

**NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL**

**CABINET – TUESDAY, 24 JULY 2018**

Title of report	<b>MARLBOROUGH SQUARE REDEVELOPMENT</b>
Key Decision	a) Financial Yes b) Community Yes
Contacts	Councillor Richard Blunt 01530 454510 <a href="mailto:richard.blunt@nwleicestershire.gov.uk">richard.blunt@nwleicestershire.gov.uk</a>  Strategic Director ofPlace 01530 454555 <a href="mailto:james.arnold@nwleicestershire.gov.uk">james.arnold@nwleicestershire.gov.uk</a>  Head of Economic Regeneration 01530 454752 <a href="mailto:mark.fiander@nwleicestershire.gov.uk">mark.fiander@nwleicestershire.gov.uk</a>
Purpose of report	To seek Cabinet approval for proposals to redevelop Marlborough Square, transforming the square from a car park into a more usable public space.
Reason for Decision	Cabinet approval is needed to progress the project further.
Council Priorities	Homes and Communities Building Confidence in Coalville Business and Jobs
Implications:	
Financial/Staff	This report requests that Cabinet allocate up to £546,000 additional funding for the project to provide a total capital budget of £1,646,605.49.
Link to relevant CAT	Coalville Project Board is being kept up to date with this project.
Risk Management	Risks and their proposed mitigations are described in section 2.7 below.
Equalities Impact Screening	An access assessment will be carried out before the works contract is signed.
Human Rights	No human rights implications
Transformational Government	Project represents joint working with Leicestershire County Council

Comments of Deputy Head of Paid Service	The report is satisfactory
Comments of Section 151 Officer	The report is satisfactory
Comments of Monitoring Officer	The report is satisfactory
Consultees	Marlborough Square working group. Ward Members. Leicestershire County Council.
Background papers	<p>The Prince's Foundation's Regeneration Strategy for Coalville (2009). <a href="http://www.nwleics.gov.uk/files/documents/princes_foundation_regeneration_strategy">www.nwleics.gov.uk/files/documents/princes_foundation_regeneration_strategy</a></p> <p>Four Squares and Streets Investment Plan (2010). <a href="http://www.nwleics.gov.uk/files/documents/four_squares_and_streets_plan">www.nwleics.gov.uk/files/documents/four_squares_and_streets_plan</a></p> <p>Report to Cabinet (26 July 2016) Extending the Coalville shop front improvement grant scheme and update on the Coalville Project. <a href="http://prod-modgov:9070/ieListDocuments.aspx?CId=126&amp;MId=1543&amp;Ver=4">http://prod-modgov:9070/ieListDocuments.aspx?CId=126&amp;MId=1543&amp;Ver=4</a></p> <p>Report to Cabinet (13 June 2017) Building Confidence in Coalville – Proposals and Funding. <a href="http://prod-modgov:9070/ieListDocuments.aspx?CId=126&amp;MId=1551&amp;Ver=4">http://prod-modgov:9070/ieListDocuments.aspx?CId=126&amp;MId=1551&amp;Ver=4</a></p> <p>Report to Cabinet (16 January 2018) Marlborough Square Refurbishment <a href="http://prod-modgov:9070/ieListDocuments.aspx?CId=126&amp;MId=1557&amp;Ver=4">http://prod-modgov:9070/ieListDocuments.aspx?CId=126&amp;MId=1557&amp;Ver=4</a></p>
Recommendations	<p><b>IT IS RECOMMENDED THAT CABINET:</b></p> <p>(I) NOTES THE RESULTS OF THE PUBLIC CONSULTATION ON THE CONCEPT PLAN.</p> <p>(II) APPROVES THE DESIGN (BY LCC) TO REFURBISH MARLBOROUGH SQUARE TO CREATE A NEW PUBLIC SPACE, NEW BUS STOPS AND NEW TAXI RANK WITH A LIMITED AMOUNT OF SHORT STAY PARKING.</p> <p>(III) NOTES THE APPLICATION FOR £340,000 OF LLEP FUNDING TO SUPPORT THE PROJECT</p> <p>(IV) APPROVES ADDITIONAL FUNDING FOR THE PROJECT OF £486,000 FROM THE EARMARKED RESERVE FOR</p>

