

Committees:	Dates:	Item no.
Open Spaces and City Gardens (for decision)	2 June '14	
Streets & Walkways (for decision)	9 June '14	
Community and Children's Services (for decision)	13 June '14	
Projects Sub-Committee (for decision)	17 June '14	
Resource Allocation (for decision)	Urgency	
Court of Common Council (for decision)	Urgency	
Subject: Aldgate Highway Changes and Public Realm Improvement Project	Gateway 4/5 Options review and Authority to Start Work	Public
Report of: Director of the Built Environment		For Decision

Summary

Dashboard

- Project Status: Green
- Timeline: Gateway 4/5
- Total approved funding to date: £3.7M
- Total Estimated Construction Cost: £17.1M - £19.5M
- Spend and Commitments to Date: £3.3M (62% TfL and 38% S106)
- Overall Project Risk: Green

The aim of this project is to achieve complete transformational change in the Aldgate area through the removal of the existing gyratory system and the creation of new enlivened public spaces.

A single option was approved at Gateway 4. The detailed design of this option is now complete other than the Pavilion design, minor elements of the public realm and the structures elements. The remaining elements are due for completion at the end of May. This Gateway 4/5 is being presented now for two reasons. Firstly there is an urgency to commence works so as agreed items can be completed prior to TfL's commencement of their cycle super highway and secondly to ensure we utilise TfL funding allocated for spend on the project in this financial year.

Through the detailed design process, value engineering has resulted in us being able to reduce the cost of the highway works. However, in relation to the new public spaces some cost items have been identified which were not allowed for at

Gateway 4 stage and others have turned out to be more expensive than originally budgeted. On balance, the cost of the scheme has increased significantly.

In accordance with the City's project management procedures, a significant cost increase on a project would normally require that Officers submit an Issues Report seeking guidance on how to proceed ahead of submitting a Gateway 5 report. However, because of the critical factors set out above, construction of the Aldgate project must proceed as a matter of urgency. Failure to do so would, in all probability, lead to significant delays or even worse, the loss of TfL funding which could make the project undeliverable.

With this in mind this report is presented as a combined Gateway 4/5 report. Firstly as a Gateway 4 Issues report, this report seeks to:

- Alert Members to the change in scheme costs;
- Present to Members a selection of Options for taking the project forward;
- Request that Members identify a preferred option; and
- Present to Members a revised funding strategy utilising On Street Parking Reserve as an underwriting fund.

Secondly as a Gateway 5 report, this report seeks to:

- Seek authority to commence construction on Members' preferred option; and
- Delegate authority to officers to enter into required agreements and make regulatory orders necessary to progress the project.

The construction costs approved at Gateway 4 were estimated at £14M and officers have now carried out a comprehensive review of over 5,000 cost items to produce three revised cost options. The options, and construction cost for each option, are given below:

- Basic Specification: £17.1M
- Middle Specification: £18.7M
- Full Specification: £19.5M

Whilst each of the options achieves all of the objectives that were set for the project, each option also reflects a different design philosophy in terms of the finish of the area. The Basic option seeks to achieve the minimum necessary to achieve the objectives for this project but omits a number of items which stakeholders have consistently considered essential to deliver enlivenment to the two new public spaces. Thus, whilst the highway changes are achieved, many features that would help to activate the new spaces, improve safety and reduce the likelihood of anti-social behaviour are excluded from this option. The Middle option improves upon the Basic option through the inclusion of a water feature and feature lighting in the Church Gardens. This is also a better option with regards to road danger reduction because it includes courtesy crossings on the Minorities side roads. This option delivers the vast majority of stakeholder requirements from the project. In the Full option, an additional water feature in the form of a rill is provided in the Western Space, alongside additional feature lighting positioned under benches on Middlesex Street as well as upgrading the

eastern footway on Minories. These additional elements have been developed with stakeholders in order to create, what stakeholders believe would be viewed as an iconic space, a space most likely to deliver the true transformation of Aldgate.

