



WORTHING BOROUGH  
COUNCIL

Worthing Joint Strategic Sub-Committee  
12 September 2023

Key Decision [Yes]

Ward(s) Affected: Central  
Cabinet Portfolio: Regeneration

## **Worthing Public Realm - Delivering transformation at Montague Place**

### **Report by the Director for Place**

#### **Officer Contact Details**

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#### **Executive Summary**

##### **1. Purpose**

- 1.1. The purpose of this report is to update Members on the Montague Place scheme and authorise Worthing Borough Council (WBC) to act as the lead authority and delivery body for West Sussex County Council (WSCC) on the terms set out in this report.
- 1.2. To present the rationale for WBC delivering the project and the combined approach being undertaken by WBC to deliver a series of public realm improvements under Growth Deal arrangements with WSCC.
- 1.3. To release Community Infrastructure Levy budget to enable WBC to contribute to delivering the scheme following the Councils Standing Orders and procurement strategy in appointing further consultants and contractors.

## **2. Recommendations**

Members are requested to :-

- 2.1 Delegate authority to the Director for Place to enter into a collaboration agreement with WSCC authorising Worthing Borough Council to take on the project management and delivery responsibility of Montague Place Public Realm work.
- 2.2 Delegate authority to the Director for Place, in consultation with the Executive Member for Regeneration and WSCC, the authority to approve and award a contract for project management capacity required to oversee the public realm project subject to the development of a procurement strategy; the outcome of a compliant procurement process and ensuring that the work is within the authorised budget envelope.
- 2.3 Delegate authority to the Director for Place, in consultation with the Executive Member for Regeneration and WSCC, the authority to approve and award a contract for the construction work required to deliver the public realm project subject to the development of a procurement strategy; the outcome of a compliant procurement process; and, ensuring that the project is within the authorised budget envelope.
- 2.4 Approve the release of £2.7m from the Community Infrastructure Levy strategic pot to support the delivery of Montague Place Public Realm scheme.
- 2.5 To approve the creation of a budget of £2.7m within the capital programme fully funded by the Community Infrastructure Levy to support the delivery of the scheme.

## **3. Background**

- 3.1 The Adur and Worthing Growth (A&WG) Deal signed in March 2017 identified up to 8 public realm schemes aimed at supporting the regeneration of Worthing town centre. The agreed programme included initial funding from WSCC Capital Programme (£5m) with the remainder being sourced through developer contributions, to include Community

Infrastructure Levy (CIL); planning obligations (Section 106) and grants to support delivery of later phases of the programme.

- 3.2 The delivery of the Worthing Public Realm programme is overseen by an Officer Group, namely the Public Realm Board. The Public Realm Board is a joint WBC and WSCC Board. This programme of public realm delivery was born out of the Worthing Investment Prospectus (2016).
- 3.3 Portland Road (completed) and Railway Approach (pre-tendering) were the initial phases agreed by the Public Realm Board. These schemes have been / are being funded by a combination of the WSCC Capital Programme (£5m allocation) and Coast to Capital LEP. The Board agreed that Montague Place, due to its location and significance in the heart of the town centre, would be the next phase to be designed as part of the overall public realm improvement programme.
- 3.4 The Worthing Public Realm programme provides a significant and exciting opportunity to revitalise the public spaces through a people-centred design approach. Montague Place is the next phase and will deliver a number of benefits, including:
  - Establishing a new 'green' destination, arrival zone and meeting point
  - Alignment and enhancement of routes to create town centre circuits
  - Ability to design inclusive and welcoming spaces
  - Improving and enhancing sustainable travel options
  - Responding to key stakeholders through direct consultation
  - Improving place activation by providing improved outdoor spaces
- 3.5 Whilst the Public Realm Programme has straddled the change in Administration in Worthing, it should be noted that Executive Members have put their 'own stamp' on the programme since June 2022 and have influenced the Railway Approach design as well as setting a very clear direction for Montague Place. This is notably around greening being at the heart of any new design as well as a heavy emphasis on sustainable and local sourcing.
- 3.6 The delivery of improvements at Montague Place have been signalled as an area that will aid future economic investment and economic recovery. Railway Approach is now at pre-tendering stage with works due to commence in early 2024, which continues to be linked to the development site at Teville Gate. Portland Road is now complete. All current and future phases are being delivered in partnership with WSCC.

