



Mayor and Cabinet

Report title: Broadway Theatre Works – Approval for delegated authority to Executive Director for Community Services to award the contract to a suitable Main Contractor for refurbishment works

Date: 6 October 2021

Key decision: Yes

Class: Part 1

Ward(s) affected: Rushey Green

Contributors: Executive Director for Housing, Regeneration and Public Realm; Executive Director for Community Services; SGM Capital Programme Delivery; Director of Law, Governance and HR; Group Finance Manager

Timeline of engagement and decision-making

- 11 March 2020 – Mayor & Cabinet approval to procure suitable Main Contractor for works (based on lower budget)
- 12 March 2020 - Director of Corporate Resources approval to directly call off the services of Purcell from the Fusion 21 Framework to provide Lead Consultant services for the project (based on lower budget)
- Overall Capital Programme budget approved by Mayor & Cabinet on 7 October 2020 and 14 July 2021
- 13 January 2021 – Mayor & Cabinet approval to tender a Principal Contractor (based on increased budget) and to continue to utilise Lead Consultant services via Framework Agreement

Outline and recommendations

This report gives an update on progress with the Broadway Theatre refurbishment project and seeks permission to delegate authority to the Executive Director for Community Services to award the contract to a suitable Main Contractor to undertake the works.

1. Summary

- 1.1 This report provides an update on progress with the Broadway Theatre refurbishment works, which seeks to deliver the urgent health and safety, mechanical and electrical, disability access and compliance requirements within the building, along with the overdue upgrade/refurbishment of identified areas throughout the building. The works will ensure the building is fit for purpose, meets current regulations and is compliant to function as a public venue. Improvements will also enable the Theatre to attract wider audiences and hirers and expand its delivery of events and shows.
- 1.2 The report seeks permission to delegate authority to the Executive Director for Community Services to award the contract to a suitable Main Contractor to undertake the works. This is to enable the appointed Contractor to prepare and get on site as quickly as possible. Due to the complexity of this project, and the desire to re-open before the end of Borough of Culture 2022 year, and the tightness of the programme, any gain that can be made in time is critical.

2. Recommendations

Mayor and Cabinet is recommended to:

- 2.1 Approve delegated authority to the Executive Director for Community Services to award the contract to a suitable Main Contractor to undertake the refurbishment works.

3. Policy Context

- 3.1 The contents of this report support the Council's Corporate Strategy 2018-2022 priorities, particularly "*Building an inclusive local economy: Everyone can access high-quality job opportunities, with decent pay and security in our thriving and inclusive local economy*". The strategy outlines the desire to develop the evening and night time economy focusing on arts and music spaces, cafes and restaurants to help bring our town centres to life.
- 3.2 The contents of this report also support the Council's regeneration strategy: '*People prosperity and place*' which sets out Lewisham Council's vision for the future of the borough. It sets out how the Council, with its private and public sector partners, will work to transform the borough through physical, social and economic regeneration. The strategy specifically sets out a vision for the provision of high quality town centres that meet the needs of the community.
- 3.3 Catford Town Centre is embarking on a major regeneration and redevelopment programme that will see new housing, retail, leisure and open space facilities. The Council has evidenced a strong commitment to Catford through its leadership of the Catford Masterplan programme over a sustained period. One principal that the

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Masterplan will set out is the aim of securing a Phase 1a Delivery programme which will set out a series of early actions and investments that can be made to demonstrate and secure 'early wins', but within a clear strategic framework. Investment in the theatre will allow the building to remain compliant and improve its appeal and accessibility to potential hirers and audience members. This refurbishment of the Broadway Theatre will help retain its iconic status in Catford.

