

Me'Committee(s):	Date(s):
Planning and Transportation Committee	April 14 th 2015
Subject: Waiver of Crossrail Assurance and Variation of City Walkway – Moorfields Highwalk Escalator	
Report of: Director of Built Environment	Public For Decision
Ward (if appropriate): Coleman Street/Cripplegate	
<p>This report recommends the waiver of an Assurance and rescission of part of the existing city walkway providing access to Moorfields Highwalk and seeks authority to enter into a Section 106 agreement for the re-provision of the access. This is to facilitate the efficient and economic progress of the Crossrail works in this area and enable integration of the arrangements with the redevelopment of 21 Moorfields. Planning and Transportation Committee resolved on 17 March 2015 to delegate authority to Officers to determine planning application ref: 14/01179/FULEIA for 21 Moorfields.</p> <p>Recommendation</p> <p>I RECOMMEND THAT</p> <p>a) Members delegate to the Director of the Built Environment the authority to agree the final terms of the proposed Section 106 agreement relating to the re-provision of City walkway access to Moorfields Highwalk</p> <p>b) subject to the completion of the Section 106 Agreement referred to above and detailed in paragraphs 8 and 9 of this report, Members resolve to waive the Secretary of State's Crossrail Assurance of December 2005 (the 'Assurance') regarding provision of continuous access to the foot of the escalators and staircase adjacent to Moorgate station entrance and to vary the resolutions of the Court of Common Council dated 26th May 1977 to remove the escalator access to Moorfields Highwalk so as to exclude the area shown hatched on the City Walkway Variation Plan No. CWVP-01-12 Rev.PO1.2 in accordance with the resolution set out in Appendix 1 to this report.</p> <p>c) Members authorise the Director of the Built Environment to insert an appropriate date for the coming into force of the resolution to vary the resolutions of the Court of Common Council dated 26th May 1977.</p>	

Main Report

Background

1. On 26 May 1977 the Court of Common Council resolved to declare as City Walkway the escalator route providing access from Moorfields (adjoining Moorgate Station) to Moorfields Highwalk.
2. During the passage of the Crossrail Act 2008 the City (while supporting Crossrail in principle) petitioned in respect of various concerns where additional assurances were sought to protect important public interests. One concern related to access to Moorfields Highwalk.
3. To address this concern the Secretary of State undertook in December 2005 (Crossrail Assurance No. 85) that: *“The Promoter will require the nominated undertaker to use reasonable endeavours to provide continuous pedestrian access to the foot of the escalators and staircase adjacent to Moorgate station entrance, which lead up to Moorgate Highwalk. The access route will be protected from the works through the positioning of the hoarding line, but will be altered from time to time depending on the particular stage of site works. On conclusion of construction, the existing access route will be reinstated”* (“The Assurance”)

Current Position

4. After the Assurance was given the Crossrail proposals altered in that it was proposed to remove the existing stair and escalator and re-provide them nearby. Those proposals have been approved by the City under Crossrail Act Schedule 7 (approval to plans & specifications Ref. 11/00312/XRAIL). However, although discussions have taken place between Crossrail and the City to agree a revised wording to the Assurance to reflect the consented scheme, the Assurance has not been updated to reflect the new proposals. No steps have yet been taken to rescind the City Walkway status of the escalator so as to enable its removal.
5. A further consideration has evolved more recently due to the proposed redevelopment of 21 Moorfields (ref: 14/01179/FULEIA). If that development proceeds promptly any escalator which is re-provided by Crossrail in accordance with the scheme approved under Schedule 7 of the Crossrail Act (referred to in paragraph 4 above) would need to be removed as the current Crossrail design does not meet the levels proposed by the 21 Moorfields development. The prompt commencement of the 21 Moorfields development would also mean the top of the proposed Crossrail escalators would be blocked by hoarding from as early as June 2015 for the duration of demolition and construction of the 21 Moorfields development.
6. Crossrail has therefore requested that to avoid the risk of substantial wasted costs to the Crossrail project and public purse (the escalator cost being estimated at some £250,000 to £500,000), the City agrees to waive the Assurance and instead rely upon Section 106 covenants to re-provide the access linked to the Moorfields Highwalk.

Issues

7. It is acknowledged that it is appropriate to work with Crossrail as far as possible to avoid wasted costs to the Crossrail Project. However, if re-provision of the Moorfields Highwalk access is left solely to covenants linked to the 21 Moorfields redevelopment, the re-provision may be deferred indefinitely if for any reason the redevelopment does not proceed. It is acknowledged that there will be significant commercial pressures on a developer who has acquired a site to commence and complete redevelopment as promptly as possible. However, it is considered that the City should nevertheless ensure that if the redevelopment does not commence promptly, the escalator re-provision and reinstatement of access from Moorfields to Moorfields Highwalk should proceed independently of any redevelopment of 21 Moorfields.

