

OVERVIEW AND SCRUTINY BOARD

A meeting of **Overview and Scrutiny Board** will be held on

Monday, 6 August 2012

commencing at **5.30 pm**

The meeting will be held in the Meadfoot Room, Town Hall, Castle Circus,
Torquay, TQ1 3DR

Members of the Committee

Councillor Thomas (J) (Chairman)

Councillor Barnby	Councillor Kingscote
Councillor Bent	Councillor Pentney
Councillor Darling (Vice-Chair)	Councillor Stockman
Councillor Hill	Councillor Pountney

Co-opted Members of the Board

Penny Burnside, Diocese of Exeter

Working for a healthy, prosperous and happy Bay

For information relating to this meeting or to request a copy in another format or language please contact:

Kate Spencer, Town Hall, Castle Circus, Torquay, TQ1 3DR
01803 207014

Email: scrutiny@torbay.gov.uk

OVERVIEW AND SCRUTINY BOARD AGENDA

1. Apologies

To receive apologies for absence, including notifications of any changes to the membership of the Committee.

2. Declarations of Interest

(a) To receive declarations of pecuniary interests in respect of items on this agenda.

(b) To receive declarations of non-pecuniary interests in respect of items on this agenda.

(**Please Note:** If Members and Officers wish to seek advice on any potential interests they may have, they should contact Governance Support or Legal Services prior to the meeting.)

3. Urgent Items

To consider any other items that the Chairman decides are urgent.

4. Princess Promenade Refurbishment (Phase 2) - Call-in

(Pages 1 - 7)

The above decision was called-in by Councillors Cowell, Parrott, James, Morey and Ellery on 23 July 2012.

The reasons for the call-in are:

1. The members are concerned about the apparent lack of community consultation prior to the mayor's decision regarding the future of the 'Banjo' site.
2. What evaluation was made of the potential benefits between a private sector development of the 'Banjo' site and a council funded solution?
3. What was the content of the presentation to the Conservative Group, prior to full Council's consideration of the issue, that was not shared with the other member groups?
4. Why was there no reference in the report to Council (Report for Agenda Item 8, Council meeting held 12 July 2012) to ongoing discussions with promoters of the Ocean Circle development?
5. What is the mayor's view of the absence of a view from Environment Agency? And, similarly what is the mayor's view of English Heritage's refusal to endorse the scheme?

Supporting Documents

Record of Decision

Report presented to the Meeting of the Council on 12 July 2012



Title: **Princess Promenade Refurbishment (Phase 2) – Proposed removal of Upper Banjo and cathodic protection of extended Lower Banjo deck, and original Eastern Promenade structures**

Public Agenda Item: **Yes**

To: **Mayor**

Date: **12th July 2012**

Wards Affected: **Tormohun**

Key Decision: **No**

Change to Budget: **No**

Change to Policy Framework: **No**

Contact Officer: **Dave Stewart**

☎ Telephone: **207816**

✉ E-mail: **Dave.stewart@torbay.gov.uk**

1. What are we trying to achieve?

- 1.1 The scope of the Phase 2 works previously approved included for the long term repairs to the banjo and eastern promenade to be progressed and a contract let in July 2012. In order to improve the environment of Princess Promenade/ the banjo it is now proposed that the upper banjo deck should be removed together with its supporting columns and the remaining lower deck should be widened.
- 1.2 The proposed works are regarded as providing an improvement on the design of the Princess Gardens area as a visitor attraction and will complete works to the Princess Promenade as a whole to extend its life to a minimum 25 years.
- 1.3 The exposure of the lower deck is anticipated to bring about a reduction in anti-social behaviour which might otherwise prevail were the lower deck to continue to be enclosed by the upper deck structure

Recommendation(s) for decision

- 1.4 That the Mayor be recommended to instruct the Executive Head of Resident and Visitor Services to invite tenders and let contract to demolish the upper deck and widen the lower deck of the banjo together with providing cathodic protection to the structural elements of the banjo and eastern promenade. The contract to commence in October 2012 to allow the banjo to be open for summer 2013.

2. Reasons for recommendation(s)

- 2.1 The repairs to the banjo structure were approved in outline at an Extraordinary Council Meeting of October 31st 2011. An optimum cost and environmental solution to the defective condition of the upper banjo structure is its complete removal, since such demolition is financially efficient, and the loss of the upper tier is considered to locally return some uniformity to the waterfront outlook of Torquay Outer Harbour.