Members should note that there is now a high degree of certainty of cost across the project. However the subway structures elements and pavilion design, whilst well developed, remain subject to change either through competitive bidding or the Planning process. Should any such changes take place they will be reported to Members via an Issues report setting out savings and/or additional costs along with options to address any resulting issues.

The maintenance implications of each of the options has also been assessed. It has been identified that there will be increases in some long-term maintenance costs as a result of the scheme. These have been quantified and, where appropriate, funding sources have been identified. The five year maintenance cost for each option is given below:

- Basic Specification: £ 139k
- Middle Specification: £ 143k
- Full Specification: £ 157k

Future revenue budget increases for the following 15 years could be funded by draw down against future CIL.

In parallel with the detailed design, Officers have been working to establish a funding strategy for the project. This is set out in Appendix G. It is proposed that in addition to the £6M contribution from TfL that the balancing figure be delivered through S106 funding. Whilst some of these S106 funds are confirmed others will be reliant on negotiation with developers and triggering of developments. Until these negotiations are concluded it is proposed the project be underwritten by £10M from the OSPR. A further £0.8M will be underwritten by TfL LIP Annual Funding 2014 - 2016 allocations.

Gateway 4 Issues Report Recommendations

- That the Medium Specification Option be approved, at a cost of £18.7M.
- That authority be given to fund this project utilising a combination of TfL funding and S106 funds as set out in Appendix G.
- That Members authorise that £10M be set aside from the OSPR account to act as an underwriting sum for this project, which will only be drawn upon to address temporary shortfalls in S106 funding.
- That Members note that in setting aside £10M OSPR, it may be necessary to delay works on the Barbican Podium project.
- That authority be delegated to the Director of the Department of the

Built Environment to renegotiate the S106 agreements highlighted in Appendix G such that the funds as set out may be utilised for delivery of the Aldgate Project (subject to consultation with the Comptroller and City Solicitor).

- That the revenue implications (see Appendix I) for the initial five years following construction be met through S106.
- That the future revenue budget increases for the following 15 years should be funded by draw down against future CIL.

Gateway 5 Report Recommendations

- That the Medium Specification Option be approved, at a cost of £18.7M.
- That construction of the Medium Specification Option be commenced (subject to relevant regulatory and statutory consents, orders and approvals being obtained).
- That officers be authorised to progress the applications for consents, orders and approvals in Appendix F, and to enter into the agreements identified in Appendix F.
- That authority be given to the Director of the Department of the Built Environment to seek additional sources of funding for the project, including further Transport for London funding and utilise this funding provided this has no negative impact on City Corporation resources.

Main Report

1. Design summary	<p>The project is to convert the Aldgate Gyratory to two-way working on Aldgate High Street, St Botolph Street and a section of Middlesex Street, thus creating a new public square between the Sir John Cass’s Foundation Primary School and the St Botolph Without Aldgate Church. Another new public space will also be created to the east of the scheme.</p> <p>This project is unusual in that there is a very clearly defined window for delivering the project. Part of this is as a result of funding availability – TfL have made a sum of £6m available within this financial year to deliver the project.</p> <p>However, a key risk to the project is that there are a number of large projects planned across Central London’s streets over the next three years which are likely to cause significant disruption, the Mayor’s Cycle Super Highway for example. TfL is working with the City to minimise the impact on road users and to that end has requested that the City complete the Aldgate highway</p>
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changes to allow two-way traffic on Minorities by early 2015. If we are unable to meet this deadline, TfL is likely to exercise its powers under the 2004 Traffic Management Act to block/ delay the Aldgate scheme. In that instance, it is considered likely that the project would be delayed for a number of years.

As a result of the above, the detailed design team has been working to a programme which would allow us to begin construction in Summer 2014.

The Aldgate Gateway 4 report explained that there were a number of pricing uncertainties that would be resolved as the project moved to detailed design. These included the Pavilion design, uncertainties regarding utility costs and the need for on-going survey information necessary to inform the design.

