

**REPORTS FOR DECISION BY THE
CABINET MEMBER FOR
ECONOMIC DEVELOPMENT AND TRANSPORT**

Date Issued: 15 December 2011

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Agenda Item 1

MAIDSTONE BOROUGH COUNCIL

CABINET MEMBER FOR ECONOMIC DEVELOPMENT AND TRANSPORT

REPORT OF THE ASSISTANT DIRECTOR OF REGENERATION AND CULTURAL SERVICES

Report prepared by Jennifer Hunt

Date Issued: 15 December 2011

1. High Level Bridge Improvements and Western Tow Path Accessibility

1.1 Key Issue for Decision

1.1.1 To consider the attached Project Initiation Document and Business Case and the subsequent creation of the project. These documents consider the expenditure of £300,000 of Section 106 money on improvements to the high level bridge, spanning the River Medway and linking Buckland Hill / St Peter Street and Maidstone East railway station and Week Street ("the Bridge"), and the accessibility of the western tow path north of Scotney Gardens, St Peter's Street, Maidstone ("the towpath").

1.1.2 Furthermore to consider that delegated authority be given to the Project Executive (the Assistant Director of Regeneration and Cultural Services) to determine the specific work and division of expenditure on the Bridge and the towpath at the appropriate project stage boundary.

1.2 Recommendation of the Assistant Director of Regeneration and Cultural Services

1.2.1 That the attached Project Initiation Document and Business Case are agreed and that the project is formally created.

1.2.2 That the £300,000 of Section 106 money is spent on improvements to the Bridge and the accessibility of the tow path in accordance with the Supplemental Deed to the Section 106 agreement relating to the former Trebor Bassett site (now Scotney Gardens).

1.2.3 That delegated authority be given to the Project Executive (the Assistant Director of Regeneration and Cultural Services) to determine the specific work and division of expenditure on the Bridge and the towpath at the appropriate project stage boundary.

1.3 Reasons for Recommendation

1.3.1 The Council has had a long term ambition to see the improvement of the pedestrian route between Maidstone Barracks and Maidstone East station over the high level bridge. Additionally it has held the ambition to complete the River Medway footpath under the railway bridge so that it continues from Teston to the Millenium Park without a break. For these reasons the Council put in place legal agreements to make both financial and physical provision in relation to the Scotney Gardens development and the housing development at Waterside Gate. There still is an expectation that these projects will be pursued.

1.3.2 On 25 August 2011 a supplemental deed to the Section 106 agreement associated with the Scotney Gardens Development (St Peter's Street, Maidstone) was signed which resulted in the developers paying £300,000 to the Council on the date of the deed. The deed reads as follows with regards to the use of the money.

'2.4 on its receipt of the Sum the Council shall:

2.4.1 firstly expend part of the Sum on improvements to the existing high level footbridge next to the railway line spanning the River Medway and linking Buckland Hill / St Peter's Street and Maidstone East Station / Week Street and

2.4.2 secondly expend the remainder of the Sum on improvements to the river towpath lying to the north of the Site'

1.3.3 A Business Case and Project Initiation Document have been drafted to outline in detail the background to this project and to indicate why the project is required and how it would be delivered. The Business Case can be found in Appendix A and the Project Initiation Document (PID) in Appendix B. In addition, the proposed project management structure can be found in Appendix C.

1.3.4 As discussed in the Business Case and Project Initiation Document, the project is in essence two fold. With respect to the Bridge, work to determine what improvements would be required has already been done but needs updating and refining based on the money available now. The work to the towpath is more complicated as part of the towpath to the north of the Scotney Gardens development is in private ownership of more than one landowner.

1.3.5 The stages of the project as described in the PID indicate the plans to proceed with the Bridge element of the project initially. This will go through a design and feasibility stage, at the end of which, decisions on the division of expenditure between the two project elements will

be decided. The current plan is that the Bridge element of the project will proceed and the work to the tow path will remain on hold until clearer information with regards to the proposed redevelopment adjacent to the specified section of tow path is available.