3.7 The need for excellent outdoor spaces have been brought into sharp focus with more people taking advantage of the outdoors and, due to changes in work life patterns, enjoying staying local. This project will support the longer term requirement to create sustainable, green and safe pedestrianised areas where residents and visitors feel confident they can enjoy the space within a sound environment. Projects such as this will continue to support the economic performance of Worthing town centre. Montague Place presents a real opportunity to create a transformational change in the heart of the town centre.

#### **4. Context**

4.1 In 2016, the northern section of Montague Place received some investment by WSCC in partnership with Coast to Capital LEP. It's important to note that this scheme was delivered in consultation with local business and residents, and whilst beneficial at the time this area has been scrutinised over the last 7 years, with feedback received regarding its purpose and connection to the wider town centre.

4.2 The northern section of Montague Place is currently used as a multifunctional space including a main pedestrian and retailing thoroughfare, a meeting place, an events space whilst also activated by neighbouring businesses, namely cafes and restaurants. Due to the feedback received over the last few years, the Council in partnership with WSCC, are looking to 'go further' and revamp this section as well as transformational change to the southern section.

4.3 In terms of the southern section, in response to the Covid pandemic, in June 2020 a road closure was put into Montague Place to aid social distancing. At the time, this provided the opportunity for not only the public to maintain safe distance but also provided cafes and restaurants the ability to trade safely outside. A number of local authorities installed road closures as part of the Reopening High Street Safer Fund (RHSSF), as a result of the pandemic.

#### **5. The Temporary Scheme**

5.1 The road closure, as described in 4.3, was purely functional in design, and provided much needed external space for existing restaurants and cafes

during the emergence from Covid lockdown. Further to the road being closed for 12 months the Council agreed to move from this to a semi-permanent solution ahead of the main public realm works being presented in this paper.

- 5.2 The works carried out on the semi-permanent solution included levelling the road camber and introducing an event space suitable for performances, including recently for Spin Out, as part of the Worthing Festival. This in addition to softening the appearance of Montague Place and encouraging dwell-time through pocket parks and improved planting and pedestrian lighting has enabled a new pedestrianised area. In providing this solution it also enabled all businesses on the western side to 'spill out' and create more alfresco dining and experiences. The works were completed in April 2022, and have been closely monitored ever since in terms of usage, journey patterns and dwell time.
- 5.3 It should be noted that additional parking provision was provided to offset the loss in Montague Place when the temporary solution was delivered. This included the creation of extra disabled parking bays at Montague Centre car park (Council managed) and also temporary bays on Marine Parade outside Marks & Spencers Store (WSCC managed), therefore ensuring no net loss. These elements, especially the bays on Marine Parade are being reviewed as part of the permanent design, as outlined in Section 6.

## **6. Delivering the Permanent Scheme**

- 6.1 In July 2021, it was agreed at the Joint Strategic Committee that Montague Place would be the next phase of public realm to be delivered. As the schemes at Portland Road and Railway Approach were to be delivered as part of the £5m contribution from WSCC, as part of Growth Deal, the commitment as part of that same Deal was Worthing Borough Council would contribute funding to deliver future public realm schemes via Community Infrastructure Levy (CIL) funding. Conversations are ongoing with WSCC regarding additional support.
- 6.2 The design for the main public realm improvements at Montague Place has run in parallel and has been brought forward due to the temporary scheme. The installation of the temporary space provided a useful insight into intended use as the main scheme has moved through the RIBA design stages.