- 2.2 The extension of the lower deck completes the walking surface to link more harmoniously with the sunken garden grounds and removes a sometimes unsightly view for users down to the upper levels of the 'rip-rap' apron
- 2.3 The specification for the Cathodic Protection (CP) system is that it should be fit for purpose for a defined 50 year design life, with principle elements of maintenance at 25 years.

3. Other options considered

- 3.1 Preservation of the upper deck of the banjo by reconstruction or CP
- 3.2 Reconstruction of the whole structure

4. Combined Impact Assessment (CIA)

The CIA is a tool which helps officers to fully consider the impact of the proposed decisions on the community.

A Combined Impact Assessment has been completed and is available as a background document on request from the report author.

For more detailed information on this proposal please refer to the supporting information attached.

Sue Cheriton
Executive Head – Residents & Visitor Services

Supporting Information

5. Introduction and History

- 5.1 Further to the original carried motions i) and iii) of item 359, of the Extraordinary Council Meeting of October 31st 2011 first phase repairs to the eastern promenade and banjo were completed in June 2012. The eastern promenade deck was replaced and the banjo structure received minimal works to enable the promenade as a whole (to include both banjo levels) to be open to the public in the summer of 2012.
- 5.2 Further to the original carried motions ii) and iv) of item 359, whereupon £2.15m funding was approved for repairs to the banjo as a whole, a revised design for the repairs is now recommended which includes the following elements of work:
 - Removal of the upper banjo deck and its supporting columns
 - Replacement of the lower banjo deck
 - Extension, landward side, to the lower banjo deck replacement
 - Widening of existing steps down to the extended lower banjo deck, from the Eastern and Western Promenades

- 5.3 The contract to undertake these elements would also include the installation of a cathodic protection (CP) system to the remaining original reinforced concrete supporting structures to the banjo and Eastern Promenade.
- 5.4 On removal of the upper banjo deck and its supporting columns, the remaining curved screen wall is to be modified to leave a parapet wall enclosing the sunken garden adjacent to the curved banjo area.
- 5.5 Following recent investigation, the existing lower concrete deck of the banjo structure has been found to be so defective that it is beyond economic repair. It is therefore proposed that the deck be removed and reconstructed, and its rear edge extended back to meet the foot of the outside face of the parapet wall described above. The deck will then intersect with the top of the sloping 'rip-rap' apron. The available lower deck walking area will be increased by around 210 sq m by construction of the extension.
- 5.6 The finish to the extended lower banjo deck will harmonise with surface finishes recently employed at other nearby areas of public realm, Victoria Parade, and Union Street. The existing steps will be widened over the void created by the removal of steps to the demolished upper banjo deck.
- 5.7 The supporting columns to the lower banjo deck, and the original supporting columns and beams to the eastern promenade are to be repaired and protected by the installation of a cathodic protection system similar to that installed on the western promenade structure.
- 5.8 The promenade structure as a whole will continue to be used as a harbour-front leisure area for visitors

6. Summary of Combined Impact Assessment

6.1 Equalities, Consultation and Engagement

- 6.1.1 Torbay Council's Senior Archaeology & Historic Environment Officer has expressed the view 'From the mid-1950s the extent of the oval and the promenade has achieved its apogee, with the best use of space and at a through-level. By 1967 the creation of the hollowed-out banjo with the addition of the double-decker has ruined that unity of level, broken the promenade, encroached upon the war memorial, and various other aesthetic crimes, additionally hastened the subsidence, with the removal of the much binding material, which is now evident against the 1930s reclamation line. The removal of the upper deck is the first stage of the improvements I have been arguing for from Conservation's perspective.'
- 6.1.2 Marina Developments Ltd has declared an interest in the timing of works, and following detailed discussion it has been agreed that they are programmed to commence on site in mid-October.
- 6.1.3 Access to the deck will remain available to all existing users by both (extended) steps and a new 2m wide DDA compliant ramped access off the sunken garden area.

6.1.4 A safer local environment will be established by the removal of the upper level of the banjo

6.2 Environment

6.2.1 Energy and carbon; Proposals have the least energy/carbon demand as compared with other options.

6.2.2 Sea level rise and extreme weather events; The design of the proposal includes consideration of sea level rises. Although in a flood risk area any commercial risk is considered insignificant, and measures for flood water management are either naturally inherent or designed in.

6.2.3 Natural environment; No impact

6.2.4 Built environment; The removal of the upper deck of the banjo is considered to return some uniformity to the waterfront outlook of Torquay Outer Harbour, when viewed either from Princess Gardens or the Outer Harbour environs.