- 3.4 On 11 February 2020 Lewisham was awarded London Borough of Culture for 2021 by the Mayor of London, Sadiq Khan. The bid focused on Lewisham's proud history of activism, harnessing the power of art and culture to make long-lasting social change. The prestigious award will see Lewisham receive £1.35 million to stage an ambitious, year-long programme of cultural events celebrating the wealth of creative talent in the borough and delivering lasting social change. The Covid-19 pandemic has delayed the Borough of Culture year to 2022.
- 3.5 In addition replacement of the electrical wiring, and new heating and domestic water systems is consistent with the Council's energy policy, which was agreed at Mayor and Cabinet in July 2014, and more recently the Council's commitment to the borough being carbon neutral by 2030 and development of a Climate Change Action Plan.

4. Background and progress of project

- 4.1 The Broadway Theatre, which is Grade II listed, sits in the heart of Catford town centre, and has been owned and operated by the Council since it was built in 1932. The Theatre has multiple spaces within the complex, but primarily there are two active performance spaces: the Main Theatre and the Studio. It is a valued resource to the community offering a mix of music, comedy, theatre and dance. However, in recent years the theatre has been showing its age, with some essential maintenance works overdue and other improvements required to allow the theatre to attract high quality performances and hirers. The theatre also provides limited access to those with disabilities, and is not fully compliant with its licensing requirements.
- 4.2 Mayor & Cabinet approved officers to procure a suitable Main Contractor to undertake the works in January 2021. The package of works include:
- Electrical re-wire of the building
 - New fire alarm system
 - Emergency lighting replacement
 - Installation of internal / external CCTV cameras to enable full compliance with current premises licensing requirements.
 - Various DDA improvements including platform lift to enable access to basement studio and improvements to accessible WCs
 - New heating and domestic water system
 - Upgraded rigging, projector and sound system
 - Replacement of circle seating
 - Redecoration and repair to particular identified areas within the building
 - Localised external works including installation of windows on 3rd floor and electronic billboards
- 4.3 Officers have been working with a multi-disciplinary consultant team, led by experienced heritage architects Purcell. This has included design and technical drawings, gateway cost estimates and regular re-evaluation of the scope, opening up works to understand the make-up of the building and where services run, drainage and asbestos surveys, planning permission and building control, and stage 1 tender.

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- 4.4 The project team and multi-disciplinary consultant team have put a lot of time and effort into the design and planning stage of this project to ensure the specification for tender is accurate, detailed and comprehensive. This will reduce the risk of unknowns once the project gets to site, which could impact budget and programme.
- 4.5 A two-stage process is being used to appoint a Principle Contractor to undertake the refurbishment works at the Broadway Theatre. Stage 1 of the process involved the Council inviting contractors, via the London Tenders Portal, to submit a Standard Selection Questionnaire (SSQ) to provide specialist heritage refurbishment works to the Grade II listed Broadway Theatre on the terms and conditions set out in the invitation to tender (ITT) and the SSQ. Section 6 (Technical and Professional Ability) of the SSQ was evaluated and scored in order to short-list tenderers who demonstrated experience and knowledge of working in a grade 2 listed heritage building.
- 4.6 The Council received 17 bids at Stage 1 and have shortlisted 5 bidders who met the minimum scoring criteria for Section 6. All demonstrated excellent examples of previous projects which were relevant to this project – working in heritage listed buildings, working in theatres and other performance spaces, and working across the breadth of scope of this project. These 5 bidders have now been invited to submit a full tender submission as part of Stage 2.

5. Delegated authority

- 5.1 This report seeks permission to delegate authority to the Executive Director for Community Services to award the contract to a suitable Main Contractor to undertake the works.
- 5.2 The reason behind this request is to enable the appointed Contractor to prepare and get on site as quickly as possible. The intention is to re-open the theatre towards the end of 2022 to allow a Borough of Culture finale to take place in the newly opened and refurbished space. The project is highly complex and working to a very tight programme and so in order to maximise the time available for the contractor to have on site, delegated authority to approve the contract award is sought so approval can be given swiftly and as soon as a Main Contractor is recommended.
- 5.3 It should be noted that the decision will still be subject to scrutiny, but the latter stages of procurement can be completed in parallel with and subject to this.
- 5.4 It should also be noted that the programme of works on site will not be known until the tender returns come in and a Main Contractor is appointed. This may be longer than expected, and once on site there may be unforeseen delays. However, as stated above, the fullness of the preparatory work up to RIBA stage 4 is seeking to minimise this uncertainty as much as possible.