Through the detailed design process, the costs of all elements of the project have been refined. Whilst value engineering review has meant that the highway costs have slightly reduced compared to the Gateway 4 estimate, a number of new costs have been identified and/ or a number of costs increased for the public realm and structural elements of the project. On balance this has led to a significant increase over the estimated construction cost set out at Gateway 4 (£14m).

Consequently, a thorough design review and value engineering exercise was undertaken by senior officers from the City, TfL and Tower Hamlets in order to identify cost savings without compromising the project objectives. This resulted in three options now being presented to Members. Costs for each option are given in Section 5 of this report, alongside the original Gateway 4 cost estimate.

Each of the three options can be delivered within the deadlines required by TfL and can be expected to deliver considerable improvements in terms of road danger reduction. However, each of the options has a different level of ambition in terms of what can be achieved in the new spaces that are created.

It should be noted that given the time constraints set out above and the importance of meeting the Summer 2014 deadline, officers are still finalising the public realm and structural elements of the detailed design, estimating costs for those design elements which have yet to be fully refined. Any further changes to the cost estimates will be reported to Members throughout the project.

In developing the three options, we have been mindful of the results of the stakeholder workshops which were a key element in defining the design brief. Through these workshops, Officers received a clear picture of the aspirations of local stakeholders in terms of how they wish to use Aldgate. As can be seen from the

chart in Appendix A, the most popular options for Aldgate were (in order of popularity):

- Events;
- Safety;
- Biodiversity and Greening;
- Café; and
- Active Space.

A drawing of the scheme is given in Appendix B. Visualisations of the options have been available in the Members Reading Room since the beginning of June '14.

Options

Three options are proposed, each offering a different level of specification.

Through the detailed design process, it became apparent that whilst £14M could deliver the bulk of the highway changes, it would not be sufficient to deliver the key elements of public realm that are essential to achieve the transformational change that is one of the primary objectives of this project. Thus, whilst the road danger aspects of the scheme could be delivered for £14M, it would not have been possible to deliver either the Pavilion building, the water features nor the specialist lighting, all of which are fundamental to enlivening Aldgate and improving the perception of safety. Therefore this approval has not been put forward as an option. Instead the following three options are presented for consideration.

Full Specification Option

This option seeks nothing short of the total transformation of Aldgate and creation of an iconic new public space. Within this option, the new Western Space will be activated by a new Pavilion building (see Appendix C). This building will act as the hub of the Western Space. Its primary function will be to provide refreshments, and in doing so to create a new destination within the space. However, it will not only provide operational storage space but also support a programme of events that will be held in the space, further increasing the Western Space's destination status. It is also proposed that a percentage of profit from the pavilion be used to offset future scheme maintenance cost implications. These details are yet to be confirmed.

In recognition of the importance of events to the local community, and their importance in enlivening the space, the project will also work with CPAT and the local business community to source funding to support developing a programme of events to be held in the space. More details on the Events Programme are given in Appendix D.

This option includes extensive feature lighting, designed to make the area safe, attractive and inviting well into the evening. New water features, including a rill will further enliven the space. There is also provision for a second Urilift in the Eastern Space to help address anti-social urination.

This option not only addresses all of the key objectives of the Aldgate Project, but successfully meets all of the key aspirations of the local community as expressed through the consultation results.

Middle Specification Option

This option also seeks to activate and enliven the Western Space, through provision of a new Pavilion building, feature lighting and water features. However, this option does not allow for provision of a rill (channel of flowing water) in the Western Space (a proposal that was introduced after Gateway 4), and offers a reduced specification for feature lighting in the walkway between Aldgate House and the London Underground station.

In comparison with the Full Specification option, the Middle Specification **differs** as follows:

- Uplighting of benches on Middlesex Street is removed;
- Slightly reduced walkway lighting at LU station;
- Eastern Space Urilift toilet is removed;
- Asphalt rather than granite inset bays on Minories;
- Large way-finding sign is replaced with a smaller sign;
- Existing footway, associated levels and drainage on a section of Minories not replaced;
- Retain current police cordon, the Traffic and Environment Zone (TEZ) instead of rebuilding it; and
- The rill water channel and associated channel lighting is removed.

