1. **Purpose of Report**

1.1 To seek Cabinet’s support for the preferred option for the new Accrington Town Square (as shown in Appendix 1) as part of the Accrington Townscape Heritage Initiative (THI).

2. **Recommendations**

2.1 That Cabinet supports the proposal shown on the plan in Appendix 1 to this report as the preferred option for the new Accrington Town Square and authorises officers to take the necessary steps to progress the implementation of the same.

3. **Reasons for Recommendations and Background.**

3.1 On 3rd December 2014 Cabinet resolved to:

3.1.1 accept £1.5 million from the Heritage Lottery Fund and enter into agreements with the HLF to deliver the THI in accordance with HLF’s terms and conditions.

3.1.2 approve expenditure of the THI Common Fund of £2,000,000 in connection with the THI project comprising £1,500,000 HLF grant and £500,000 of Council funding (Section 106 monies), and an additional £1,000,000 (Transitional Funding) for the public realm improvements.

3.1.3 take all reasonable steps to deliver the THI project including:
i) obtaining all necessary permissions and consents; and
ii) procuring works, goods and services; and
iii) entering into legal agreements, such as agreements with the local highways authority and statutory undertakers in connection with public realm works, deeds of engagement with professional advisors, agreements for the carrying out of works and agreements with the owners and tenants of properties forming part of or affected by the THI.

3.2 In May 2016 IBI Group Ltd were appointed as the Council’s architect to design a new town square which will provide a flexible space to facilitate events, emphasise the importance and significance of the majestic buildings in the town centre and include a commemoration of the Accrington Pals.

3.3 After a series of consultation and public events attended by members, residents, businesses, visitors, schools, Accrington Town Team, the Pals Group, Homewise, LCC and many other stakeholders, IBI produced the suggested preferred option for the THI Square based on the feedback from these many events, the Council’s original brief, site location, site conditions, and the outline budget.

3.4 The suggested preferred option, shown on the plan in Appendix 1, proposes to create a pedestrianised town square using high quality materials that will satisfy planning and HLF requirements, but also LCC, who will continue to maintain the majority of the area. Plans for the new square include lighting and seating, which will also facilitate a commemoration of the Pals, together with removal of all of the trees from the site and replacement with appropriate species in new positions. This will allow the buildings which are of significant historical interest to become once again the focus of attention.

3.5 The preferred option will form the basis of a planning application which will be submitted to the Council’s planning department for determination at Planning Committee in early 2017. It will also be the subject of traffic regulation orders which will be managed and put in place by LCC.

3.6 The suggested preferred option, along with alternatives that included retention of the horse chestnut trees, was presented in a week long consultation event held at the Town Hall from 30th September 2016 to 1st October 2016. The event attracted over 200 people and their comments and suggestions were collated and considered along with feedback from the many and varied stakeholder events that have taken place over the last eighteen months or so. Whilst there were some responses that favoured the options that included retention of one or more of the trees, and some were strongly opposed to removing them, the majority of responses supported the suggested preferred option, which includes the removal of the trees.

3.7 Members were appraised of the public feedback and that of other focus groups and it was agreed to progress the designs for the suggested preferred option subject to complying with all statutory processes.

3.8 In addition to the Town Square, Peel Street and Blackburn Road areas have also been the subject of consultation with the public, Accrington Town Team, LCC and other local stakeholders since 2015. This was due to concerns from the public and businesses in
relation to the relocation of the bus station from Peel Street to Crawshaw Street and the loss of car parking in the town centre. This public consultation resulted in LCC making Blackburn Road one way and the creation of (temporary) car parking immediately the bus station was closed at Peel Street ahead of the rest of the public realm works and the appointment of IBI to provide detailed designs. The brief was to maximise car parking to support local business whilst providing good quality public realm. The plans shown in appendix 2 are the result of further public consultation, site and technical surveys and joint working with LCC, who manage the highways. These plans do not require planning approval but will be the subject of traffic regulation orders (TRO’s) which follow or have followed a statutory consultation process carried out by LCC. In addition any trees identified for removal will require approval from the Council as they are in the Conservation Area.

4. **Alternative Options considered and Reasons for Rejection**

4.1 There are alternative design options for the Town Square that show retention of the trees in one form or another. It is recommended that these are rejected for a number of reasons as set out below:

4.2 In all cases this will result in large areas below the trees being treated with a different surface to accommodate the tree roots which are currently breaking up the existing paving and this will limit the amount of space available for events.