- 1.3.6 As such, in the proposed project management structure (Appendix C) the project team for the tow path is currently shown using dashed lines as it will not be formed until such a point that clearer information, as detailed in 1.3.5, is available.
- 1.3.7 There are a number of risks associated with both elements of the project. The major risk associated with the works to improve the Bridge revolves around the inability to lever in additional funding for this element of the works. The ideal solution with regards to the Bridge improvements needs to be determined and the amount of funding required to achieve this identified. Should the match funding needed to deliver this full suite of improvements not be levered in, then a prioritisation exercise to determine what needs to be done and what can be done with the sum available will be required.
- 1.3.8 There are three major risks associated with works to improve the accessibility of the tow path. The first is whether or not the towpath structure that currently exists is considered to be structurally sound. Should the tow path be deemed structurally unsound, then the first step would be to determine what work would need to be carried out to make the path structurally sound. If this is prohibitively expensive then this part of the project may fail. However, if the costs are not prohibitively expensive then the project would need to be reassessed in light of these findings and a new way forward determined to account for these findings.
- 1.3.9 The second major risk concerns the negotiations with the landowners of the part of the tow path that is currently inaccessible. The private landowners may not wish to negotiate or engage, may not consider the option of the council acquiring the land, or not be willing to enter into an agreement for public access across their land via the tow path. Should this occur, then the option for the creation of a public right of way by agreement would not be possible and as such the process for a creation by order would be started, which is a more convoluted and complicated process with a number of potential ramifications, including a potentially significant increase to the overall cost of securing the land in question.
- 1.3.10 Lastly, the funding required to deliver the towpath is currently unknown and in light of the other risks mentioned above and their potential associated financial implications, the project finances need to be considered at every step of the process.

1.4 Alternative Action and why not Recommended

1.4.1 It could be recommended that the money available is not used for improvements to the Bridge and the accessibility of the tow path. However, this would be a breach of the Section 106 agreement and the money would have to be returned to the developer. As such the money would be lost and the opportunities to improve the pedestrian route and the tow path would not be realised.

1.5 Impact on Corporate Objectives

1.5.1 This decision impacts on the following corporate priorities:

Priority: Maidstone to have a growing economy
Related Outcome: A transport network that supports the local economy

Priority: Maidstone to be a decent place to live
Related Outcome: Continues to be a clean and attractive environment for people who live in and visit the borough

1.6 Risk Management

1.6.1 All major risks associated with the project are outlined in the attached Business Case (Appendix A) and are outlined in points 1.3.5 to 1.3.8.

1.7 Other Implications

1.7.1

1. Financial	X
2. Staffing	X
3. Legal	X
4. Equality Impact Needs Assessment	
5. Environmental/Sustainable Development	X
6. Community Safety	
7. Human Rights Act	
8. Procurement	X

9. Asset Management



- 1.7.2 Financial: This decision will result in £300,000 of Section 106 money being confirmed for use on works on the Bridge and the towpath. Other sources of funding will also be sought.
- 1.7.3 Staffing: It is proposed that this project is managed by Maidstone Borough Council, and as such will require a dedicated staff resource to manage the project and time from the designated project executive. Furthermore staff time will be required from a number of other departments in the Council; specifically legal, procurement and finance.
- 1.7.4 Legal: Section 106 agreements (and the subsequent supplementary deed in this instance) are legally binding agreements and as such the money acquired from the agreement must be used in accordance with the document and the use stipulated therein. In addition, throughout the course of the project it is likely that legal agreements of one form or another will need to be entered into, in relation to the ownership and status of the towpath.
- 1.7.5 Environmental / Sustainable Development: The delivery of the two elements to this project will result in an improvement in the environment surrounding both the Bridge and the towpath. In addition, the works to the Bridge will result in a better connection between Maidstone East and Maidstone Barracks stations and improvements to the connectivity between sustainable forms of transport. The work to open up the tow path would result in a riverside route between Maidstone Town Centre and Whatman Park which would improve the accessibility to Whatman Park and access to this outdoor environment.
- 1.7.6 Procurement: Should it be decided that MBC would act as the primary procurer of any works to either the Bridge or the tow path (instead of Kent County Council) then this would require input from the MBC procurement team to ensure this was carried out appropriately.

1.8 Relevant Documents

1.8.1 Appendices

Appendix A: Business Case

Appendix B: Project Initiation Document (PID)

Appendix C: Project Management Structure

1.8.2 Background Documents

None

IS THIS A KEY DECISION REPORT?

Yes

No

If yes, when did it first appear in the Forward Plan?

In the Forward Plan for 1st December to the 31st March 2012 which was published on the 17th November 2011.

This is a Key Decision because:

It requires a decision about expenditure over £250,000.

Wards/Parishes affected:

High Street Ward, North Ward and Bridge Ward.

How to Comment

Should you have any comments on the issue that is being considered please contact either the relevant Officer or the Member of the Executive who will be taking the decision.

Cllr Malcolm Greer

Cabinet Member for Economic Development and Transport

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Business Case

High Level Bridge Improvements and Western Tow Path Accessibility

Date	Author	Project Sponsor
27.10.2011	Jennifer Hunt	Brian Morgan
Version no		
1		

Note: This document is only valid on the day it was printed

Revision History

Date of next revision:

Revision Date	Previous Revision Date	Summary of Changes	Changes Marked
		<i>Details of changes made to the document should be included here</i>	

Approvals

This document requires the following approvals. A signed copy should be placed in the project files.