Overall, it is considered that whilst this option excludes some highly desirable features, it will still deliver a high quality space and will achieve all of the objectives for the scheme. It will also achieve the vast majority of the key stakeholder aspirations identified through the Stakeholder workshops.

Basic Specification Option

The Basic option still retains a Pavilion building in the Western Space. However, the level of other supporting features (lighting and water features) is much reduced in comparison with the other options, thus reducing the level of activation of the square. The limited feature lighting would address key safety concerns but would make the space much less attractive in the evening and far less likely to deliver a 'go to' destination. This in turn would make the objective of achieving genuine transformational change in the area far more vulnerable to failure.

In comparison with the Middle Specification option, the Basic

	<p>Specification excludes the following features:</p> <ul style="list-style-type: none"> • Pedestrians/accessibility improvements to Leadenhall Street / Fenchurch Street junction; • Handrail lighting; • No walkway lighting at all; • Tree uplighting and uplighting to School façade; • Play budget reduced; • Western Space Urilift; • Cheaper luminaires; • Various measures to reduce long-term highway maintenance costs; • Shared footway on Middlesex Street; • Courtesy crossings at India Street / Minories and at Haydon Street / Minories; and • Church Garden water feature. <p>The descriptions above only contain headline information about the differences between the various options. Appendix E provides a detailed listing of the differences between the three options. For information, visualisations of the three options have been provided in the Members Reading Room. The costs are also shown in Appendix E, therefore the cost of varying each item can be calculated.</p>
<p>2. Delivery team</p>	<p>Civil Engineering works will be delivered by the City's Term Contractor, JB Riney.</p> <p>Specialist features, such as lighting and water features have all been value-checked by City staff but, will be provided and installed by specialist contractors working to JB Riney.</p> <p>Procurement of the specialist contractor for the Pavilion building will take place during construction of the Western Space. As the Pavilion is not programmed for completion until Summer 2017, ample time exists for contractor procurement to take place. In the meantime, a specialist Quantity Surveyor has been employed to estimate the costs of the Pavilion, which is currently estimated at £2M.</p>
<p>3. Programme and key dates</p>	<ul style="list-style-type: none"> • Main Works: July '14 - December '16; • Eastern Space: November '14 – May '15; • Western Space: March '16 – February '17; and • Pavilion Building: March '16 – June '17. <p>The Arts, Events and Play elements of the project will be delivered over a five year period, with the first two years being delivered in parallel with the Civils works.</p> <p>It should be noted that for the purposes of financial management, the project will comprise 19 separate areas of construction. Individual areas will only commence when sufficient funds are held in order to place the orders required during that area of works.</p>

<p>4. Outstanding risks</p>	<p>The key risks faced by the project are listed below.</p> <ul style="list-style-type: none"> • There is a potential risk relating to the timing of availability of funds. This is discussed in detail in the Funding section of this report; • There are a number of important consents, permissions and orders that will need to be in place for certain elements of the project to be delivered. These are listed in Appendix F. As indicated in Appendix F, some are being progressed under delegated authority (e.g. certain Traffic Orders), and others will require specific authority sought in the recommendations. The granting of the relevant consents, orders and permissions are subject to separate statutory processes which cannot be pre-judged, including statutory consultation. In the event that significant objections arise during such statutory consultations, these will be reported to the relevant committees. The planning applications will be processed by the local planning authority in accordance statutory requirements. The Public Space Protection Order which is required to provide night-time gating of the area adjoining the churchyard (which would otherwise be vulnerable to anti-social behaviour) is dependent on the new statutory powers coming into force and the adoption of a corporate protection order policy. This is being progressed and updates will be provided in future Issues Reports; • The City has agreed with the GLA to proceed on the basis that an experimental layout on Aldgate High Street is trialled during the build phase. This design will respond to the design of the Cycle Superhighway 2 (CS2) improvements. As the exact layout of CS2 is unknown, it is not possible to fix this design element at this stage; and • The consultant undertaking the Structural design has been delayed, so this element of design has yet to be finalised and a figure of £1.3M (medium or high specification) has been allowed as a 'worst case scenario' sum. Officers are meeting urgently with the consultant to progress these works.
<p>5. Budget</p>	<p>Capital Cost</p> <p>The capital costs have been estimated based on the main works being undertaken by the City's highways maintenance term contractor, JB Riney. Previous benchmarking exercises have demonstrated that our JB Riney term contract delivers good value for money in comparison with other contractors including TfL's London Highways Alliance Contract (LoHAC).</p> <p>Suppliers of specialist items have been identified through a tendering process, then procured via JB Riney. In the case of specialist items such as water features and lighting, these will be purchased from companies on our list of preferred suppliers</p>

