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Contract

## **Voluntary Ex Ante Transparency Notice (VEAT) - Farnworth Town Centre Development Scheme**

Bolton Council

F03: Contract award notice

Notice identifier: 2023/S 000-015310

Procurement identifier (OCID): ocids-h6vhtk-03d060

Published 30 May 2023, 5:18pm

### **Section I: Contracting authority**

#### **I.1) Name and addresses**

Bolton Council

3rd Floor Bolton Town Hall, Victoria Square

Bolton

BL1 1RU

#### **Contact**

Mrs Sarah Atherton

#### **Email**

[sarah.atherton@bolton.gov.uk](mailto:sarah.atherton@bolton.gov.uk)

#### **Telephone**

+44 0

#### **Country**

United Kingdom

**Region code**

UKD3 - Greater Manchester

**Internet address(es)**

Main address

<http://www.bolton.gov.uk/>

Buyer's address

<http://www.bolton.gov.uk/>

**I.4) Type of the contracting authority**

Regional or local authority

**I.5) Main activity**

General public services

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**Section II: Object**

**II.1) Scope of the procurement**

**II.1.1) Title**

Voluntary Ex Ante Transparency Notice (VEAT) - Farnworth Town Centre Development Scheme

Reference number

DN672415

**II.1.2) Main CPV code**

- 45000000 - Construction work

**II.1.3) Type of contract**

Works

#### **II.1.4) Short description**

The contracting authority is not awarding a contract - This is a 30 day VEAT Notice in respect of the proposed Farnworth Town Centre Development Scheme, due to commence on or around 3 July 2023.

#### **II.1.6) Information about lots**

This contract is divided into lots: No

#### **II.1.7) Total value of the procurement (excluding VAT)**

Value excluding VAT: £28,200,000

### **II.2) Description**

#### **II.2.2) Additional CPV code(s)**

- 45000000 - Construction work

#### **II.2.3) Place of performance**

NUTS codes

- UKD3 - Greater Manchester

#### **II.2.4) Description of the procurement**

The scheme is publicly funded through an agreed funding strategy comprising a combination of grant and loan financing from Bolton Council, Future High Street Funds, Brownfield funds, and lending from Greater Manchester Combined Authority ("GMCA").

Bolton Council intends to enter into an Option Agreement, with an annexed Buy Back Option and a Price & Overage Deed with Capital & Centric (Cocoon) Ltd. ("C&C") for the planned regeneration development at Farnworth Town Centre.

The Option Agreement places an obligation on Bolton Council to sell the land at Farnworth Town Centre to C&C should C&C exercise the option.

Should C&C exercise the option to buy the land, it can as the developer, develop the land in accordance with planning permission (subject to permitted variations) if it chooses to, but is not required to do so.

Bolton Council can exercise the Buy Back Option if;

- i. The funding agreement with GMCA is not entered into in line with the agreed funding

strategy; and/or

ii. A forward purchase agreement is not entered into in line with the agreed funding strategy; and/or

iii. There is, broadly, an insolvency event in relation to C&C; and/or

iv. Practical completion of the development is not reached within a certain timeframe.

The Price & Overage Deed allows for deferred consideration payable for the property to Bolton Council shortly after practical completion which will be secured by way of a charge.

#### **II.2.5) Award criteria**

Cost criterion - Name: Price & Quality / Weighting: 100%

#### **II.2.11) Information about options**

Options: No

#### **II.2.13) Information about European Union Funds**

The procurement is related to a project and/or programme financed by European Union funds: No

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## **Section IV. Procedure**

### **IV.1) Description**

#### **IV.1.1) Type of procedure**

Award of a contract without prior publication of a call for competition in the cases listed below

- The procurement falls outside the scope of application of the regulations

Explanation:

Bolton Council considers that the contract with C&C for the regeneration development at Farnworth Town Centre falls outside the scope of Public Contract Regulations 2015 ("PCR 2015") as it is not a public works contract.

The site at Farnworth Town Centre has been fully vacant for twelve months and provides an opportunity for land disposal and development to regenerate the area. The development will include a varied mix of residential units and commercial units.

Whilst Bolton Council has set certain requirements in relation to any development that takes place, C&C is not required to develop the land at all. In any event, if C&C does develop the land, certain variations are permissible to the requirements.

#### **IV.1.8) Information about the Government Procurement Agreement (GPA)**

The procurement is covered by the Government Procurement Agreement: No

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## **Section V. Award of contract**

### **Title**

Voluntary Ex Ante Transparency Notice (VEAT) - Farnworth Town Centre Development Scheme

A contract/lot is awarded: Yes

### **V.2) Award of contract**

#### **V.2.1) Date of conclusion of the contract**

30 May 2023

### **V.2.2) Information about tenders**

Number of tenders received: 1

The contract has been awarded to a group of economic operators: No

### **V.2.3) Name and address of the contractor**

Capital & Centric (Cocoon) Limited

Phoenix, 72 Chapeltown Street

Manchester

M1 2EY

Country

United Kingdom

NUTS code

- UKD3 - Greater Manchester

National registration number

13742684

The contractor is an SME

Yes

### **V.2.4) Information on value of contract/lot (excluding VAT)**

Initial estimated total value of the contract/lot: £28,200,000

Total value of the contract/lot: £28,200,000

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## **Section VI. Complementary information**

### **VI.4) Procedures for review**

#### **VI.4.1) Review body**

Bolton Council

Town Hall, Victoria Square

Bolton

BL1 1RU

Country

United Kingdom