

# TONBRIDGE & MALLING BOROUGH COUNCIL

## COUNCIL

09 April 2019

### Report of the Management Team

#### Part 1- Public

#### Matters For Decision

## 1 FUNDING OF UNBUDGETED PROJECTS

### Summary

**This report sets out for Council two unbudgeted projects which need to be progressed without delay. The projects relate to the reinstatement of the path and fencing on the Tonbridge Castle Motte and high priority health & safety repairs to a number of bridges owned by the Council.**

### 1.1 Financial Procedure Rules

1.1.1 Members of Council will be fully aware that each year Full Council is responsible for setting the budget, including the allocation of resources to different services and projects.

1.1.2 Any proposal to incur unbudgeted expenditure after Full Council has approved the budget or Capital Plan must be submitted to the Executive for approval. In exceptional circumstances supplementary estimates for revenue and capital expenditure can be reported directly to Full Council for approval.

### 1.2 Tonbridge Castle Motte

1.2.1 Due to high winds over the weekend of 16<sup>th</sup>/17<sup>th</sup> March a large oak tree located on the Motte at Tonbridge Castle fell, causing substantial damage to the paths and fencing. A picture of the damage caused by the tree is shown in the photograph at **Annex 1**. A specialist contractor was employed to remove the fallen tree together with another adjacent tree assessed by the contractor to pose a health & safety risk to the public. The cost of the works to remove the two trees, has been met from the 2018/19 health & safety of trees revenue budget.

1.2.2 The damage is both unsightly and also prevents the public accessing the Motte. The pathway on the Motte is extremely popular and also forms part of the Tonbridge Castle audio tour. Quotations to reinstate the path and the fence are currently being sought and liaison is being undertaken with English Heritage to enable the works to be progressed without delay. The Castle is a high profile tourist attraction in the borough with the Motte a backdrop for a wide range of events on the Castle lawn and for wedding parties.

- 1.2.3 An initial budget estimate of £20,000 has been identified and more accurate costings will be available for Council to consider at the meeting.
- 1.2.4 With regard to funding of the works Council's attention is drawn to a recent award to the Council of £20,231, from the Government's Local Authorities Parks Improvement Fund. A copy of the award letter is attached at **Annex 2**. Council will note in the letter "*the expectation the award will be used to undertake remedial and renovation works to existing parks*" The criteria does allow for addressing health and safety concerns and references repairs to essential footpaths and installation of the barriers. It is therefore felt appropriate to allocate this government funding to the works required to the Motte, with any balance funded from the General Revenue Reserve.

### **1.3 Repairs to Bridges**

- 1.3.1 The Council owns and is responsible for the upkeep of 28 bridges across the borough. The majority of the bridges are located in the Council's Country Parks and on larger areas of public open space including the Racecourse Sportsground in Tonbridge.
- 1.3.2 Following a review of the bridge inspection regime earlier this year, in accordance with the Departmental Risk Register, a new programme of inspections has been agreed and implemented. Under the new regime, all bridges will be visually inspected by Officers from Technical Services on a quarterly basis, with a structural inspection undertaken every 2 years by an external Structural Engineer.
- 1.3.3 An external Structural Engineer has recently completed an inspection of all the bridges and a report has been received. The report identified high, medium and low priority works. High priority works are defined as essential works to be undertaken within the next 3-12 months, medium priority works to be progressed within the next 2 years, and finally low priority works to be monitored in future inspections.
- 1.3.4 To address health & safety concerns it is proposed that quotations be sought for the high priority works which are estimated to cost iro. £20,000. Examples of works involved include repairs of brickwork, replacement of timber decks, repairs to surfacing, repointing of brickwork and repairs to joints. Funding for the medium priority works will be sought as part of the estimates for 2020/21.
- 1.3.5 To enable quotations to be sought for the high priority works, and an order to be placed with the successful contractor as soon as possible, a supplementary estimate funded from the General Revenue Reserve for the works is required.

### **1.4 Legal Implications**

- 1.4.1 The Health & Safety at Work Act places a duty on employers to protect the health and safety and welfare of all its employees, as well as visitors and the general public.

## **1.5 Financial and Value for Money Considerations**

- 1.5.1 The two projects outlined in this report will require in total an estimated budget of £40,000 to enable them to proceed. Both projects will be subject to quotations in accordance with Contract Procedure Rules.
- 1.5.2 The final cost of the works to the Castle will need to take into account the difficulties of working on the site and the need to fully comply with regulations laid down by English Heritage. With the status of the Motte as an ancient monument these regulations are often strict and require a high quality of workmanship.
- 1.5.3 The proposed high priority works to 11 of the bridges equates to approximately £2,000 per bridge.

## **1.6 Risk Assessment**

- 1.6.1 The projects outlined in the report will respond to both health & safety and operational needs of the Service and therefore mitigate risk. The need for a new regime for the inspection of bridges owned by the Council was identified in the Departmental Risk Register. If the works are not progressed a closure of the Motte and a number of bridges to the public will be required.
- 1.6.2 Whilst it is recognised that the Government's recent funding award for Parks is focussed on improvements, Management Team has assessed the criteria and determined that the funding of works to the Castle Motte is appropriate.

## **1.7 Equality Impact Assessment**

- 1.7.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

## **1.8 Policy Considerations**

- 1.8.1 Asset Management
- 1.8.2 Community
- 1.8.3 Health and Safety
- 1.8.4 Procurement

## **1.9 Recommendations**

- 1.9.1 It is RECOMMENDED that:-
- i) the recent award of £20,231 from the Government's Local Authorities Parks Improvement Fund be used to progress urgent reinstatement works to the Tonbridge Castle Motte, with any balance funded from the General Revenue Reserve, and;

- ii) a supplementary estimate of £20,000 be approved funded from the General Revenue Reserve to progress high priority repair works to Council owned bridges, identified in the external Structural Engineers inspection report.

Background papers:

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Nil

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**For Management Team**