bidding in competition.

The capital costs for each option are given in Table 1.

Cost Element	Gateway 4	Full Specification	Medium Specification	Basic Specification
Prelim. Costs	£5,261,930	£5,891,763	£5,875,763	£5,312,706
Pavilion	£1,200,000	£2,000,000	£2,000,000	£2,000,000
Western Space	£2,104,161	£3,097,667	£2,955,667	£2,703,171
Church Plaza	£0	£152,528	£152,528	£152,528
Eastern Space	£50,000	£1,077,508	£930,012	£915,012
Lighting	£466,420	£753,800	£688,800	£628,800
Structures	£165,886	£1,370,150	£1,320,150	£1,270,150
Highways	£4,805,241	£5,138,947	£4,777,012	£4,077,330
	£14,053,637	£19,482,363	£18,699,932	£17,059,697

Table 1: Scheme Cost by Option

As can be seen, the largest cost increases have occurred in the pricing of the Structures elements (£1.15M increase when compared with the Medium option), the Eastern Space (£0.9M increase), and the Pavilion and Western Space (both increased by £0.8M).

A review of why the costs for the park spaces and structures have changed identifies three key reasons. Firstly, whilst the highways elements are made up of known items used frequently elsewhere in the City, meaning they can be estimated using standard materials and rates with some certainty, the final public realm design now includes numerous bespoke items which it has now been established will be more costly than originally envisaged. Also at Gateway 4, assumptions were made regarding the detail of the final design of the spaces and the likely costs of the materials to be used, but the number and type of bespoke items and their cost has proven to be greater than anticipated.

Secondly, a new landscape architect was appointed after Gateway 4 because the previous architect, on whose design the Gateway 4 estimate was based, was not felt to be capable of achieving the key deliverables of the project in the park spaces. Although an element of cost was included at Gateway 4 for further design revisions, this has proved insufficient as the new architect has evolved further key elements of the scheme, in conjunction with the Urban Realm Design Working Group, in order to meet the aspirations of stakeholders and the scheme's objectives. In particular, complementary elements have now been identified for the Eastern space that will deliver significant transformational change in that area.

Finally, there have been substantial problems in appointing and maintaining employment of structural consultants on this project, mindful of EU procurement regulations. Many of these issues have revolved around the City's requirement for unlimited liability

contracts and the more recent risk adverse nature of the consulting industry. As a result, establishing the appropriate technical solution has also proved problematic however the current costing for these elements of £1.3M is considered to be a worst-case scenario.

Funding

The funding strategy for the Aldgate construction phases is driven by:

- The need to deliver the project without delay, because of the risks set out at the start of the Design Summary; and
- TfL has made available £6M funding, which must be spent in this financial year. Delaying the project may mean that we are unable to access this funding;
- TfL's funding offer is based upon a business case for the project, which compares the benefits of the project against costs. This business case assumes that the entire project is completed. It is therefore necessary for the City to commit to building the entire project, at the TfL funding has been provided on the basis that the entire project would be completed.

It is proposed that the project be funded by a combination of TfL Funds and S106 funds, with the On-Street Parking Revenue account being used as an underwriting fund to address temporary shortfalls in S106 funding.