6.2.5 Waste and water. The preservation of retrievable elements of the structure avoids the alternative, near-future need for full demolition and consequent removal of spoil off site

6.3 Economic Development

6.3.1 The issue has been analysed in light of the impacts against the following criteria:

- economic growth of Torbay;
- perception of Torbay as a place to invest;
- promotion of new employment opportunities in Torbay;
- promotion of higher value economic activity in Torbay; and
- reduction of economic deprivation in Torbay

6.3.2 The maintenance of long-term opening of the previously public-excluded structure is clearly to be preferred to the possibility of reclosure in the near future, and also serves as a contributory factor towards the regeneration of the Princess Gardens area

6.3.3 The long-term security of this facility returns the Princess Promenade, central to the seafront environment, to being a pleasurable experience, again forming an element of local regeneration

6.4 Identified Risks

6.4.1 £800k has recently been spent through Phase 1 on the repair of the deck of the Eastern Promenade. The capital spend on this work was conditional on superseding CP to its supporting structure through Phase 2. Phase 1 has also included temporary repairs to the banjo for the purposes of opening to the public in the interim period to the implementation of this proposal. Without Phase 2 work the banjo would quickly return to a state which could compromise the reputation of the Council.

6.4.2 Whilst estimated have been based on similar works and discussions with contractors, the tender sums committed could be higher than expected.

6.4.3 Works are being carried out in a marine Environment and could be affected by the weather.

6.5 In light of 6.1 to 6.4 above, the following course of action is recommended:

No major change required - CIA has not identified any potential for adverse impact in relation to equalities, the environment and economic development and all opportunities to promote equality, the environment and economic development have been taken.

7. Summary of resource implications

7.1 Original carried motions ii) and iv) of item 359, have already approved £2.15m funding for the proposal.

Background Papers

The following documents/files were used to compile this report:

1. Combined Impact Assessment (CIA)
2. Minutes of Extraordinary Council, October 31st 2011
3. Princes Promenade Refurbishment Report for Agenda item 11, Extraordinary Council Meeting October 31st 2011, Dave Stewart, Engineering Division, October 2011
4. Princess Promenade, Torquay: Refurbishment of Eastern Promenade and Banjo: Cathodic Protection Corrosion Control, April 2012

Agenda Item 4

Appendix 1

Record of Decisions

Princess Promenade Refurbishment (Phase 2) - proposed removal of Upper Banjo and cathodic protection of extended Lower Banjo deck, and original Eastern Promenade structures

Decision Taker

Mayor on 12 July 2012

Decision

That the Executive Head Resident and Visitor Services be instructed to invite tenders and let a contract to demolish the upper deck and widen the lower deck of the banjo together with providing cathodic protection to the structural elements of the banjo and eastern promenade. The contract to commence in October 2012 to allow the bango to be open for summer 2013.

Reason for the Decision

The optimum cost and environmental solution to the defective condition of the upper banjo structure is its complete removal, since such demolition is financially efficient and the loss of the upper tier is considered to return uniformity to the waterfront outlook of Torquay Outer Harbour.

The extension of the lower deck completes the walking surface to link more harmoniously with the sunken garden grounds and removes a sometimes unsightly view for users.

The specification for the cathodic protection system is that it should be fit for purpose for a defined 50 year design life, within principle elements of maintenance at 25 years.

Implementation

This decision will come into force and may be implemented on 25 July 2012 unless the call-in procedure is triggered (as set out in Standing Orders in relation to Overview and Scrutiny).

Information

The first phase of repairs to the eastern promenade and banjo were completed in June 2012. Following the decision of the Council on 31 October 2011 to provide capital funding for phase two to include repairs to the banjo as a whole, a revised design for the repair works had been proposed. The proposed works include the removal of the upper deck of the banjo, together with its supporting columns and the widening of the lower deck, which would improve the environment of Princess Promenade, Torquay.

The exposure of the lower deck is anticipated to bring about a reduction in anti-social behaviour which might otherwise prevail were the lower deck to continue to be enclosed by the upper deck structure.

The Mayor supported the recommendations of the Council made on 12 July 2012, as set out in his decision above.

Alternative Options considered and rejected at the time of the decision

Alternative options were set out in the submitted report.

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

Declarations of interest (including details of any relevant dispensations issued by the Standards Committee)

None.

Published

17 July 2012

Signed: _____
Mayor of Torbay

Date: 17 July 2012