4.3 The Arboriculture Report commissioned by IBI states that the trees are an inappropriate species for a town centre and they have limited life expectancy. If the trees were to be retained they would require significant maintenance and treatment as they are showing signs of decay. The report states of one treatment, “the process is expensive, inspections are intensive, and the tree would probably still pose an unacceptable risk over the long term given the footfall and the potential target beneath”.

4.4 The tree roots will continue to grow and damage the new surface, in addition to creating trip hazards.

4.5 The works themselves could damage the roots, causing fatal damage to the trees. This would require remediation works to the newly laid surfaces, causing further disruption to the town centre.

4.6 The trees planted in the 1950’s -1960’s obscure the Town Hall and Market Hall which are deemed to have significant and historical importance. The suggested preferred option will allow these buildings to be the focus of the town centre.

4.7 The report states that the preferred option provides an opportunity to remove the trees and replace them with more appropriate tree planting design.

4.8 The suggested preferred option was supported by the majority of those that responded to the public consultation and is the design that best meets the brief and for which HLF are providing £500,000.
5. **Consultations**

5.1 There has been considerable consultation and engagement with the public, businesses, building owners, members, focus groups, Duke of Lancaster Regiment, and the Accrington Town Team (which comprises the Leader of the Council and Regeneration Portfolio Holder, Town Centre Portfolio Holder, cross party councillors, local businesses, market traders, Chamber of Trade, local charities and disability groups, Accrington and Rossendale College Lancashire County Council, HBC colleagues).

5.2 Statutory consultations will take place as part of the planning and traffic regulation order processes.

6. **Implications**

| Financial implications (including any future financial commitments for the Council) | £1,500,000 HLF grant, £1,500,000 HBC funding (£500,000 Section 106 towards the Common Fund and £1,000,000 Transitional funding for the public realm) in addition a further £350,000 from Section 106 monies has been allocated in the Capital Programme to carry out works to Peel Street and Blackburn Road and to which LCC are contributing £481,000, together with staff time (Legal, Regeneration, Accountancy, Planning (Conservation officer, Engineering Services, Building Control, Audit). It is expected that these sums will cover the cost of implementing the preferred option |
| Legal and human rights implications | The Council will seek to obtain planning permission in connection with the THI, together with any other necessary permissions and consents, for example in respect of TRO’s and removal of trees in the Conservation Area. The Council will need to enter into a range of legal agreements in order to deliver the THI and staff from Legal Services will be involved in developing the details of the project. |
| Assessment of risk | There is a risk that planning approval will not be granted in early 2017, which will delay completion of the works, which is planned for summer 2018 to facilitate commemorations of the end of WW1. An alternative design, especially one including retention of trees may create health and safety risks around the trees particularly around branches falling, trip hazards around |
the branches, damage to newly laid surfaces as roots continue to grow; regular monitoring and maintenance of the trees and surrounding areas. There is a risk of overspending budgets but this will be mitigated by carrying out site surveys to limit uncertainties about site conditions. Estimates will be provided prior to procurement of contractors and a risk register will be agreed by the Council, LCC and IBI, with contingency sums allocated against each risk. Regular operational meetings with LCC and IBI will interrogate and monitor spending. There is a risk that LCC won’t adopt the materials proposed for use now and in the future – this has been mitigated by close working with LCC since the project inception to ensure LCC are in full support of the designs and specification. This will be strengthened by entering into a legal agreement with LCC that will require them to maintain the area to an agreed standard. Regular HBC and HLF meetings, reports and updates will closely monitor progress and interventions to occur to ensure delivery. Experienced and qualified staff across HBC and LCC employed to deliver the project in addition to appointment of an experienced architect.

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<tr>
<th>Equality and diversity implications</th>
<th>All works must comply with current regulations in terms of access. A CFA has been completed and is attached to this report.</th>
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<td>A Customer First Analysis should be completed in relation to policy decisions and should be attached as an appendix to the report.</td>
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7. **Local Government (Access to Information) Act 1985:**

7.1 **Cabinet Report 4th December 2014**

http://www.hydnburnbc.gov.uk/downloads/7._Accrington_Townscape_Heritage_Initiative.pdf