

TONBRIDGE & MALLING BOROUGH COUNCIL

PLANNING and TRANSPORTATION ADVISORY BOARD

21 February 2012

Report of the Director of Planning Transport and Leisure

Part 1- Public

Matters for Recommendation to Cabinet - Non-Key Decision

1 TOWN LOCK CAPITAL PROJECT

Summary

This report informs Members of the proposed programme, financial profile and partnership arrangements for the progression and implementation of this project.

1.1 Introduction

- 1.1.1 The desire to improve the area around Tonbridge's Town Lock, in the context of Borough Council and Environment Agency (EA) policies promoting improved access to the riverside and the improvement of Tonbridge town centre, dates back to 2002. This led to the development of the Tonbridge Town Lock Area Enhancement Brief which was adopted as Supplementary Planning Guidance in 2004.
- 1.1.2 The primary aim for this project is to bring forward a simply designed and attractive environmental enhancement scheme to provide a high quality public space alongside the residential redevelopment that is taking place in this part of the town centre, alongside the River.
- 1.1.3 The Environment Agency then engaged landscape architects to prepare outline proposals which were endorsed by the Council for public consultation in October 2005. A public exhibition was held at Tonbridge Castle in December 2005 which demonstrated that the proposals were well supported by the local community and the various comments and suggestions were used to further refine the proposals.
- 1.1.4 The Council also endorsed an informal working partnership with the Environment Agency. In partnership, we have been able to progress the scheme and explore various funding options. At that time, the EA was only able to commit a small nominal sum to the scheme in respect of improved boater facilities. External funding bids to such as the Big Lottery were unsuccessful.
- 1.1.5 Consequently, when I last reported the scheme to this board in January 2009, there was still a significant funding gap. A Capital Plan List C evaluation was

completed and the scheme was transferred to List B where it has effectively been 'parked' awaiting a funding boost.

- 1.1.6 I am therefore very pleased to be able to report that the Environment Agency has now been able to commit £230,000 to the scheme and this contribution will now allow the Town Lock project to proceed to implementation during the next financial year.

1.2 Working with the Environment Agency

- 1.2.1 The EA's financial contribution is time bound and must be paid over to the Borough Council within this financial year. It is also conditional upon a collaborative agreement being in place in which the Borough Council will undertake to build the scheme within a given time. The site is partly owned by the Borough Council but the EA has the major land holding. The agreement will therefore also deal with future access and maintenance arrangements to ensure that the lock and facilities remain operational and the site kept in good order.
- 1.2.2 Our respective legal departments are currently working out the details of this agreement to ensure that it is available to be signed in good time to receive the contribution. Bearing in mind our previous success in working with the Agency I do not envisage this being a problem.
- 1.2.3 The Environment Agency has a procurement framework in place for works of this nature and we are investigating whether we are able to invite tenders from their framework contractors.
- 1.2.4 The consulting engineers, Halcrow, were engaged to review and complete the outline design of the scheme and will be retained to undertake the detailed design and tender document preparation.

1.3 Scheme Funding

- 1.3.1 The available funding now totals £791,600 and is made up as follows:

Tonbridge & Malling Borough Council

- £100,000 Tonbridge Environmental Schemes earmarked reserve
- £200,000 Corporate Provision for Fast Track Schemes

Environment Agency

- £230,000 fixed contribution payable by 31st March

Developer Contributions

£260,000 comprising contributions from a number of key developments in the town centre. All contributions have been paid over with the exception of Ashby's Yard which is now due following commencement on-site.

Tonbridge Town Lands & Richard Mylls Charity

- £1,600 towards seating

1.3.2 As mentioned previously, the scheme is currently residing on Capital Plan List B and requires promotion to List A to proceed. I shall therefore be asking Members to endorse the request to Cabinet to transfer the scheme to List A

1.4 Capital Scheme Design

1.4.1 The key elements of the scheme are:

- Re-profiled surfaces with block paving to provide a high quality, accessible and attractive public open space.
- An avenue of trees between the riverside land and Medway Wharf Road.
- Quality seating, lighting and litter bins of contemporary design.
- A new flood wall relocated to the back of the site
- An extension of the existing boardwalk along the river edge.
- A dual purpose, architect designed building to incorporate both Environment Agency telemetry equipment and also essential boater facilities

1.4.2 An outline design scheme plan is at **ANNEX 1**.

1.4.3 The intention to build a high quality scheme for the enjoyment of local people and for people walking along the River. It will be another important component in the Council's efforts to regenerate parts of Tonbridge Town Centre. I must stress that the funding is now very much fixed as detailed above and so the detailed design and implementation of the scheme must fit within the available funding.

1.5 Implementation

1.5.1 The outline programme for implementation is as follows:

Spring 2012

Environment Agency undertake site investigations for soil conditions and risk assessment.

Procurement procedures defined by TMBC and Environment Agency in compliance with the Council's Constitution.

Collaborative Agreement in place.

TMBC appoints Designer, Health & Safety Co-ordinator and secures 'Early Contractor Involvement'.

Summer 2012

Detailed scheme design and tender preparation

Competitive tendering

Autumn 2012

Construction

1.6 Legal Implications

1.6.1 As detailed above, a collaborative agreement with the Environment Agency is a pre-requisite for receiving the EA's contribution which must be paid over prior to the end of the financial year.

1.6.2 In addition, the Council and the EA must also have a written agreement which deals with the future maintenance, operation and occupation of the various areas within the scheme.

1.7 Financial and Value for Money Considerations

1.7.1 As detailed above this scheme will benefit from a partnership funding approach, including contributions secured through the grant of planning permission for nearby developments in accordance with the Council's planning policies and practices. There will be a relatively modest ongoing maintenance cost but this can be absorbed within existing budgetary provisions.

1.8 Risk Assessment

1.8.1 With our partner, the Environment Agency, making a fixed contribution, the main risk to the Council is that we will be liable to meet any variance in the ultimate cost of the scheme. As I mentioned however, the scheme must 'fit' within the available finance and there must be a contingency allowance accommodated to offset this risk. The controls will be exercised using the final estimate at completion of outline design and again prior to the acceptance of any tender such that the risk of overspend is fully mitigated.

1.9 Equality Impact Assessment

1.9.1 See 'Screening for equality impacts' table at end of report

1.10 Policy Considerations

1.10.1 Key improvement priorities:

Promote and support the sustainable regeneration and economic development of Tonbridge town centre.

Achieve a cleaner, smarter and better maintained street scene and open space environment.

1.11 Recommendations

1.11.1 That the proposals to progress and implement the Town Lock Capital Project **BE ENDORSED**.

1.11.2 That Cabinet **BE REQUESTED** to transfer the scheme from Capital Plan List B to List A.

Background papers:

contact: Steve Medlock

Nil

Steve Humphrey

Director of Planning Transportation & Leisure

Screening for equality impacts:		
Question	Answer	Explanation of impacts
a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community?	No	The town centre improvements are to the benefit of all community groups.
b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?	N/A	
c. What steps are you taking to mitigate, reduce, avoid or minimise the impacts identified above?		N/A

In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above.