- 6.3 The report from July 2021 agreed to release a budget of up to £200k, from CIL, and procure urban design consultants to deliver the public realm design necessary to implement the full scheme. The final cost of this design work was £198k and ensured the Council established a detailed design (to RIBA 4) ahead of procuring for the construction works. This work has been ongoing since early 2022 but started in earnest in June 2022. Project Centre was procured as the design agency.
- 6.4 As part of the design work being undertaken, a full cost analysis has been undertaken by Project Centre as the scheme has developed. The current design, as consulted on as outlined in 6.6, has a working budget of £2.7m. This includes a healthy optimum bias and contingency to mitigate current inflation, particularly the cost of materials. Due to this detailed cost work, £2.7m is the total budget requirement, including all associated fees, being requested to vire from CIL to support the delivery of this scheme. Discussions will continue with WSCC as to whether any additional support can be provided to this, or any future, public realm scheme.
- 6.4 In terms of the utilisation of CIL, the Council approved an Infrastructure Investment Plan, updated in 2022. The [Infrastructure Investment Plan \(IIP\)](#) focuses on which projects should be prioritised to receive funding from the Community Infrastructure Levy (CIL). It prioritises infrastructure via a three year rolling programme, which is updated each year to reflect the most up-to-date housing trajectory and infrastructure requirements across the plan area. As articulated under 4.4 within the IIP, a 'A Healthy Town Centre' has been prioritised and, more specifically, under 6.1, Montague Place has been agreed as the next public realm scheme, and therefore identified for a CIL contribution. This funding will come from the CIL Strategic Pot.
- 6.5 This commitment, and the radical design itself, is a real statement of intent from Members to transform the town centre into a more green, sustainable and welcoming environment. This is a significant investment but an investment that signifies the Administration's vision for Worthing, a place that is fair, local but, specifically in the case of Montague Place, the start of greening the town centre and Borough as a whole.
- 6.6 The design of Montague Place is very different to the current situation and radically different from vehicular access experienced in this location for a number of years. The concept design, and therefore the design that will be worked up into detail, is available to view in the background papers and on the Councils website, however the key features are:

- **Greening:** more trees and vegetation
- **Seating:** high quality and accessible seating
- **Shelter:** increased shelter from the sun and coastal wind
- **Accessibility:** improved access throughout the scheme but particularly the connection to the promenade

This new focal point will set the tone for any further public realm improvements throughout Worthing town centre, whilst accessibility and inclusivity are also embedded principles that flow through the design.

6.7 To ensure the best possible delivery, the Council will procure specialist, local, project management services to assist the Council in running a compliant and detailed tendering exercise for the procurement works (and choosing the contractor), liaison with WSCC throughout the process, whilst also providing daily oversight on the construction of the scheme through to final completion. This capacity doesn't exist within the Council's resources and this method has been successfully utilised on other public realm schemes across Worthing.

6.8 Further to the project management service being procured, the Council with the support of the aforementioned, will design and deliver a robust procurement exercise to recruit the contractor/s to deliver the scheme at Montague Place. This process will be appropriately scored and measured against industry standards with quality and the cost of the work being heavily scrutinised. As an underlying theme, the location of contractors, and any subcontractors, will also be scrutinised to support the 'buying local' principle as much as possible. It is anticipated the chosen contractor/s will attend regular update meetings with both the Council and the project management service to ensure complete oversight of the scheme.

6.9 The current timetable for delivery of the scheme is below, however this is subject to change and under constant review:

<b>Stage</b>	<b>By When</b>
Detailed Design & Construction Drawings	October '24
Procurement of the Works	January '24
Appointment and Mobilisation	February '24
Construction Commencement	March '24

Estimated Completion	March '25
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As part of this programme, where possible, this will be phased to ensure minimal disruption for local residents and businesses.

6.10 It should be noted that any public realm improvements require WSCC Highways to support the scheme and active dialogue has been maintained throughout the design process with WSCC colleagues, via the Growth Deal. There are a number of processes that will require direct support to achieve the scheme, including elements such as Traffic Regulation Orders to adjust certain aspects of engagement on the highway. All dialogue with WSCC has been built into the overall programme signalled in 6.9. In terms of delivery, as part of Growth Deal, and similar to the approach taken at Portland Road, it has been agreed between the parties that Worthing Borough Council will act as the delivery body for this scheme, under a collaboration agreement.

