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From: **Barbara Cooper – Corporate Director of Growth,
Environment & Transport**

To: **Michael Payne – Cabinet Member Highways & Transport**

Decision No: 21/00003

Subject: **Market Square, Dover – Infrastructure delivery partner
with Dover District Council**

Electoral Division: Dover Town Centre

Summary: This report seeks approval to enter into a legal agreement with Dover District Council to act as an infrastructure delivery partner at no cost or risk to the County Council and to take the project through detailed design, statutory approvals and to enter into a construction contract.

Recommendation(s):

The Cabinet Member for Highways & Transport is asked to give .

- i) Approval to enter into legal agreements with Dover District Council to undertake the delivery of the Infrastructure Works at no cost or risk to the County Council.
- ii) Approval for KCC officers to project manage, input into the delivery and supervision of the project, with the cost of all staff and consultant time being recoverable against the project funding.
- iii) Approval to complete the detailed design for the project. This work will be undertaken by a design consultant appointed through the Medway Professional Services Framework Contract.
- iv) Approval to progress all consents required for the scheme including Traffic Regulation Orders.
- v) Approval to enter into a construction contract through an external competitive tender.
- vi) Approval for any further decisions required to allow the scheme to proceed through to delivery to be taken by the Corporate Director of Growth, Environment & Transport under the Officer Scheme of Delegations following prior consultation with the Cabinet Member.

The record of decision is attached as Appendix A,

1. Introduction

- 1.1 The aim of the Market Square project is to revitalise the traditional heart of Dover by providing a high-quality public realm area. This will encourage local growth by, providing a safer, more attractive, and accessible environment for pedestrians, businesses, and residents, repurposing Dover's historic Market Square as a hub for the local community and tourists alike.

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- 1.2 The improvements will improve the connection between the high street and the seafront and create a multipurpose events space, as well as improving safety for pedestrians through safer crossing points and increased footway widths. It will strengthen connections to the new St James development, and improve drop off / pick up logistics for buses and coaches.
- 1.3 A key feature of the project is to replace the dated and currently out of use water fountain with a new water misting feature, which will be a focal point for the square and along with the creation of a more flexible events space, will aim to increase the footfall and encourage investment into the area.
- 1.4 The initial design of the scheme was developed by the Dover Town Team Ltd and in January 2019 Dover District Council (DDC) submitted a bid on behalf of Dover Town Team Ltd to the Ministry of Housing Communities and Local Government (MHCLG) Coastal Communities Fund (CCF). A grant of £2.44m was awarded on 1st October 2019. DDC have also committed £0.5m match funding, making a total project budget of £2.94m.
- 1.5 DDC obtained their own cabinet decision in December 2019 to receive the MHCLG grant funding and to act as the accountable body to MHCLG. DDC subsequently asked KCC to support them with the delivery of the project, and both organisations will be working collaboratively, to achieve this. KCC will be responsible for managing the detailed design of the project, as well as procuring a construction contractor and overseeing the construction works. However, DDC will still be ultimately responsible for the funding and have overall responsibility for the delivery of the project.

2. Financial Implications

- 2.1 There are no implications to either the KCC revenue or capital budgets. Dover District Council made a successful funding bid through Ministry of Housing Communities and Local Government (MHCLG) Coastal Communities Fund and were awarded £2.44m in October 2019. An additional match funding amount of £0.5m has been provided by DDC, providing an overall budget of £2.94m.
- 2.2 The project costs will be carefully monitored during the detailed design stage and the final scope of works will be adjusted to ensure out-turn costs fit the available construction budget.
- 2.3 DDC have already drawn down the funding from MHCLG, so KCC will invoice DDC monthly to recover costs incurred. DDC have accepted that for KCC to provide the resources to deliver this project there will be no financial cost nor risk to KCC, including any cost overrun. This will be reflected in the Infrastructure Delivery Agreement that will be signed between KCC and DDC.

3. Policy Framework

- 3.1 The scheme has a strong fit with the objectives of 'Increasing Opportunities, Improving Outcomes: Kent County Council's Strategic Statement (2015-2020)'.

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- 3.2 The scheme particularly supports Strategic Outcome 2 “Kent communities feel the benefits of economic growth by being in work, healthy and enjoying a good quality of life”. The improvement scheme will increase footfall and accessibility. This in turn will support Kent business and housing growth and encourage economic activity to benefit the local and wider communities.