The following funds have been identified for the construction stage of this project:

- £7.9M TfL and S106 secured funding (immediately available);
- £5.2M S106 funding that is available, but would require developer agreement to negotiation of amendments to existing S106 agreements;
- £2.4M S106 funding that is available and requires developer agreement to amend the existing S106 agreements, however it is understood that this would be somewhat more difficult to achieve than the £5.2m identified above;
- £6.4M S106 funding that will be available to the project if and when building construction commences; and
- £3.2M S106 funding that will be available to the project on commencement of building construction, but will require developer agreement to negotiation of amendments to existing S106 agreements.

In total, therefore, some £25M in potential funding has been identified, sufficient to build the scheme. These funds are set out in Appendix G (Non-public). However, it should be noted that the proposed amendments to S106 agreements, as well as requiring developer co-operation, will also need further detailed consideration to ensure amendments to the purposes on which

106 funds can be spent and have been honoured.

Whilst Officers are consider it likely that the bulk of the S106 funds will come forward in a timely manner, it is possible that in some instances S106 funds will not be available in time for them to be used on the project. It is proposed, therefore, that the On-Street Parking Reserve should be made available as an underwriting fund to temporarily fund the project until the appropriate S106 funds become available, or, as a fall-back, to fund permanently in the event of a shortfall. Bearing in mind the risks to the project if it is delayed in any way, it is recommended that sufficient OSPR funding is set aside now to cover the entire construction cost, less the £7.9M secured funding that is already available (and is the first funding source that Officers will draw upon when delivering the project).

It should be noted that whilst Officers do not expect to need to draw upon much of this OSPR funding (as it is still anticipated that S106 funds will cover the bulk of the construction cost), the fact that it is necessary in the short term to set aside the full OSPR amount means that some projects that would otherwise have been paid for by the OSPR may need to be delayed. The Chamberlains department have advised that the Barbican Podium drainage repairs project may need to be delayed.

As the project progresses, Officers will be reporting on a six monthly basis to Members of project progress. This reporting will specifically address the funding issue, and will highlight when new S106 funds have been formally secured for the project (and thus the level of OSPR underwriting reduced).

Members should also note that Officers will continue to identify other potential funding sources that could be attached to the project (further TfL funding, for example).

In addition to the above, it should be noted that there are currently four building re-development schemes in the immediate area. Each of these will require highways works to be undertaken via a Section 278 agreement. By exercising flexibility with the construction phasing for the Aldgate scheme, it may be possible to coordinate the highways construction for the project with Section 278 highway works required to enable the redevelopment schemes. If this can be achieved, economies of scale could be secured which could reduce the scheme budget. The location of the redevelopment schemes is illustrated in Appendix H.

Revenue Implications

At Gateway 4 stage Officers reported that the scheme would result in increased maintenance costs. At that time, the estimated increased revenue requirement was estimated at £154k pa.

Through the detailed design stage, Officers have prepared more detailed estimates of projected additional revenue requirements that would result from the scheme. The variance for one year is now estimated at £157k pa and for the first five years is estimated

	<p>at £1.3M.</p> <p>Appendix I details a breakdown of revenue increases by department, and includes projections for revenue increases over a five, ten, fifteen and twenty year period.</p>
6. Success criteria	<ul style="list-style-type: none"> • Creation of the public square and improvement of the appearance/amenity of the area; • Enlivened, well utilised spaces; • Improved perception of safety for pedestrians; • Improvement of mobility (for all modes) through the area; • Improved potential for development of disused sites; • Reduced road danger; and • Improved satisfaction rates for all users of the streets and spaces.
7. Progress reporting	<p>Six monthly progress reports to Spending Committee and any project changes will be sought by exception via Issue Report to Spending and Projects Sub Committees</p>

Appendices

Appendix A	Stakeholder Workshop Results
Appendix B	Scheme Drawing
Appendix C	Pavilion Building
Appendix D	Events Programme
Appendix E	Key Differences Between Options
Appendix F	Consents, Permissions and Orders Required
Appendix G	Sources of Funding
Appendix H	Local Developments with S278 Requirements
Appendix I	Revenue Cost Increases By Department

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