## 7. Engagement and Communication

7.1 Since scheme inception, it's been imperative that the Council provide an open, transparent and two-way process to ensure the design of Montague Place meets with the needs of the community. This engagement has been via a three phase process, as follows:

- **Phase 1:** in August / September 2022, the Council undertook the [Big Listen](#) across the Borough. Members and Officers attended a series of events and meetings, both at the Town Hall, but more notably in public spaces, to gain a sense of what the community would like to see across Worthing. An online questionnaire was also deployed. As part of that process, a number of respondents highlighted Montague Place as an area of improvement and, more specifically, identified the need for more green infrastructure in the town centre.
- **Phase 2:** earlier this year, and more detailed to Montague Place and fuelled by Phase 1, the Council undertook an engagement exercise with local stakeholders, including offering a business walkaround, an accessibility walkaround (with disabled / accessible groups) and also resident engagement, for those in close proximity to the scheme area. The final element of this process saw all previously engaged stakeholders, and any new interest, attend a 'world cafe' at a vacant



unit in Montague Quarter, facilitated by Project Centre. This final session focused on the key features of the design and helped shape and develop the concept design. The outturn [engagement report can be found here](#).

- **Phase 3:** further to receiving feedback at Phase 2, the Council, with the support of Project Centre (as the urban design specialists) developed and discussed a series of conceptual plans for the space. It was agreed that the design as outlined in the background papers, most closely matched with the feedback received, which connected nicely with the aspirations of the Members. To corroborate the design the Council again went out to public consultation in June / July 2023 to reaffirm the previous two phases.

7.2 To ensure continuity of message the Council has established a centralised depository of information about the scheme by creating a dedicated [webpage](#). This page has been, and will be, regularly updated to reflect the changing circumstances of the scheme. This will be supported by other forms of media.

7.3 During all phases, the Council has received good engagement, both positively but also in terms of good challenge and conversation. For Phase 3 the consultation ran for a period of 4 weeks from 7 June to 5 July 2023. Members of the public were invited to complete an online form which received over 100 responses. Key findings from this consultation included:

- 72% of respondents supported bringing in new green areas to the space
- 58% liked the 'change of use' to a seafront garden
- Overwhelmingly response in favour of a better connection to the seafront with many commenting that pedestrians needed to take priority over traffic in allowing them to access the seafront
- Including shelter from the wind, sun and rain was well received and had only positive comments.

7.3 As this scheme has been consulted on for a period of 11 months, running from August 2022 to July 2023, it's anticipated no further consultations will take place on the design itself, however further public dialogue will be required as part of any Traffic Regulation Orders or such like, in partnership with WSCC. The feedback received from all three phases has iterated the design over the same period and whilst the high level concept design will remain the representations received will affect the detailed design, for

example the number and style of benches and the level of green infrastructure. The Council are very aware about listening to the community and reacting to the feedback, and this scheme is no different.

- 7.4 In addition to more detailed consultation, it should be noted that the Council are already thinking about scheme pre-construction and construction periods and, taking a similar approach to the delivery of Portland Road, the intention will be to ensure the Council's website remains up to date, information boards are available onsite to explain the works and regular newsletters and media / social media releases will be gathered to ensure a regular flow of information during the build phase.

## **8. Financial Implications**

- 8.1. The release of £2.7m from the Community Infrastructure Levy strategic pot to support the delivery of Montague Place Public Realm scheme. The proposals outlined above would require the committee to approve the creation of a capital scheme and the associated budget virement.