	<p><b>SITE ACQUISITIONS IN COALVILLE AND £60,000 FROM THE LOCAL BUSINESS FUND</b></p> <p><b>(V) AUTHORISES THE STRATEGIC DIRECTOR OF PLACE IN CONSULTATION WITH THE LEADER TO:</b></p> <p><b>a. NEGOTIATE AND AGREE FINAL COSTINGS FOR THE PROJECT;</b></p> <p><b>b. APPROVE FINAL DESIGNS;</b></p> <p><b>c. ENTER INTO A CONTRACT WITH LCC FOR THE CARRYING OUT OF HIGHWAY WORKS TO IMPLEMENT THE PROJECT</b></p> <p><b>d. ACTIVELY MANAGE THE CONTRACT DURING THE WORKS PERIOD INCLUDING AGREEING CHANGES TO THE DESIGN AND PROGRAMME IF REQUIRED,</b></p> <p><b>e. ENTER INTO CONTRACTS FOR ASSOCIATED CONSULTANCY FEES OF UP TO £70,000</b></p> <p><b>ALL WITHIN THE COST ENVELOPE OF £1,586,500 AS DESCRIBED IN PARAGRAPH 3.2 OF THIS REPORT.</b></p> <p><b>(VI) AUTHORISES THE STRATEGIC DIRECTOR OF PLACE TO NEGOTIATE AND ENTER INTO A MAINTENANCE AGREEMENT WITH LCC TO APPORTION MAINTENANCE RESPONSIBILITIES AND COSTS ESTIMATED AT £5,000 PER YEAR ARISING FROM THE HIGH QUALITY, NON-STANDARD MATERIALS THAT FORM THE PROJECT'S DESIGN</b></p> <p><b>(VII) AUTHORISES THE STRATEGIC DIRECTOR OF PLACE TO ENTER INTO CONTRACTS FOR ASSOCIATED MATERIALS AND EQUIPMENT TOTALING UP TO £60,000</b></p>
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## **1.0 BACKGROUND**

- 1.1 The Marlborough Square Project has previously been reported to Cabinet (13 June 2017 and 16 January 2018). This report sets out progress made since 16 January 2018 and requests funding in addition to the £1,100,605.49 which has been reserved for this project.
- 1.2 The project forms part of a wider scheme of public realm works proposed across Coalville to improve the appearance of the town and encourage inward investment. Other related projects include proposed works to Olivers Crossing and Ashby Road which are being progressed by Leicestershire County Council (LCC) in partnership with the District Council.

## **2.0 PROJECT PROGRESS AND UPDATE**

- 2.1 Officers have worked closely with Leicestershire County Council, local businesses and other stakeholders to develop the concept plan approved in January into more detailed proposals

and we are awaiting the results of ground investigation works to determine the exact location of underground utilities.

- 2.2 An option that satisfies the requirements of the project brief and the day to day operational needs of the square has been identified subject to the results of ground investigations. The final design will be approved by the Highway Authority as part of the delivery process.
- 2.3 The proposals will create a high quality area of public space (one of the town's four squares) with:
- Outdoor seating areas.
  - New tree planting.
  - A more pedestrian friendly environment with priority afforded to pedestrians and vehicles encouraged to drive through the square at lower speeds through changes in carriageway width and surfacing.
  - Improved bus passenger waiting areas with a significantly improved public realm.
  - New taxi rank.
  - New Christmas tree pit.
  - New short stay parking spaces (limited to 15 minutes).
  - Space for events that can take place without closing the square to vehicles and which can also be used for an outdoor market.
  - Underground power cabling to allow events to take place more easily.
  - Public art

The existing free parking will be relocated equally to Jackson and Margaret Street car parks. Officers have worked up the plan to make changes to the parking orders consequential on this development being agreed and taking place and these have been factored into the project plan and budget

- 2.4 The standard detailed design process has resulted in changes to the concept design including moving the location of a courtesy crossing slightly to improve safety and the proposed location for the public art has also moved slightly to provide a larger uninterrupted space for events and markets. Whilst the detailed design reflects current knowledge of the site it is possible that further small adjustments will need to be made to the exact position of features such as trees, for example, once the results of the underground survey work have been analysed. Authorised vehicles permitted on the main surface of the square will be those servicing businesses along the northern side of the square, those involved in events and council maintenance vehicles. The design also seeks to maximise access for those with visual or mobility restrictions and includes proposals for tree planting.

Pedestrian crossings on Belvoir Road will also be reviewed and be complemented by features that seek to reduce vehicle speeds – a 20 mph designation and changes in carriageway design.

