delivery | Failure to provide alternative arrangement leading to service disruption | Detailed specification and costing developed Appointed technical support to develop robust operational work package to maximise chance of success. Data centre project developed within a phased main contract approach following specialist advice. | |

Table 3: Summary of Main Residual Risks

7. PROGRAMME

7.1 The indicative programme for the Annexe and Data Centre at Ashton Old Baths project (subject to tenders and contracts) is summarised in Table 4.

Table 4: Indicative Programme

| Key Milestone (RIBA Work Stages) | Target Completion Date | |
|--|------------------------------------|--|
| Strategic definition, preparation and brief, concept design (Stages 0-2) | Oct 2017 - Jan 2018 (completed) | |
| Secure Planning and Listed Building consents | Sep 2018 (completed) | |
| Council approval to proceed | Dec 2018 | |
| Developed design (Stage 3) | Oct 2018 (completed) | |
| Tendering and Contract | Jan – June 2019 | |
| Technical design (-4) | Feb – June 2019 | |
| Data Centre works period (Stage 5) | July - Nov 2019 | |
| Main works period – Annexe (Stage 5) | July 2019 – April 2020 | |
| In use (Stages 6-7) | May Oct 2020 | |

In order to minimise the risk and reduce delays within the works period, it should be noted that the above programme is developed on the basis that the Annexe refurbishment and fit out and the enabling works for the development of the Data Centre is let as a single contract of works.

8. FINANCIAL INVESTMENT REQUIREMENT

Summary of forecast financial investment

- 8.1 The Strategic Planning and Capital Monitoring Panel in October 2017 recommended a provisional allocation of £1,600,000 for the development of the Ashton Old Baths Annexe.
- 8.2 A revised cost plan to RIBA Stage 2 has now been developed by specialist cost consultants based on the required design specification and actual costs for the first two phases (adjusted for prevailing market rates) and is shown in Table 5.

Table 5: Ashton Old Baths Phase 3 – Cost Plan

| Works Element | Estimated Cost (£) |
|--|--------------------|
| Work to Annexe building to create offices | 1,321,203 |
| Enabling Works for Data Centre | 235,017 |
| New Substation for Data Centre | 85,700 |
| Work to existing elevations, external lighting and signage | 251,275 |
| Work inside existing pods | 249,275 |
| Upgrade existing heating to communal areas | 119,025 |
| Furniture and equipment (fit out costs) | 50,000 |
| Fees Including Fee Contingency | 346,724 |
| Client Contingency @10% | 348,762 |
| Total Estimated Project Cost | 3,006,981 |
| Funded by: | |
| Council Capital Resources | 2,756,981 |
| Contribution from DCMS Funding | 250,000 |

| Works Element | Estimated Cost (£) |
|--|--------------------|
| Total Funding | 3,006,981 |
| Data Centre Fit Out (Approved by Exec Cabinet December 2017) | 840,000 |
| Gross capital cost of the scheme | 3,846,981 |

- 8.3 The project costs include a Client Contingency allowance of 10% (£349k) which reflects the risks associated with work to a listed building as advised by specialist cost consultants (Appleyard and Trew Cost Surveyors). Any unspent contingency/ inflationary increase will be returned to the capital programme post completion. The cost plan above sets out the total project costs. The cost of taking the project through the two stage procurement process (£14,700) and fees for RIBA Stage 4 Developed Technical Design (£87,000) are included within the fees element of the cost plan set out in 8.2 above. There are no other capital costs associated with the delivery of the AOB Phase 3 Annex and Data Centre
- 8.4 The Council's Executive Cabinet in December 2017 approved £840,000 capital investment for the construction of a new purpose-built Data Centre within AOB Annexe. These costs have therefore been omitted from the projects costs above. The above costs however do include the new Data Centre related enabling works (£235,017) and a new substation (£85,700) for the project to go ahead as planned. The fees for RIBA stages 3 and 4 (developing technical and developed detailed design) have been included in the costs above.
- 8.5 The £2,756,981 required to be met from the capital programme leaves a budget shortfall of £1,156,981 after taking account of the £1,600,000 already earmarked in the capital programme. The shortfall was originally intended to be funded through a loan from the Greater Manchester Investment Funds however, the eligibility requirements for the funds means that this is no longer feasible. The Council will need to consider meeting the capital shortfall in order to complete the works at Ashton Old Baths Annexe and the development of the new data centre.
- 8.6 Furniture and equipment (fit out costs) for the office element of the project have been provided by Oxford Innovation. Advice has been sought from the Council's finance team on VAT. It is anticipated that any VAT incurred on the project will be fully recoverable.