Name	Signature	Title	Date of Issue	Version

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Executive Summary

This project revolves around the expenditure of £300,000 of Section 106 monies, the agreement for which stipulates that the money must be spent firstly on improvements to the high level bridge between Maidstone East and Maidstone Barracks stations, and secondly on improving the towpath to the north of the Scotney Gardens development. The project therefore is in essence two fold. With respect to the high level bridge, work to determine what improvements would be required has been done before but requires updating and refining based on the money available to work with now. The work to the towpath is more complicated as the towpath to the north of the Scotney Gardens development is in private ownership by more than one landowner. As such this project needs some background work with regards to research as to the best way to approach, as the aim of this part of the project would be to open this towpath up for public use.

This project represents value for money in terms of the improvements to the Town Centre environment and the linkages with the river, as well as access to leisure activities and a country park that would come about from its success. Also, as the monies originate from a Section 106 agreement, were the Council not to spend the money on this, we would be in breach of our contract and would have to return to money to the developer.

Reasons

When the Scotney Gardens development was built on the old Trebor Bassett site, the planning consent was subject to a Section 106 agreement which included contributions of up to £500,000 for River Medway pedestrian works. There were a number of issues with regards to accessing this money, and as such in August 2011 a supplementary deed to the Section 106 was signed which resulted in the developers paying £300,000 to the Council on the date of the deed. The deed reads as follows with regards to the use of the money:

'2.4 on its receipt of the Sum the Council shall:

2.4.1 firstly expend part of the Sum on improvements to the existing high level footbridge next to the railway line spanning the River Medway and linking Buckland Hill / St Peter Street and Maidstone East Station / Week Street and

2.4.2 secondly expend the remainder of the Sum on improvements to the river towpath lying to the north of the Site'

As such, the project is essentially two fold, with the two elements being improvements to the high level bridge, and improvements to the accessibility of the western towpath, and each element is explained in greater detail below.

Improvements to the High Level Bridge

The high level bridge which links Maidstone East station with Maidstone Barracks is one of very few links across the River Medway close to Maidstone town centre. This is a significant link, not only connecting these two stations, which operate on different lines, but also as a link to Maidstone Grammar School for Girls, The Maplesden Noakes School, and for residential populations living on the western bank of the river to access the town centre. However, for a link which is so important to many and Maidstone as a whole, it is not visually apparent, lacks identity, the node points are weak and there is a general state of dilapidation on the walk way. As such, a number of improvements have been suggested that would enhance the walkway, improve feelings of safety (including lighting) and increase access to the path. However, at present the specification for what is needed is based on a budget of approximately £500,000, so we either need to decide which improvements are most important and deliver these with the money available, or seek to lever in additional funding to deliver the full suite of improvements suggested.

Western Towpath Accessibility

The western side of the River Medway is currently accessible up to the end of the Scotney Gardens development, which is located directly to the north of the retail park containing Asda Living, Hobby Craft, TKMaxx and Homebase. After this point, should you wish to access Whatman Park to the north, you would need to walk round the northern side of the Scotney Gardens development, up St Peter's Street, under the railway bridge at the bottom of Buckland Hill, and past LA fitness to enter the park. It is the intention of the Council that this park would be accessible via a riverside route, instead of the convoluted route you take now, which is badly signposted and not well marked or particularly safe for pedestrians. However, the towpath to the north of the

accessible section by Scotney Gardens is currently shut off. This section, between here and the start of the Waterside Gate development, is owned by two separate companies / individuals Both ends of this section are owned by Terrance Butler Holdings, and the middle section is privately owned. Access over this land would be required to open up the towpath to pedestrians wanting to access Whatman Park via the towpath. Access along this section of the towpath would bring about a multitude of benefits including a traffic free, safe path directly from Maidstone town centre to a country Park (Whatman Park).

Both parts of this project will help to achieve two of the main priorities for the Council and also the related outcomes noted below;

- Priority: Maidstone to have a growing economy
 - Related Outcome: A transport network that supports the local economy
- Priority: Maidstone to be a decent place to live
 - Related Outcome: Continues to be a clean and attractive environment for people who live in and visit the borough

In addition this work helps to contribute towards the delivery of the Draft Infrastructure Delivery Plan which has been created as part of the Local Development Framework. This project is noted as one of the deliverables as part of the plan.

The Council are also obliged to carry out improvements to the high level bridge and the towpath in terms of honouring the Section 106 agreement as the monies were collected for the purpose of this work.

Business Options

Do Nothing: As the £300,000 was acquired as part of a Section 106 agreement, should the Council chose not to use the money for improvements to the high level bridge and the towpath then they would have to return the money to the developer as they would be in violation of the Section 106 agreement.