Proposals

8. It is therefore proposed that the City agrees to waive the Crossrail Assurance in respect of continuous access subject to prior completion of a section 106 Agreement to be entered into with all parties with interests in the affected land, to secure that the replacement escalators and staircase shall be satisfactorily installed and commissioned as part of the redevelopment of 21 Moorfields (as illustrated in Appendix 4). In the event that development of 21 Moorfields has not commenced by 30 January 2016 Crossrail will under the terms of this agreement be obliged to install an escalator and stair as permitted under Crossrail Act Schedule 7 (to a detailed design and specification first approved by the City), as soon as practicable and no later than the end of November 2016. (The Agreement also would also include additional protective provisions such as to secure satisfactory maintenance of the escalators))
9. It would also be proposed to rescind the City Walkway status of the existing escalator in order to allow its removal to commence on or before 30 January 2016 subject to additional section 106 covenants to secure the re-declaration as City Walkway of the new access to Moorfields Highwalk, and the mitigation measures in respect of the alternative routes identified at paragraph 16.
10. In the event that the 21 Moorfields redevelopment commences prior to 30 January 2016 the arrangements for re-provision of the access to Moorfields Highwalk will be secured as part of wider arrangements for the demolition and re-provision of Moorfields Highwalk. This will be the subject of a separate report. The Schedule 7 scheme and the longer term proposals integral to the 21 Moorfields redevelopment are illustrated at Appendix 4.
11. Agreement from the Secretary of State will be required for the waiver of the Assurance, prior to completion of the s106 Agreement.

Evaluation

12. The Crossrail Project requires the demolition of the existing escalator and stair to commence on or before 30 January 2016 otherwise the programme for the new ticket hall will be delayed. Therefore if the 21 Moorfields development has not commenced by 30 January 2016, Crossrail would at that time instruct their contractor to commence the manufacture of the replacement escalator and the

fit out of the stairs. This would leave only a period of 3 months during which the access from Moorfields to Moorfields Highwalk was unavailable. A stair access would be provided in 3 months (i.e. by 30 April 2016), and a full replacement escalator set could be provided within 10 months of this date (i.e. 30 November 2016), should the 21 Moorfields development not commence. There are alternative routes shown in Appendix 2.

13. If the 21 Moorfields redevelopment has commenced by 30 January 2016, the access to Moorfields Highwalk (and Moorfields Highwalk itself) would be temporarily closed for an estimated period of circa 3.5 years from that date. It would benefit the Crossrail Project to begin demolition of the existing escalator as soon as the existing access to Moorfields Highwalk is closed as part of the redevelopment. It is estimated by Crossrail that this would also enable the ticket hall to be completed three months earlier than currently programmed. The waiver of Crossrail's obligations in the Assurance could therefore take effect from this earlier date.
14. The timelines for the re-provision of access to Moorfields Highwalk in the various circumstances described in this report (i.e. (i) The current position with the Assurance in place; (ii) the position where the Assurance is waived and 21 Moorfields does not commence by January 2016; and (iii) position where the Assurance is waived, Moorfields Highwalk is closed for the 21 Moorfields development, and that development commences by January 2016) are illustrated in the "Comparative Timelines" chart at Appendix 5 of this report.
15. The proposals involve residual risk that if, after commencement of the redevelopment of 21 Moorfields progress stalls, the re-provision of the access to Moorfields Highwalk (and, more fundamentally, re-provision of Moorfields Highwalk itself) is delayed. It is proposed that prior to recommending to your committee any rescission of the City Walkway status of Moorfields Highwalk to allow its demolition, further section 106 covenants would be negotiated to provide as much comfort as possible as to timely re-provision of Moorfields Highwalk. The further section 106 Agreement would also provide for alternative at-grade access through the development site in the event of construction stalling following demolition down to ground level. Details will be set out in the further report on this element as mentioned in paragraph 10, above.

Consultation

16. A summary of consultation carried out by Crossrail and the developers of 21 Moorfields (Land Securities) with the Barbican Association has been provided by them and is annexed at Appendix 3. In addition, this report has been circulated to representatives of Barbican residents, and any comments received will be reported verbally to your committee.