Operational Business Plan for the Annexe

- 8.7 A five-year agreement starting in May 2017 is in place with Oxford Innovation for the management of AOB following an OJEU procurement process. The OJEU procurement included the option to include the Annexe within the contract. It was therefore prudent to work with Oxford Innovation to prepare and further develop a financial model that covers the whole of the Ashton Old Baths over a ten-year period. The last five years are illustrative only. This would eventually feed into the annual update of the business plan with Oxford Innovation and subject to final approval by the Council.
- 8.8 The financial model will be refined with actual data year on year to give a more accurate performance outputs. It does however take into account actual figures for Phase 1 for the period May 2017 to March 2018. It has been developed to ensure that income generating opportunities are realised and on-going operational costs are kept to a minimum. However, it is inevitable the maintenance costs of the building will rise due to lifecycle costs.
- 8.9 A summary of the cumulative operating profit / (loss) position as developed through a 5year business plan with Oxford Innovation for Ashton Old Baths is shown in the Table 6 below:

| | Business Plan Summary (£) | | |
|------------------|---------------------------|--------------|----------|
| | Existing | Annexe (New) | Combined |
| Year 1 | 7,106 (actual) | (7,458) | (352) |
| Year 2 | 9,041 | 28,363 | 37,404 |
| Year 3 | 9,284 | 29,214 | 38,498 |
| Year 4 | 5,385 | 34,388 | 39,773 |
| Year 5 | 5,132 | 32,884 | 38,016 |
| Cumulative P/(L) | 35,948 | 117,391 | 153,339 |

Table 6: Business Plan Summary

- 8.10 In the management agreement, the operator is entitled to receive a management fee, which is based on the floor area of the centre and 4.5% of turnover. The management fee payable has already been accounted for as a cost in the Business Plan and is not an additional cost to the Council.
- 8.11 The management agreement with the operator includes details of the arrangement for contract management to ensure that the Council is able to monitor the operator's performance effectively. Central to this are the business plan and key performance indicators.
- 8.12 The operator is required to provide monthly reports to the Council on its performance against the agreed business plan and key performance indicators. Monthly meetings are also arranged with the Council's representatives to discuss the report and agree plans that may be required to address any issues.

9. PROJECT MANAGEMENT AND MONITORING

Project Management, governance and reporting arrangements

- 9.1 The project has been developed to RIBA Stage 3a under delegated authority of Executive Director Place. Further Governance is now required to:
 - a. establish the required budget in the Capital Programme
 - b. approve the latest designs
 - c. approve the procurement arrangements
- 9.2 There are significant financial and operational impacts for the Council with continuing to host its Data Centre at Rochdale MBC. It is therefore imperative to deliver the project as quickly as possible.

Stakeholder Consultation

9.3 Consultation with Historic England and the Council's Planning Service has taken place to establish how the remaining heritage aspects of the building are to be restored and/or maintained including how the building could be optimised to support 21st century use. This established Listed Building Consent (LBC) requirements and commenced pre-application

discussions. A planning application for the new Data Centre and LBC has been approved at Planning Committee on 5 September 2018.

9.4 The Annexe forms the final phase of work to bring back into economic use the AOB building to operate as an innovation centre. It is managed by Oxford Innovation. Regular monthly management and monitoring progress meetings are held.

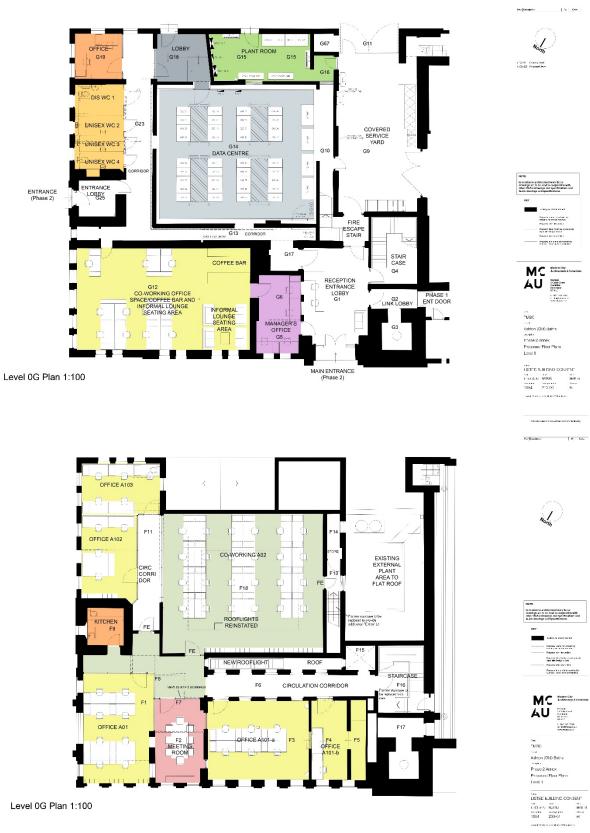
Project Monitoring and Contract Management

- 9.5 The project will be delivered by an external contractor. An outline programme of works has been developed with specialist consultants. A forty-four (44) week construction programme is envisaged including fourteen (14) weeks for the data centre enabling works and fit out. Through regular project meetings, progress will be monitored against key milestone within the programme of work. Project risks will be managed through the Council's established process that allows individual risks and overall risk to be managed proactively.
- 9.6 As with the earlier phase of the AOB project, the final phase of the project will be managed and delivered by the Council's Investment and Development Service.

10. **RECOMMENDATIONS**

10.1 As set out on the front of the report.

APPENDIX A DESIGN PROPOSALS



Level 0G Plan 1:100

Internal CGI