Do Minimal: We could just use the money to carry out basic improvements to the high level bridge and superficial work to the currently accessible parts of the towpath. Although this would theoretically achieve the aim of using the money for its prescribed course, it gives no option for added value or maximising resources to achieve other and greater outcomes in the process. It should also be noted that the Section 106 agreement associated with the Scotney Gardens development also required them to ensure that there was footpath access to the riverfront, which they duly delivered. To make the most of this path we would like to see this path be of benefit to all the residents of Maidstone, in that it would form part of the public access via the towpath to Whatman Park to the north of the development. As such this would mean that the Section 106 money would be used to build on elements already delivered as part of the development.

Do Something: We could work to try and lever in additional funding from a number of other groups who have a vested interest in both parts of this project, to ensure that the project represents value for money for all involved, and to enable us to deliver something in partnership that would not have been possible individually. We should deliver the maximum possible in terms of improvements to the high level bridge within the constraints of the budget. In addition, we would look to open up the currently closed part of the towpath to public use. This part of the towpath is currently privately owned, however the provision of access across this would enable a riverside towpath route for the public from Maidstone town centre into Whatman park, as opposed to the more convoluted route that is currently needed via St Peters Street.

Expected Benefits

BENEFIT	MONITORING / MEASURING	TOLERANCE	LINK TO CORPORATE OBJECTIVES
High Level Bridge Improvements			
Increased feeling of safety for the users of	? Area Survey – RA ? SE Rail Commuter		Continues to be a clean and attractive environment for people

the high level bridge	Survey		who live in and visit the borough
Increased visibility and identity of the node points along the bridge	Link to TC outcomes? ? Museum footfall surveys – entrance through to Brenchley Gardens		Continues to be a clean and attractive environment for people who live in and visit the borough
Improved overall environment and identity of the bridge	Link to TC outcomes?		Continues to be a clean and attractive environment for people who live in and visit the borough
Improved accessibility and safety associated with access	Local disability forum – assessment prior to works and after		Continues to be a clean and attractive environment for people who live in and visit the borough
Improved signposting of the bridge and a subsequent increase in usage	Link to TC outcomes?		Continues to be a clean and attractive environment for people who live in and visit the borough
Western Tow Path Accessibility			
Public Access to Whatman Park via the riverside tow path			A transport network that supports the local economy
Improved safety of users of Whatman Park coming from Maidstone Town Centre as this is now possible via a non traffic route			Continues to be a clean and attractive environment for people who live in and visit the borough
Economic benefits associated with additional footfall along the riverside adjacent to St Peters Wharf retail park			Maidstone to have a growing economy
Expected Dis-benefits			
The expected dis-benefits and the stakeholders who would perceive them as negative are noted below.			
Expected Dis-Benefit		Relevant Stakeholder/s	
Pedestrian access over private land		Private Landowners	
Pedestrian access next to Waterside Gate development		Waterside Gate residents	

Timescale			
This is difficult to approximate at present given the very initial stage of the project, and the uncertainty around the route which will be taken to deliver one of the two elements, but it is hoped that the works to the high level bridge would be completed by the end of 2012 / beginning of 2013 and the towpath by 2014/15.			
Costs			
Again, these are difficult to pin down exactly at present; however we have £300,000 of Section 106 to deliver the project. We will look to lever in addition funds to maximise what we can deliver.			
As an indicative figure we would like to spend c.£75,000 – £125,000 on the western tow path and c.£175,000 - £225,000 on the high level bridge.			
Investment Appraisal			
The value of the project as an investment is high due to the funding for the project already having been secured. The project is using Section 106 monies, which are required, under the terms of the Section 106 agreement, to be used for works on the high level bridge and the towpath. The staff time required to manage the project is minimal in relation to the investment that will occur through the use of these funds and considering the positive impact this project will have on our corporate objectives, we believe that they project represents good value for money.			
Major Risks			
	Major Risk	Likely Impact	Plan Should They Occur
High Level Bridge	No additional funding can be sort	3. Marginal	Then we will use the funding that we have to deliver the improvements we can.
	There is not enough funding to deliver the full suite of improvements required	3. Critical	A prioritisation exercise will be carried out where the improvements are prioritised and those that are considered most important and are within budget will be delivered.
	KCC will not act as the purchaser and procure the work	2. Critical	MBC will provide this service, but as they do not have jurisdiction over the land in question, it makes the process slightly more complicated.
Western Tow Path	The tow path is not deemed to be structurally sound	2. Critical / 1. Catastrophic	The first step would be to determine what work would need to be carried out to make the path structurally sound. If this is prohibitively expensive, then the project will fail. However, if it is not prohibitively expensive then the project would need to be reassessed in light of these findings and a new way forward determined to account for the additional expenditure required.
	No unrecorded PROW is found	3. Marginal	If no unrecorded PROW is found then this route for creating the towpath route will be abandoned and one of the other options taken forward instead.
	The private landowners don't wish to negotiate or engage with us and no agreement is made	2. Critical	The option for creation by agreement would not be possible and as such the process for a creation by order would be started (should use of the planning process not be an

