

Wednesday 19<sup>th</sup> March 2025

**Report of the Assistant Director - Growth & Regeneration**

**Future High Street Fund Risk Register**

**Purpose**

To update the committee on Future High Street Fund (FHSF) Risks

**Recommendations**

It is recommended that:

1. The committee endorse the report
2. The committee endorse the risk register

**Executive Summary**

The full risk register prepared by the council's consultant Edge is attached in Appendix 2. The top three risks are determined by the project team based on what could have the most disruptive impact on the FHSF programme if the risk materialised and is not appropriately mitigated and/or controlled. The number next to each of these risks corresponds directly to a risk listed in Appendix 2. The risk register is organised by project area and appendix 3 explains any acronyms used in the register. A more detailed explanation of each of the three top risks is provided below within the background section.

The top 3 Risks are as follows:

- 1) Insufficient budget to cover full scope of works to Market Street Properties (Risk ID 46)**
- 2) Risk to continued building damage (post completion) from water ingress from Kier site / adjacent building detail (Risk ID 196)**
- 3) Risk relating to obtaining S111 for adopted areas. Late S111 could delay works to paving (Risk ID 178)**

**Background**

**Risk 1 Insufficient budget to cover full scope of works to Market Street Properties (Risk ID 46)**

It should be noted that initial cost indications for the Market Street properties and Castle Gateway development have not yet been finalised. Surveys have revealed that the condition of the Market Street properties is considerably worse than anticipated at the time the bid was pulled together. The existing timbers for example, show signs of deathwatch beetle infestation and damage from damp present in the buildings. Some of the timbers may need to be repaired or replaced. Speller Metcalfe have undertaken an enabling works package, this involves opening up works to better understand the condition of the building as well as weather proofing to prevent further damp.

The schedule of works for this enabling package was consented by both the Conservation Officer and Historic England given the properties have grade II listed status. Any further works that form the main works contract will also be subject to planning consent and both the Conservation Officer and Historic England will be statutory consultees in this process, this phase of design is now underway. Once the design is finalised, we can proceed to fixed costs.

Whilst we do have initial cost estimates, the enabling works have provided a greater insight into the condition of the building now that finishes are removed, and there is a risk that the full scope of works (as listed in the bid) will come in overbudget. The scope of works listed in the bid are that the ground floor of the properties will be finished to a white box standard. This involves providing a painted unit, with lighting and power points. The original scope also includes tea points and WC facilities for each unit. If this isn't achieved there isn't a risk of government withdrawing any funding, their concern is primarily with spending the funding by the deadline. Most of the funding is committed and the remaining amount will be committed when we enter into a stage 3 contract with Speller Metcalfe to deliver the full works to the Market St properties once the enabling package concludes and agreement on design and an indication on pricing is reached.

At the February Full Council (2024) meeting it was agreed that further budget be allocated to the programme, however, until fixed costs are derived it is unknown if the contingency pot will cover the costs, which is why this remains a significant risk.

**Risk 2) Risk to continued building damage (post completion) from water ingress from Kier site / adjacent building detail (Risk ID 196)**

The second risk refers to water ingress to the completed Tamworth Enterprise Centre that is coming from the neighbouring college site. The college build does not look to have been completed as specified in the party wall agreement. Conversations are underway with representatives from Kier (the college site contractor) and the college to find a solution. TBC to continue liaising with Kier and College site until an agreed detail is provided and the consented Party Wall detailed regarding the college building levels is achieved at their cost.

**Risk 3) Risk relating to obtaining S111 for adopted areas. Late S111 could delay works to paving (Risk ID 178)**

The final risk refers to securing agreements with Staffordshire County Highways. The Borough Council's project team and Speller Metcalfe are regularly meeting with Staffordshire Highways contractor Amey in regards to specifications for materials and obtaining the agreements required for works to take place. The application for the Section 111 order has been submitted and has undergone an initial review just before the Christmas break. The Borough Council's planning team is engaged in responding to any queries or objections raised by Staffordshire Highways in relation to any live planning applications. The Council is continuing to push for timescales for agreements to be completed as Highways have flagged timescales and resource issues. The TBC project team will continue to share updated plans, programmes and specifications of works with the Highways team to progress as required.

The technical review process should be completed by early March by Amey, once this is agreed they can then progress the legal agreement. Until the legal agreement is agreed, TBC's contractor Speller Metcalfe cannot progress with paving adopted areas of land included as part of the scheme. They have been able to progress with the areas of St Editha's Square that are in the Borough Council's ownership but the perimeter of the square (where the canopy line ends) up to the shop fronts is county highways land. Currently the project is on programme and due to complete in early May but there is a risk that this could be delayed if the agreement for the S111 is not agreed in time for when the works on highways land are programmed to begin, so work in this area would be paused until the agreement is in place. All landscaping elements of the scheme are not bound by the Future High Street Fund March 2025 spend deadline as these are funded by TBC match funding, Shared Prosperity funding or Community Infrastructure Levy.

**Options Considered**

N/A for this report

**Resource Implications**

None as a direct result of this report or risks identified .

**Legal/Risk Implications Background**

Works license to Middle Entry works no longer needed as Peer Group have withdrawn consent for the scheme, therefore this risk will be reduced and closed. This was the subject of a report and update to Full Council on January 21<sup>st</sup> 2025. All other legal agreements and funding agreements have been completed with Nationwide and South Staffordshire College. All FHSF projects are now in contract with Speller Metcalfe with the exception of the Market Street Properties. The contract for these works is anticipated to be ready for signing in March following agreement on pricing and design as outlined above.

**Equalities Implications**

No specific risk concerning equalities implications. Equality, Social Inclusion and Health Impact Assessment (ESHIA) for the FHSF is attached for reference also.

**Environment and Sustainability Implications (including climate change)**

No specific risks relating to this report or in the risk register.

**Background Information**

None for this report , please see appendices for risk register, Equality, Social Inclusion and Health Impact Assessment (ESHIA) .

**Report Author**

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**List of Background Papers**

N/A

**Appendices**

Appendix 1 – ESHIA  
Appendix 2- Risk Register  
Appendix 3- Acronyms Key

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