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6. Financial implications

- 6.1 The expected cost of the works are set out in the Part 2 report.
- 6.2 The cost of the works and associated project costs will be met from the budget set aside for the Broadway Theatre within the overall capital programme budget, the details of which are set out in the Part 2 report.

7. Legal Implications

- 7.1 Approval has been given by Mayor and Cabinet to procure this Category A works contract for the Broadway Theatre project in a report dated 11th March 2020 and 13th January 2021. The reports outlined the procurement process. A report to the Executive Director for Community Services dated 13th September 2021 approved the the 5 tenderers selected to proceed to stage 2 of the restricted procedure for the procurement of the works contract, and officers are preparing to proceed with stage 2 of the procurement process. The Contract Procedure Rules and the Public Contracts Regulations 2015 have been satisfied thus far and the procurement strategy going forward is compliant.
- 7.2 As a Category A contract, it would be for Mayor and Cabinet to take a decision on whether the decision to award this is to be delegated to the Executive Director for Community Services for the reasons outlined in the report.
- 7.3 The award of works contract would be a key decision and must be included in the Key Decision Plan.

8. Equalities implications

- 8.1 Failure to deliver the urgent works around health and safety and compliance, and the premises licence agreement requirements for CCTV could result in the need to permanently close the theatre. This would severely impact upon the community who rely on the theatre and for the services they provide.
- 8.2 It is expected that the works will have a positive impact on staff, hirers, visitors and patrons. Moreover the improvements made around disabled access will be of a significant advantage to less abled patrons and take positive steps towards meeting the requirements of the Equality Act 2010.

9. Climate change and environmental implications

- 9.1 The Council's sustainability objectives and commitment to carbon management will be addressed in the tender specification and contract documentation.
- 9.2 It is expected that some elements of the refurbishment will support the council's drive to be carbon neutral by 2030, for example the upgrading of the current heating system, a new BMS and the use of LED lighting and motion sensors on lighting will result in lower electricity use and associated revenue savings on running costs.

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10. Crime and disorder implications

- 10.1 The requirement to install CCTV both inside and outside as part of the premises licence will enhance customer and public safety.

11. Health and wellbeing implications

- 11.1 The proposed works will improve the front and back of stage and office environment within the theatre, particularly around the heating and lighting systems, and will have a positive impact on health, mental health and wellbeing of the staff working in and visitors using the building.
- 11.2 Health and safety during the design and construction phases will be tested through the Method Statements within the tender process, and monitored whilst the Main Contractor is on site.

12. Social Value implications

- 12.1 The Broadway Theatre works project will deliver social value to the London Borough of Lewisham by working with colleagues in the Local Labour, Sustainability and Procurement teams to set targets in line with the Council's strategic aims and objectives for the contract. The Lewisham Sustainability policy and social value tool will be used.
- 12.2 A section of the tender evaluation for Quality will be based on the social value commitments contractors make in their method statement. The weighting given to the social value element of the method statement will be agreed with Procurement and be in line with the Council's Social Value Policy.
- 12.3 The employment, skills and economy social value targets will be agreed and managed by the Local Labour Business Scheme (LLBS) team who will ensure that apprenticeship, jobs and business opportunity targets are met.

13. Background papers

None

14. Report author and contact

- 14.1 Petra Marshall, Senior Programme Manager, 020 8314 7034.

15. Comments for and on behalf of the Executive Director for Corporate Resources

- 15.1 Peter Allery, peter.allery@lewisham.gov.uk, Group Finance Manager, 020 8314 8471

16. Comments for and on behalf of the Director of Law, Governance and HR

- 16.1 Stephanie Fleck, stephanie.fleck@lewisham.gov.uk, Principal Lawyer, 020 8314 9968

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