			option).
	Planning enforcement is not a viable option to create access to the towpath	3. Marginal	The process for a creation by order would be started.
	Only option left is to do a 'creation by order'.	2. Critical	This process would be started but all parties involved in the order would need to be acutely aware of the exact process to follow, the consultation that needs to take place, and the potential avenues which the landowners could pursue against the order, and the potential financial implications for the Council with respect to legal fees and potential compensation.



Project Initiation Documentation

High Level Bridge Improvements and Western Tow Path Accessibility

Date	Author	Project Sponsor
08.12.2011	Jennifer Hunt	Brian Morgan
Version no		
3		

Note: This document is only valid on the day it was printed

Revision History

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17/11/2011	27/10/2011	1 st stage amendments before report goes to Management Team. No major contents change	No
08/12/2011	17/11/2011	Amendments post Management Team	No

Version: JH/ProjectInitiationDocument/3

Approvals

This document requires the following approvals. A signed copy should be placed in the project files.

Name	Signature	Title	Date of Issue	Version

Distribution

This document has been distributed to:

Name	Title	Date of Issue	Version
Brian Morgan	Assistant Director of Regeneration and Cultural Services	14/11/2011	1
Ian Trueman	Senior Solicitor	14/11/2011	1

Project Definition

1. Improve the route over the high level bridge; safety, lighting and surfacing.
2. Create the footpath under the high level bridge forming part of the riverside path.

Background

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It has been a long term aim of the Council to create a riverside path along the River Medway and as such when the Scotney Gardens development was built on the old Trebor Bassett site, the planning consent was subject to a Section 106 agreement dated 15 November 2002 which included contributions of up to £500,000 for River Medway pedestrian works including to the high level bridge. There were a number of issues with regards to accessing this money, and as such on 25 August 2011 a supplementary deed to the Section 106 was signed which resulted in the developers paying £300,000 to the Council on the date of the deed. The deed reads as follows with regards to the use of the money:

‘2.4 on its receipt of the Sum the Council shall:

2.4.1 firstly expend part of the Sum on improvements to the existing high level footbridge next to the railway line spanning the River Medway and linking Buckland Hill / St Peter Street and Maidstone East Station / Week Street and

2.4.2 secondly expend the remainder of the Sum on improvements to the river towpath lying to the north of the Site’

As such, the project is essentially two fold, with the two elements being improvements to the high level bridge, and improvements to the accessibility of the western riverbank towpath lying to the north of Scotney Gardens, St Peter’s Street, Maidstone, and each element is explained in greater detail below.

Improvements to the High Level Bridge

The high level bridge links Maidstone East station with Maidstone Barracks and is one of very few links across the River Medway close to Maidstone town centre. This is a significant link, not only connecting these two stations, which operate on different lines, but also as a link to Maidstone Grammar School for Girls, The Maplesden Noakes School, and for residential populations living on the western bank of the river to access the town centre. However, for a link which is so important to many and Maidstone as a whole, it is not visually apparent, lacks identity, the node points are weak and there is a general state of dilapidation on the walk way. As such, a number of improvements have been suggested that would enhance the walkway, improve feelings of safety (including lighting) and increase access to the path. However, at present the specification for what is needed is based on a budget of approximately £500,000, so the Council needs to decide which improvements are most important and deliver these with the money available, or seek to lever in additional funding to deliver the full suite of improvements suggested.

Western Towpath Accessibility

The western side of the River Medway is currently accessible up to the end of the Scotney Gardens development, which is located directly to the north of the retail park containing Asda Living, Hobby Craft, TKMaxx and Homebase. After this point, should you wish to access Whatman Park to the north, you would need to walk round the northern side of the Scotney Gardens development, up St Peter’s Street, under the railway bridge at the bottom of Buckland Hill, and past LA fitness to enter the park. It is the intention of the Council that this park would be accessible via a riverside route, instead of the convoluted route you take now, which is badly signposted and not well marked or particularly safe for pedestrians. However, the towpath to the north of the accessible section by Scotney Gardens is currently shut off. This section, between here and the start of the Waterside Gate development, is owned by two separate companies / individuals Both ends of this section are owned by Terrance Butler Holdings, and the middle section is privately owned. Access over this land would be required to open up the towpath to pedestrians wanting to access Whatman Park via the towpath. Access along this section of the towpath would bring about a multitude of benefits including a traffic free, safe path directly from Maidstone town centre to a country Park (Whatman Park). The towpath in place to the north of the high level bridge by the Waterside Gate development was put in place through a S106 agreement.