4. The Report

- 4.1 The initial design of the Market Square was developed by The Dover Town Team Ltd and integral to that design was a dry plaza water feature to replace the dated water fountain.
- 4.2 Following DDC’s request for KCC to become involved in the delivery of the project, a design consultant was appointed to review and build on the initial design developed by the Dover Town Team. This led to a review of the type of water feature and then ultimately a change towards a water misting feature. This has several key advantages over the dry plaza option, notably reduced maintenance costs and a significantly reduced plant room size as the misting feature runs on potable water.
- 4.3 A key requirement of the project is to provide improved pedestrian facilities and connectivity between Market Square and the new St James development. This has been achieved by relocating the existing coach and bus stops from King Street into adjacent roads allowing the overall carriageway width to be reduced and footways widened This provides wider and safer footways as well as providing additional space for cafes and restaurants to have outside seating.
- 4.4 To support the widening of the footways and the relocation of bus stops, there will be a need to amend existing traffic regulation orders and it is anticipated that the consultation of the amendments will commence in January 2021.
- 4.5 There are no legal implications associated with this scheme. Invicta Law will draft the Infrastructure Delivery Agreement between KCC and DDC.
- 4.6 Design consultants appointed through the Medway Framework Contract for the outline design work will continue with the detailed design and preparation of the contract documents.
- 4.7 An independent cost consultant was appointed to support the design work and will continue in that role to provide support in managing the expenditure on the project.
- 4.8 Consultation for the project was previously carried out by the Dover Town Team on the initial design that they developed but public engagement on the revised layout is being carried out by DDC during January 2021.
- 4.9 Delivery of the scheme will be dependent on completing the detailed design and procuring a contractor through a competitive tender process. The current project estimate includes a risk and inflation allowance which will be continually reviewed by the project team as the design develops.

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- 4.10 It is currently anticipated that construction will commence in the summer of 2021 with completion by the beginning of 2022.
- 4.11 DDC has established a Project Board to oversee the project and to make key decisions. The Board meets monthly to manage the delivery of the project and to sign off any significant changes.
- 4.12 An Equalities Impact Assessment has been carried out and is appended to this report. The EqIA will be continually reviewed as the project progresses.
- 4.13 The specialist features contained within the scope of the project, such as the water misting feature, benches, ground lighting, etc will be maintained by DDC. Asset teams within KCC have been consulted about the choice of materials and finishes proposed for the project to ensure there is not a longer-term maintenance liability for KCC.
- 4.14 A risk register was developed for the project which will be regularly reviewed and updated by the project team. The most significant risks to the project are:
- (a) The estimated out-turn costs at completion of the detailed design exceed the available budget. This can be mitigated by a robust approach to site investigations/surveys to ensure construction risks can be assessed and mitigated through design. The overall scope of works will be continually reviewed and adjusted to fit available budget.
 - (b) Cost of Statutory Undertakers diversions exceed the available budget. This can be mitigated by early engagement with relevant companies as well as undertaking trial holes to determine the exact location, allowing the design to be revised and where possible to be modified to reduce impacts and costs.
 - (c) Archaeological finds delay the delivery of the project and increase construction costs. The site is rich in Roman deposits which have been identified through previous studies. These typically lie beneath a depth of 1.2m, so the design has been developed to avoid unnecessary impact beneath this depth apart from two localised drainage chambers.
- 4.15 Subsequent to the decision by the Cabinet Member, any further decisions required to allow the scheme to proceed through to delivery will be taken by the Corporate Director for Growth, Environment & Transport under the Officer Scheme of Delegations following prior consultation with the Cabinet Member.

5. Conclusions

- 5.1 This is an important project that will help regenerate an important area of Dover Town Centre by creating a focal point and events space for the local community and visitors alike to enjoy. The project is fully funded and has unlocked an allocation of £2.44m from the Coastal Communities Fund together with match funding of £0.5m provided by Dover District Council. No additional KCC funding will be used to deliver the scheme which carries no risk to KCC.

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6. Recommendation(s)

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- ii) Approval for KCC officers to project manage, input into the delivery and supervision of the project, with the cost of all staff and consultant time being recoverable against the project funding.
- iii) Approval to complete the detailed design for the project. This work will be undertaken by a design consultant appointed through the Medway Professional Services Framework Contract.
- iv) Approval to progress all consents required for the scheme including Traffic Regulation Orders.
- v) Approval to enter into a construction contract through an external competitive tender.
- vi) Approval for any further decisions required to allow the scheme to proceed through to delivery to be taken by the Corporate Director of Growth, Environment & Transport under the Officer Scheme of Delegations following prior consultation with the Cabinet Member.

The record of decision is attached as Appendix A

7. Background Documents

Appendix A – Record of Decision

Appendix B – Scheme Drawing

Appendix C – Equalities Impact Assessment

8. Contact details

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