Finance Officer: Emma Thomas

Date: 1st September 2023

## **9. Legal Implications**

- 9.1. The report is seeking authority to spend and enter into a collaboration agreement with the Council and WSCC. Such an arrangement is permitted under Regulation 12 Public Contracts Regulations 2015 (PCR) as long as it is a genuine cooperation between the two Councils.
- 9.2. Under Section 111 of the Local Government Act 1972, the Council has the power to do anything that is calculated to facilitate, or which is conducive or incidental to, the discharge of any of their functions.
- 9.3. Section 1 of the Localism Act 2011 empowers the Council to do anything an individual can do apart from that which is specifically prohibited by pre-existing legislation
- 9.4. Section 3(1) of the Local Government Act 1999 (LGA 1999) contains a general duty on a best value authority to make arrangements to secure continuous improvement in the way in which its functions are

exercised, having regard to a combination of economy, efficiency and effectiveness.

- 9.5. When entering into a public contract, the authority is required to comply with the Councils' Contract Standing Orders found at Part 4 of the Councils' constitution. Where the Contract is an above threshold contract for goods and/or services as defined by the Public Contract Regulations 2015 any procurement exercise to contract for those goods and services must be conducted in accordance with those Regulations.

Legal Officer: Erutoma Sakpere

Date: 26 July 2023

### **Background Papers**

- [Designing the future of Montague Place \(JSC Paper 13/07/21\)](#)
- [Community Infrastructure Levy \(CIL\): Infrastructure Investment Plan \(2020-2023, Revised 2022\)](#)
- [Montague Place Engagement Report \(March 2023\)](#)
- [Montague Place Concept Design \(May 2023\)](#)

## **Sustainability & Risk Assessment**

### **1. Economic**

- Public realm improvements are important to create the right setting for our town centres and economy, including our business base, to operate. Not only does this project represent an opportunity for our businesses, it will also provide alternate possibilities for 'open space' activities, including events and pop up markets.
- The aforementioned activities are vital to support and revitalise our changing high streets; even more so in response to the current economic uncertainty. Public realm improvements at Montague Place, and future schemes, will support and give confidence to residents and visitors regarding the outdoor environment, and show these places need to be cared for and improved.

### **2. Social**

#### **2.1 Social Value**

- The scheme will support a number of stakeholders, including community groups and those businesses in and around Montague Place. The proposal will upgrade and improve the open space experience, which will serve both visitors and residents to Worthing town centre. Other benefits also include supporting cycling and walking interventions in this location, subsequently supporting the wellbeing agenda. All elements combine to improve the attractiveness of Worthing town centre

#### **2.2 Equality Issues**

- The design for Montague Place has included specific consultation with accessible groups and organisations. This consultation, and wider equality points, have been considered and will be implemented further as the project progresses through detailed design, procurement and delivery.

#### **2.3 Community Safety Issues (Section 17)**

- The improved public realm works will fully consider crime and disorder act implications through the detailed design phase of the project. Consideration will also be given to the ongoing environment that the new public realm will create in relation to providing a safe and enjoyable space.

#### **2.4 Human Rights Issues**

- The improvements at Montague Place will require significant construction work. During this period it's anticipated there will be disruption to local

residents and businesses in the immediate area. WBC, with guidance from the appointed design team and contractors, will assess the impacts throughout and consider mitigating actions to reduce the disruption where possible.

- During construction, parts of Montague Place won't be accessible to the public, however alternative routes and options will be provided.

### **3. Environmental**

- The permanent scheme will include significant, new, green infrastructure throughout Montague Place; this is integral to the design, guided by the original scheme principles. The design will also include the integration of sustainable methods, to include water retention. Environmental improvements have been heavily considered as part of the permanent scheme.
- The design also supports and encourages improvements to cycling and walking infrastructure to access Montague Place, as well as Worthing town centre, encouraging residents and visitors to utilise the additional pedestrianised space to support their own wellbeing.
- A further consideration is ensuring, where possible, that resources, materials and contractors are sourced as local as possible, therefore reducing the overall carbon footprint of the scheme.

### **4. Governance**

- The Growth Board and Public Realm Board are existing and functional, and they will act as the key governance control for this project. These will have strict oversight of all elements of the project, including spend and programme.
- The CIL Board will also be kept informed of the project as CIL will be the funding source for the scheme.