Project Objectives

Given the source of the funding for this project, it is expected that the developer who paid the contribution will expect the money to have been spent and the outcomes achieved within 5 years from the date of the supplemental deed which is 25 August 2011. In terms of more accurate timescales for the two projects, it is envisaged that the high level bridge improvements would be delivered by the end of 2012 / beginning of 2013. With regards to the towpath accessibility, this is significantly more complicated and as such we would be looking towards 2014/2015 for the full delivery of this.

The Council currently has a budget of £300,000 for the works which have been secured through Section 106 funding. We will also attempt to lever in additional funds for the project.

The project will result in improvements to the environment of the high level bridge as well as the access for the public along the western tow path from the town centre to Whatman Park.

The key risk to the high level bridge improvement works is the inability to lever in additional funding. As explained above, the original specification for the works were based on a budget of £500,000. We are working on a reduced budget which will result in only a certain number of the recommended improvements being carried out, but are hoping to lever in additional funding to deliver as many of the improvements as possible.

In terms of the works to open up the towpath, there are a number of key risks. Firstly, the structural integrity of the towpath as it currently stands, is if it is deemed to be unsound, then it is possible that this part of the project would fail as we may not have the necessary funding to do structural work on the towpath. The second key risk is if the Council cannot either acquire the land by an agreement or the landowners are unwilling to enter into an agreement for this work. Should this be the case, then we would have to consider creating the towpath by an order, which could potentially involve legal proceedings, should the landowners strongly object to what we are trying to do.

Desired outcomes

Our expectations from the project are as follows;

- 1) That the pedestrian link between Maidstone East station and Maidstone Barracks station is improved for users both in terms of accessibility and the environment.
- 2) That the western towpath of the River Medway, north of Scotney Gardens, is opened up for public use and access to Whatman Park. This will have been achieved in both the most cost effective and appropriate fashion with respect to the landowners involved.
- 3) That all the work carried out represents value for money and is delivered in a managed and appropriate fashion, and is of high quality.

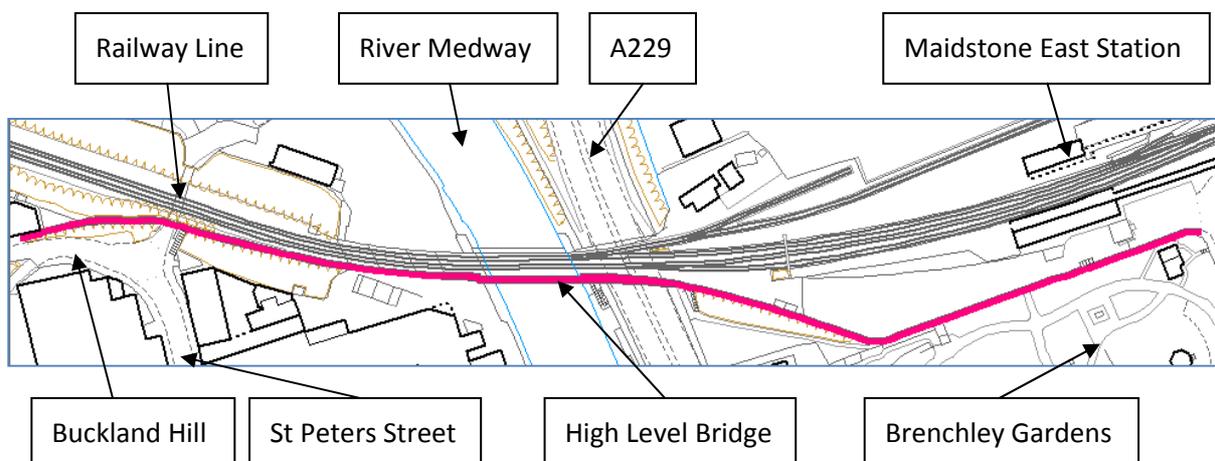
Project scope and exclusions

The two elements of this project have definite boundaries and details on what should and should not be included which are outlined below.

Improvements to the High Level Bridge

As stipulated in the S106 agreement, this money should be spent in part on improvements to the high level bridge. With this in mind, the area that is included in our scope and the associated works is outlined below.

Location Map: The following map highlights the high level bridge in pink and as such the area within which we will look to make improvements



It is intended that the work undertaken will focus on the following four main categories; safety, access, signage and surfacing & the general environment. The following elements will be considered for inclusion in the works,

with final decisions being made based on the level of available funding.

- Maidstone East Station accessibility and signage;
- Access via Brenchley Gardens;
- Improving the safety of the access steps on the eastern side of the spine road;
- Improving signage around the access steps on the western side of the spine road;
- Improving the safety of the access steps at St Peter's Street; and,
- General improvements to the signage, surfacing, landscaping and fencing on the link.