Equalities Impacts

17. The City access officer advises that loss of continuity of the staircase and escalator access to Moorfields Highwalk will involve longer alternative routes, most significantly between Barbican Highwalk and Moorgate Station. The alternative routes which will be available at various stages are shown at Appendix 2. Those

with mobility difficulties are likely to be particularly negatively affected by the longer routes. There could also be an additional period when there is stair access from Moorgate Station (Moorfields entrance) but no escalator access, such that the longer alternative routes to other lift or escalator access points will still be required by people who cannot use the stairs. In the event of 21 Moorfields proceeding promptly, the longer routes would be required in any event to enable that redevelopment to proceed. The additional routes are estimated to add up to 10 minutes to journey times from Barbican Highwalk to Moorgate Station. The closing of the escalator access to the Highwalk could also create navigational difficulties for those with visual impairments and those with learning difficulties. Both these groups of people often familiarise themselves with a single route to help navigate between one place and another. The introduction of alternative, unfamiliar routes, could cause stress and impede access, particularly in this case due to the length and complexity of the alternative routes. It is noted that long term improvements to routes will be achieved by both the Crossrail redevelopment and the 21 Moorfields scheme, and that the recommendation will assist improved efficiency and economy to the Crossrail project by waiving the requirement for a potentially abortive escalator to be provided. It is proposed that during the works the alternative routes will be clearly signed to show non-stepped access routes and using RNIB clear sign design guide. In addition, Crossrail will be required to ensure that their worksite hoardings leave adequate width along the alternative routes of no less than 2000mm. Subject to those mitigation measures being in place the impacts are considered acceptable.

Conclusion

18. The residual risk is considered manageable and proportionate given the significant potential saving to the Crossrail project costs, and the commercial incentives for the development to proceed promptly once commenced. The period allowed for commencement of 21 Moorfields is considered a suitable compromise which provides adequate opportunity for Crossrail and the developer of 21 Moorfields to put the redevelopment proposals in place, while also ensuring that if that does not occur in a reasonable period, access to Moorfields Highwalk is re-provided and not deferred indefinitely pending commencement of the redevelopment.

Background Papers: City Walkway Declaration 26 May 1977 and Variation 20 March 2012; Crossrail Assurance No. 85

Contact: Deborah Cluett tel: 0207 332 1677
Deborah.cluett@cityoflondon.gov.uk

Appendices: 1. Draft City Walkway Resolution and Plan; 2. Alternative Routes; 3. Consultation Summary; 4. Illustrations of Proposed Replacement Access; 5. Comparative Timelines.



RESOLUTION OF THE PLANNING AND TRANSPORTATION COMMITTEE

(under powers delegated to them by the Court of Common Council on 19th July 2001)

DATED **day of** **201**

WHEREAS the Mayor and Commonalty and Citizens of the City of London acting by the Planning and Transportation Committee pursuant to the delegation to that Committee specified above (hereinafter called "the City") are authorised by Section 6 of the City of London (Various Powers) Act 1967 (hereinafter called "the Act") **BY RESOLUTION TO DECLARE** any way or place in the City of London appearing to the City:

- (i) to be laid out or otherwise suitable for a City Walkway within the meaning of Section 5 of the Act,
- (ii) to which access is available directly from a street or another way or place which is a City Walkway, and
- (iii) which is laid out or rendered suitable for a City Walkway in accordance with one of the provisions specified in subsection (1) of the said Section 6.

TO BE A CITY WALKWAY as from such date as may be specified in such resolution

AND WHEREAS the City are further authorised by the said Section 6, by resolution, to vary or rescind any resolution declaring a City Walkway.

AND WHEREAS it appears to the City that the resolutions made by them on the 26th May 1977 (hereinafter called the "1977 Resolution") should be further varied to exclude the area shown hatched on the drawing attached hereto and numbered CWVP-01-12 Rev: PO1.2 as "Area of City Walkway To Be Discontinued."

NOW THEREFORE the City in pursuance of Section 6(5) of the Act by resolution **HEREBY VARIES the 1977 Resolution** to exclude the way or place described in the Schedule on and after the (DATE OF RESOLUTION TO BE INSERTED)

THE SCHEDULE

ALL THAT way or place more particularly shown hatched on the said drawing number CWVP-01-12 Rev: PO1.2 as “Area of City Walkway To Be Discontinued” being the escalator leading from Moorfields to Moorfields Highwalk.

Dated the day of 201_

THE COMMON SEAL OF THE MAYOR
AND COMMONALTY AND CITIZENS
OF THE CITY OF LONDON
was hereunto affixed in the presence of:-

Authorised Officer
Guildhall, London, EC2P 2EJ

ALTERNATIVE ROUTES

CONSULTATION SUMMARY PROVIDED BY CROSSRAIL AND LAND SECURITIES

Appendix 4

ILLUSTRATIONS OF NEW ACCESS PROPOSALS

Appendix 5

COMPARATIVE TIMELINE