

Additional Report to Cabinet

15 February 2022

Marlborough Square Public Realm

[To be read in conjunction with Agenda Item 4](#)

1.0 Background

1.1 A report setting out the detailed business case for the Marlborough Square Public Realm project was presented to Community Scrutiny Committee on 9 February 2022. The paper included details of:

- Project objectives
- Design constraints
- Technical solution
- Contractor procurement
- Cost Estimates
- Financial viability and funding.

1.2 This information is also set out in the Report to Cabinet.

1.3 The agenda for Cabinet was published before Scrutiny Committee met on 9 February. This additional report is intended to bring the comments of Community Scrutiny to the attention of Cabinet.

2.0 **Draft Minutes of Community Scrutiny Committee.**

2.1 A copy of the report to Scrutiny Committee can be found using the following link.
[Report to Scrutiny Committee can be found here](#)

2.2 The draft minutes from scrutiny committee are as follows:

Item ID	13086
Item Title	Marlborough Square Public Realm
Summary	<p>The Head of Property and Regeneration presented the report to members, updating on the progress of the project. He drew members attention to the additional paper that had been provided, which updated the report and recommendations, following the conclusion of the tender process. He then handed over to the Head of Finance to update members on the business case</p> <p>Some members expressed concerns over the new plans, stating that they supported the original plans to provide a public space of the highest order, would provide a pedestrianised square where a market and outdoor events could be held. However, the new plans now included a pedestrian platform with traffic travelling either side of it, and that the pedestrian area would only be so between certain hours. Members felt that the pedestrian area should be extended out to the northern side of the square using a gated system to stop traffic from accessing it, except for deliveries to businesses.</p> <p>Concerns were also expressed over the cost of the materials that were to be used as it was felt that they were expensive and there would be additional costs for repair and maintenance</p> <p>Members acknowledged the need to rejuvenate the Town Centre and see it thrive again, and the project would provide an attractive place for residents to come and visit. Some members acknowledged the work that officers had put in to make the project work after all the stumbling blocks that it had hit.</p> <p>A member felt that they could not support part D of recommendation 3 to Cabinet, as officers at the County Highways Authority had put a lot of work into the project and she felt uncomfortable about negotiating a reduction in fees because of this.</p> <p>The Head of Property and Regeneration advised that in relation to the highways fees, any work that had been carried out by the highways officers when they were first involved had been paid for, along with the S278 process. The fees that it was proposed to be negotiated related to the ongoing inspection fees, as LCC were applying the commercial rate rather than the authority to authority rate.</p> <p>A member touched on the cost as, should the project become a cost to the Council, residents who lived outside the Coalville area may feel that they</p>

would be subsidising a Coalville project with their Council Tax. He asked the Head of Finance to expand on how the costings would look in 10 years and to provide a summary on inflation.

The Head of Finance explained to members how minimum revenue provision would work and in terms of inflation, it was hoped the income would inflate in time, but the initial cost would not inflate as the MRP would be a fixed amount. He noted that the interest to be paid on the borrowing would not be fixed and that the £61k figure was the difference between the income for selling the stalls against the cleaning and repairs to them.

A member sought clarity that possible additional income for festivals and various large-scale events which could be held on the square, had been considered in the figures put forward, which would be over and beyond the income of the market, but felt however, that the plans before members had diluted the possibility of those types of events.

The Head of Property and Regeneration advised that the figures that had been given were for the standard outdoor market and that the scheme before them had been designed to hold further events. He added that the material that had been proposed would have the capability to take heavier loads such as fairground rides. Therefore, the income from ad-hoc events would be a bonus on top of the outdoor market income.

The Strategic Director thanked members for their comments. He noted that officers had to work to maximise the functionality of the square for markets and public use despite the significant constraints and access requirements. The north side access would be paved in granite and flush and designed not to be seen as a road and would provide an extension to the central space that could be used. Officers had wrestled with how to deal with the access requirements yet make it form part of the square and put controls in place. Officers would reflect further on the comments made in respect of making it more pedestrian. He stated that the scheme in front of members could be delivered with all the costings and timelines in place, which included materials that would stand the test of time.

The Head of Economic Regeneration advised members that it was planned for the work to start after Easter, with a proposed completion date by the end of the current year, subject to no delays.

The amended recommendations set out in the additional papers were moved by Councillor R Morris, seconded by Councillor G Hault and

RESOLVED THAT:-

- 1) The update on the redevelopment of Marlborough square as a public realm place be considered and the comments noted above.
- 2) Subject to the above and the outcome of the tender exercise, the following recommendations to Cabinet be supported:

THAT CABINET:

1. Recommend to Council, at its meeting on 24 February 2022, that the additional funds required to implement the Marlborough square public realm project be found from the Coalville regeneration framework budget line being proposed in the 2022/23 Council budget.
2. Subject to approval by Council on 24 February 2022, based on the outcome of the tender exercise and the estimated other project costs set out in the report, agrees to proceed to award the construction contract and implement the project.
3. Delegates authority to the Strategic Director (place) to:
 - A) Enter into those highways agreements necessary to deliver the public realm project;
 - B) Agree the terms of the construction contract; and
 - C) Complete such other agreements as shall be necessary to implement the project within the approved budget.
 - D) Seek to negotiate a reduction or waiver of the Highways Authority fees and commuted lump sum proposed to be charged by Leicestershire County Council

3.0 Review of Scrutiny Comments.

- 3.1 Officers note the comments made with regard to reducing the quality of materials in order to lower costs, but believe this would be false economy. A critical objective of the scheme has been to create a high-quality place which the people of Coalville can use

and be proud of. The materials pallet currently specified is intrinsic to achieving that. Officers would caution against reducing material cost particularly as the investment case prepared by the Finance Department evidences financial viability.

- 3.2 Comments made in regard to seeking greater exclusion of vehicles from the northern side of the square are also noted. This matter is one which officers have given considerable thought prior to presenting the project to Scrutiny Committee. The proposed solution is one with which LCC Highways have approved in principle and is least complicated for the Highway Authority to manage. Other solutions are available and the scheme design makes provision for alternative measures to exclude vehicles to be introduced in the future, should motorists chose not to comply with signing and lining regulations, with provision already included to introduce additional means of restricting vehicular access if necessary. Officers would propose to continue to discuss methods of excluding vehicles from the northern side of the square with Highways colleagues. If a solution better than that current proposed presents then this can be implemented. Any minor changes to the works arising can be agreed with the contractor by way of variation.
- 3.3 Scrutiny Committee have invested significant time in carrying out a detailed review of proposals for the Marlborough Square Public Realm Project. Officers are appreciative of the challenge and support provided.

4.0 **Conclusion**

- 4.1 Scrutiny Committee recorded its broad support for the Marlborough Square Public Realm scheme and endorsed the recommendations in the report they receive.
- 4.2 Officers are of the opinion that the scheme now presented to Cabinet has wide-ranging support, is affordable and deliverable and represents the best that can be achieved given physical constraints. Proceeding with the project will make a major contribution towards the regeneration of Coalville. Cabinet are asked to agree and adopt the recommendations set out in the substantive report.