The following two elements are outside of the scope of the work as they do not involve improvements to the high level bridge directly. Instead they provide significant improvements to the access to areas around the high level bridge. They will be considered should the levels of external funding accessible exceed that needed to deliver the improvements to the high level bridge itself.

- Kerb and footpath realignment at Buckland Hill to create a footpath on the northern side of Buckland Hill road which leads under the railway bridge; and,
- Looking at the potential for a new link through the season ticket holder car park to the southern station platform.

Accessibility to the Western Tow Path

Location Map: The area highlighted in green below is the area we are looking to open up as a towpath for public use. The area highlighted in yellow is already publicly accessible land but there is no designated path over this.



In addition to this, by whatever means we decide to pursue opening this area up and designating it as a right of way, we will need to extend this right of way down past the Scotney Gardens development and the St Peter's

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Wharf retail park, to the Millenium Bridge. This would enable this path to be put on the designated map and provide a circular right of way route between the Millenium Bridge, and Whatman Park via towpaths on both the west and eastern sides of the Medway.

This project includes the following;

- Work to determine the structural integrity of the towpath;
- Work to determine the options available to enable the opening of the section of towpath in question for public use;
- The actioning of the most appropriate option to enable the opening of the towpath, should it be deemed structurally sound;
- Any consultation or public liaison as deemed necessary for the project to go ahead;
- Work to improve the towpath that is considered reasonable within budget constraints;
- Any works negotiated with current landowners to ensure all parties are adequately compensated.
- The designation of the route as a Public Right of Way.

Constraints and assumptions

Adherence to Statutory & Corporate Health and Safety legislation and guidelines must be observed.

Constraints:

- That we only have access to £300,000 at present.
- MBC do not own the land on which the works will be taking place
- All the works being considered will be subject to planning consents

Assumptions:

- That KCC will be willing to help support the project
- That KCC will be willing to procure the work and that MBC will then pay.

The user(s) and any other known interested parties

List of Key Stakeholders:

- Environment Agency
- Network Rail
- South Eastern Rail
- Kent County Council (specifically Public Rights of Way and Highways (Sustainable Transport))
- Local Access Forum
- Valley of Visions
- Medway Valley Countryside Partnership
- Members of the Public
- Local schools, businesses and employees

- Members of LA fitness
- Users of Whatman Park
- Waterside Gate Residents
- Terrance Butler Holdings
- Private Landowners
- Local Disability Forum
- Medway River Users Association
- River Medway Alliance

Interfaces

High Level Bridge Improvements

The number of improvements that can be delivered as part of the work on the high level bridge will be affected by the amount of additional funding that can be secured. Also, the improvements that will be delivered will depend on those which are considered the most important relative to the budget constraints.

Western Tow Path Accessibility

Firstly, the ability to even consider opening up the western towpath will depend on whether or not the towpath is considered to be structurally sound. In addition, there are a number of different ways in which the towpath can be delivered, and the option chosen will depend on the findings of research into these, and as such will affect how this is delivered and the timing of the delivery. This factor could also impact on the costs associated with this work.

Furthermore, any work that is being carried out on the Powerhub building needs to be considered in terms of access to the towpath. The impact of the consideration to list the powerhub building is also a factor in terms of the impact it may have on our relationship with Terrance Butler Holdings (new owners) and their subsequent willingness to cooperate and help us with this project. Also, the opinion of the private landowner will impact on this project and the way in which it might be able to be delivered.

Project Approach

Project Approach – Improvements to the High Level Bridge

1. Initial consultation with all involved parties to re-register interest in the project.
2. Review the previously recommended improvements in light of the time lapse that has occurred since the original specification to see which elements are, and which aren't still relevant.
3. Work to breakdown the improvements required into smaller work packages.
4. Work up each of these work packages and obtain quotes for each of these elements.
5. Determine whether or not any other funding is available to supplement the S106 money we already have.
6. Undertake an exercise with all relevant parties / members to decide which elements should be taken forward within the limits of our budget.
7. Following a decision on which improvements to carry out, commission these pieces of work to be undertaken.

Project Approach – Accessibility to the western tow path

1. Initial consultation with all parties involved to outline the project aims / plan.
2. Scoping work to determine the structural integrity of the towpath and whether or not it would be suitable for public use as a towpath.
3. If the towpath is considered to be structurally robust, then a number of options to enable the creation of a path need to be explored. These are as follows;
 - Acquire the land
 - Creation by agreement with the landowners
 - Creation via planning enforcement action and respective planning conditions
 - Creation via unrecorded PROW
 - Creation by order
4. Decision to be made over which is the most cost effective avenue to pursue this via. The next steps of the process will depend on the route taken, which is undecided at present.
5. Designation of the route as a PROW on the definitive map.