- 2.5 Following Cabinet approval in January 2018, the following key stages have been completed:
- Traffic Regulation Order consultation ('Stopping Up' order) for 12 weeks. To implement the scheme as envisaged, the Council commissioned LCC to instigate the process of Traffic Regulation Orders (TROs). The District Council will need to make changes to current car parking orders to re-designate chargeable parking spaces in other council car parks to free spaces (advised TRO cost of £1200).

- Public exhibition/consultation led by NWLDC. This was held on Saturday 21 April and Friday 27 April with 500 leaflets distributed and 166 meaningful conversations about the concept plan. It showed that there is support for the scheme from the majority of businesses and the public with 29 people against the scheme and 137 people in favour of the scheme with comments such as “Brilliant idea!” and “Coalville needs this type of change.”
- Technical and design detailed work to refine design proposals including specification of materials, estimate of construction costs and preparation of a project programme.
- Officers have worked with LCC to resolve practical details relating to: enforcement of new parking bays, taxi rank, church bay (for wedding cars and hearses), bus stops, how the free parking bays will be operated effectively and efficiently (e.g. a parking machine would be uneconomical for a small number of spaces), signage and lining, detailed design of raised planting and other soft landscape features (in consultation with NWLDC Grounds Maintenance), air quality issues associated with the proximity of outdoor public seating to bus stops, loading capacity of the public square surface to ensure that service and event vehicles can access and cross the surface without damaging the surface materials and/or the sub-surface structure/utilities. Officers have also worked through various event scenarios to ensure that all above-surface items are carefully located so as not to preclude anticipated events taking place.
- Detailed ground investigations.

2.6 Subject to Cabinet approval and consultation with other stakeholders, the proposed programme includes starting work at the beginning of October 2018 and completing at the end of March 2019 as this is the optimum time for tree and shrub planting. In order to achieve this programme LCC requires certainty that the District Council can provide funding for the scheme even if every one of the construction/programme risks identified by LCC at the design phase actually happen. Consequently it has been necessary to include a sum of £464,000 in the construction cost estimate to allow for these risks. To achieve this programme the next steps are proposed as follows:

- Revisions to the detailed design by LCC in consultation with the District Council if required following the ground investigations.
- The District Council carrying out detailed consultation with Marlborough Square retailers and other stakeholders to agree the optimum programme.
- Finalising costs and the programme and entering into a contract with LCC for the design and implementation.
- Ordering equipment including waste bins, new CCTV equipment, market stalls and public art.

2.7 A risk assessment has been conducted and these risks will continue to be mitigated as follows:

<b>Potential risk</b>	<b>Suggested mitigation measure</b>
Project management failure (project implementation; communication; cost management; contractor supervision).	LCC have their own Project Manager for the project; the District Council has also appointed a project manager to ensure that the District Council's requirements are fully integrated into the project.
Significant reduction in the number of trees across the site due to the location of underground utilities.	Following the ground investigations the maximum number of trees possible will be designed into the scheme.
Lack of support from bus operators.	Officers have worked closely with Arriva to ensure that the proposals allow bus services to operate effectively and efficiently. Arriva are aware that during construction works temporary bus stops will need to be provided. LCC are to advise where these bus stops could be located. Continued communication will be required between LCC, District Council and bus operators.
Lack of support from local businesses.	The stakeholder meetings have been effective in building interest and support in the project, but have also enabled the District Council to understand issues and concerns. It is recommended that the stakeholder group continues to meet through project development and implementation; in particular how construction works will come forward and how minimal disruption to businesses can be assured.
Lack of support from taxi operators.	A new taxi rank is provided on the western side of the square for 2 taxis. Following comments from the taxi operator representative, additional evening bays have been provided along the eastern side of the square by utilising bus stands from 7pm to 7am daily.
Misuse of the square by private vehicles.	The redevelopment of the square will provide considerably less shoppers' parking. There is a risk that shoppers will seek to leave cars in bus bays and/or the taxi rank. Some anti-parking (half on pavement parking) might be expected. Robust enforcement will be necessary to ensure that the square is used correctly to ensure it functions well for the community as a whole. The detailed design will seek to carefully locate trees and items of street furniture to 'design out' anti-social parking.
Public perception that an empty space has been created.	A programme of events will be finalised to ensure that the square functions as a high