At present it is planned that we will proceed with the high level element of the project initially and the work to the towpath will remain on hold until clearer information with regards to proposed redevelopment adjacent to the specified section of the towpath is available.

Business Case

Please see attached documentation.

Project Management Team Structure

Please see attached.

This is the project management structure which is deemed appropriate for Stage 1 & 2 of the project. It is likely that this will evolve as the project progresses and as such the governance arrangements will be reviewed at each major stage of the project. The dashed lines surrounding the project team for the tow path represent the fact that this group will not be set up until clearer information is available with regards to the proposed redevelopment adjacent to the specified section of the tow path, as noted in the 'Project Approach' section above.

Role Descriptions

Project Manager (Jennifer Hunt) – Day to day management of the project and the project teams. Coordination of requests from Project Board to Project Teams and liaison with contractors and consultants.

At present, all that is confirmed is that MBC will manage this project. As we do not know the exact nature of the work that is going to be required, or who will be procuring the work at present, the role descriptions cannot be accurately defined.

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Quality Management Strategy

The Quality Management Strategy and any quality techniques and standards to be applied to the project will not be determined until decisions are made on how certain elements of the projects will be progressed and the nature and suite of improvements that will delivered to both parts of the project.

Risk Management Strategy

Please see attached Risk Management Strategy.

Communication Management Strategy

At present this can only be considered in a very preliminary context due to the indecision over the way the project will be delivered at present. In terms of the communication between the Project Board and the Project Teams, the Project Manager will report the findings / workings of the Project Teams to the Project Board, and disseminate any work programmes / decisions as determined by the board to the Project Teams. The communication mediums are likely to be varied and will depend on the nature of the information being distributed, but certainly will involve regular face to face meetings with each Team and the Board. In addition phone calls and email will be used when they can to ensure that people are only called to face to face meetings when required. In addition regular highlight reports will be completed.

In terms of communicating with other partners who aren't represented on the Project Board or the Project Teams, these will form part of the consultation around the Tow Path. However at present, until we know the approach that will be taken to deliver this element of the project, we cannot elaborate on the nature of this.

Furthermore, with regards to communications with contractors, once the suite of improvements to be made to both the High Level Bridge and the Tow Path are known, and we have a better gauge on the complexity and size of the work involved, we can set up appropriate communication management plans to ensure that this is managed in a way that befits the level of work being undertaken.

Lastly, it should be noted, that given the origin of the money for this project, it is important that the Developer (Fairview New Homes (Welwyn) Ltd) are kept informed of the progress of the use of the money. Reports to them at the closure of each element of the project will be required.

Project Plan

Given the nature of the project, we suggest that Project Plans are written for each stage of the project, given our current inability to define the exact way they will be delivered at present.

As such, as we are only at the stage where we are defining the project and its potential, and have no definite way forward, we have not completed a stage plan yet.

Project Controls

Project Stages: these are indicative at present:

High Level Bridge Improvements & Western Towpath Accessibility	
<i>High Level Bridge Improvements</i>	<i>Western Towpath Accessibility</i>
Stage 1: Initiation	
Stage 2: Design & Feasibility*	
Stage 3: Tender & Acceptance	
Stage 4: Mobilisation	
Stage 5: Construction	
Stage 6: Monitoring & Completion	

	Stage 8: Approach Decision
	Stage 9: Implementation of Chosen Avenue**
	Stage 10: Negotiations
	Stage 11: Closure of Chosen Avenue***
	Stage 12: Design & Approval
	Stage 13: Tender & Acceptance
	Stage 14: Mobilisation
	Stage 15: Construction
	Stage 16: Monitoring
	Stage 17: Designation of the route as a PROW & Completion
	Stage 18: Close

* At the end of this stage, a decision will be taken on how the money will be allocated between the high level bridge, and the towpath

** There will be a number of additional stages that will be required to sit under this which are dependant on which avenue is chosen

*** It is envisaged that at the end of this stage – we will have gained the right to public access over the land in question

Agreed Tolerances: +/- X days from each key stage of the plan – to be reviewed when new stages are added as part of the process for the western towpath; +/- 2% from budget costs at each stage

Monitoring: Monitoring with regards to time, cost, progress, and project team findings is the responsibility of the Project Manager. Monitoring with regards to quality and adherence to health and safety etc will be by the contractor, CDM consultant and the Project Manager.

Reporting: Contractor, CDM Consultant and team members will report to the Project Manager who will report all findings and progress to the Project Board as per the communication strategy.

PROPOSED PROJECT BOARD AND PROJECT TEAM STRUCTURE