	quality and vibrant public space throughout the year.
Excessive signage and street “clutter”.	Officers are working closely with LCC to minimise signage and street “clutter.”
Unexpected ground conditions.	Once ground investigation work is complete, it will be possible to obtain a tender for the proposals. £464,000 has been included in the budget to cover risk items such as contaminated ground.
Detailed designs exceeded allocated funds.	If works exceed the allocated funds it is proposed that officers will work with LCC to bring the project within the budget allocation.
Poor communication with the public, local businesses and other stakeholders.	The District Council’s Communications Manager will update the communications strategy in consultation with LCC.
Loss of parking revenue as a result of relocating free parking bays from Marlborough Square to other Council car parks (the free spaces will reduce the number of chargeable parking spaces).	The estimated reduction in parking revenue will be £22,512. This is an inevitable consequence if the Council wishes to develop the square as envisaged and relocate existing free parking to others council car parks. The reduction in income will need to be factored into the Council’s budget from October 2018 (the earliest date construction works might begin and when free spaces would be provided at other council car parks).
Selection of inappropriate tree species and the failure of planted trees.	Officers will consult with the Council’s Tree Officer and the National Forest Company (NFC). The NFC is aware of the project and welcomes the introduction of more trees within the town. Appropriate species selection and the use on underground tree crates to allow tree roots sufficient space to grow and protect roots from compaction will be crucial.

### 3. FINANCIAL IMPLICATIONS

- 3.1 An earmarked reserve of £1,100,605.49 is in place to implement the project. In addition, an application for £340,000 funding has been made to the LLEP such that the potential budget for the scheme is currently £1,440,605.49. This funding application was submitted to cover anticipated cost increases during the design process however the approval process is currently being reviewed and a formal decision has yet to be made.
- 3.2 The estimated cost of the project is outlined in the table below. It should be noted that this estimated cost has increased in order to enhance the quality and functionality of the square, such as the need to incorporate power supplies for market stalls and improved CCTV, and also includes £464,000 to cover potential risks such as contaminated ground which may not be required.

Item	Estimated cost (excluding VAT)
Contract with LCC (including the TRO costs and LCC design and contract supervision costs) and NWL project management and urban design costs	£1,586,500
NWL costs of equipment and materials (market stalls, planting, waste bins, CCTV improvements and public art).	£60,000
	£1,646,500

- 3.3 In the unlikely event that all the risk allocation is needed and the LLEP funding application is unsuccessful then it is proposed to allocate the balance needed of up to £545,894.51 from two sources, i) the reserve of £486,000 which was earmarked by Cabinet on 12 June 2018 for the purposes of acquiring and redeveloping assets in the Coalville areas as part of the Coalville Project and ii) £60,000 from the Local Business Fund which was approved by Cabinet to support business in the District
- 3.4 In order to remove the requirement for the District Council to own the site and be responsible for all maintenance, it is proposed to pay repair and replacement costs for items which would not normally form part of a LCC road scheme. This will create additional liability for the District Council. This cannot be estimated accurately as the timing and extent of any damage cannot be predicted however an annual allocation of £5,000 is recommended. If the District Council does not wish to fund the occasional repair and replacement of high quality items then LCC would replace any damaged items with standard items. The maintenance arrangements will be captured in a maintenance agreement that sets out the division of maintenance responsibilities between LCC and the District Council and the uplift in costs arising from the high-quality, non-standard items that form part of the design.
- 3.5 Planning for the events programme has commenced. Event ideas include: guest markets (food and drink, vintage, continental etc.), craft fair, street entertainment, promotion of voluntary and charitable organisations (National Volunteer Week), recycling roadshows, seasonal events (Coalville by the Sea, Christmas in Coalville). Further to this the square will be promoted to other organisations and businesses to encourage them to utilise the space to sustain a programme of activity in the area. A full programme of events will be brought forward for approval once a completion date for the work has been confirmed and £12,000 has been included in the Council's budget to support the delivery of a 12 month events programme for Marlborough Square.
- 3.6 In the short term, it may be necessary for the council to pay for additional enforcement to ensure that the new parking arrangements within the square operate effectively.

#### **4. CONCLUSION**

- 4.1 Officers have worked closely with the Leader, Ward Members, local businesses and stakeholders to identify a concept proposal that meets collective aspirations for the square. The Urban Designer has spent a considerable amount of time working closely with all those involved to secure consensus, move the concept proposals into detailed design and will work with LCC throughout the construction period. Public consultation has shown strong overall support for the proposal.
- 4.2 Cabinet are requested to approve the recommendations made to enable to project to progress further.