



## Open Spaces and City Gardens

**Date:** MONDAY, 2 JUNE 2014

**Time:** 2.30pm

**Venue:** COMMITTEE ROOM - 2ND FLOOR WEST WING, GUILDHALL

**Members:** Deputy Alex Deane  
Deputy Robert Howard  
Wendy Mead  
Barbara Newman  
Jeremy Simons  
Deputy Michael Welbank  
Alderman Gordon Haines (Ex-Officio Member)  
Virginia Rounding (Ex-Officio Member)  
George Abrahams  
Alderman Ian Luder  
Verderer Peter Adams (Ex-Officio Member)

**Enquiries:** **Natasha Dogra**  
[natasha.dogra@cityoflondon.gov.uk](mailto:natasha.dogra@cityoflondon.gov.uk)

Lunch will be served in the Guildhall Club at 1pm

**John Barradell**  
Town Clerk and Chief Executive

# AGENDA

## Part 1 - Public Agenda

1. **APOLOGIES**
2. **DECLARATIONS BY MEMBERS OF ANY PERSONAL AND PREJUDICIAL INTERESTS IN RESPECT OF ITEMS ON THIS AGENDA**
3. **COURT ORDER**  
To receive the Order of the Court of Common Council from 1<sup>st</sup> May 2014.  

(Pages 1 - 2)
4. **ELECTION OF CHAIRMAN**  
To elect a Chairman in accordance in Standing Order 29.  

**For Decision**
5. **ELECTION OF DEPUTY CHAIRMAN**  
To elect a Deputy Chairman in accordance in Standing Order 30.  

**For Decision**
6. **MINUTES**  
To agree the public minutes of the previous meeting.  

**For Decision**  
(Pages 3 - 10)

## Open Spaces

7. **THE CITY OF LONDON OPEN SPACE STRATEGY-DRAFT SUPPLEMENTARY PLANNING DOCUMENT**  
Report of the Director of Open Spaces.  

**For Decision**  
(Pages 11 - 16)
8. **ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014**  
Report of the Remembrancer.  

**For Information**  
(Pages 17 - 22)
9. **ALDGATE REPORT**  
Report of the Director of the Built Environment  

**For Decision**

**City Gardens**

10. **SUPERINTENDENT'S UPDATE**  
The Superintendent of Parks and Gardens to be heard.

**For Information**

11. **SMOKEFREE PLAYGROUNDS COMMITTEE**  
Report of the Director of Community and Children's Services/Director of Open Spaces

**For Decision**  
(Pages 61 - 72)

12. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

13. **URGENT ITEMS**

**Part 2 - Non-Public Agenda**

14. **EXCLUSION OF THE PUBLIC**  
MOTION: That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part I of Schedule 12A of the Local Government Act.

**For Decision**

15. **NON-PUBLIC MINUTES**  
To agree the non-public minutes of the previous meeting.

**For Decision**  
(Pages 73 - 74)

16. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

17. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREE SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**

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WOOLF, Mayor	<b>RESOLVED:</b> That the Court of Common Council holden in the Guildhall of the City of London on Thursday 1st May 2014, doth hereby appoint the following Committee until the first meeting of the Court in April, 2015.
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## OPEN SPACES & CITY GARDENS COMMITTEE

1. **Constitution**  
A Non-Ward Committee consisting of,
  - eight Members elected by the Court of Common Council, at least one of whom shall have fewer than five years' service on the Court at the time of their appointment
  - the following ex-officio Members:-
    - the Chairman and Deputy Chairman of the Epping Forest & Commons Committee
    - the Chairman and Deputy Chairman of the Hampstead Heath, Highgate Wood & Queen's Park Committee
2. **Quorum**  
The quorum consists of any five Members.
3. **Membership 2014/15**
  - 4 (4) Wendy Mead
  - 4 (4) Michael Welbank, M.B.E., Deputy
  - 4 (3) Alexander John Cameron Deane, Deputy
  - 2 (2) Jeremy Lewis Simons M.Sc., *for three years*
  - 2 (2) Robert Picton Seymour Howard, Deputy
  - 2 (2) Barbara Patricia Newman, C.B.E.
  - 4 (1) Ian David Luder, B.Sc.(Econ.), Alderman
  - 2 (1) Graeme Martyn Smith

Together with the ex-officio Members referred to in paragraph 1 above.

4. **Terms of Reference**  
To be responsible for:-
  - (a) **Open Spaces**  
dealing with, or making recommendations to the Court of Common Council where appropriate, all matters relating to the strategic management (eg. policy, financial and staffing) of the City of London Corporation's open spaces where such matters are not specifically the responsibility of another Committee; and
  - (b) the appointment of the Director of Open Spaces (in consultation with the Port Health and Environmental Services Committee);
  - (c) **City Open Spaces**  
the management and day-to-day administration of the gardens, churchyards and open spaces in the City under the control of the Common Council, together with Bunhill Fields Burial Ground;
  - (d) arrangements for the planting and maintenance of trees and other plants and shrubs in open spaces and in footpaths adjacent to highways in the City;
  - (e) advising on applications for planning permission relating in whole or in part to the gardens, churchyards or open spaces in the City under the control of the Common Council; and
  - (f) the functions of the Common Council under the Local Government (Miscellaneous Provisions) Act 1976 to make safe by felling, or otherwise, dangerous trees in the City generally on receipt of notices served on the City of London Corporation in the circumstances set out in Section 23 of the Act and where trees are in danger of damaging property.

*Barradell*

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**OPEN SPACES AND CITY GARDENS  
Tuesday, 8 April 2014**

Minutes of the meeting of the Open Spaces and City Gardens held at Committee Room - 2nd Floor West Wing, Guildhall on Tuesday, 8 April 2014 at 11.30 am

**Present**

**Members:**

Alderman Ian Luder (Chairman)  
Deputy Alex Deane (Deputy Chairman)  
Wendy Mead  
Barbara Newman  
Jeremy Simons  
Graeme Smith  
Deputy Michael Welbank  
Alderman Gordon Haines (Ex-Officio Member)  
Virginia Rounding (Ex-Officio Member)

**Observers:**

Verderer Peter Adams (Epping Forest & Commons Committee)  
Catherine Bickmore (West Ham Park Committee)  
Tony Ghilchik (Hampstead Heath, Highgate Wood & Queen's Park Committee)

**Officers:**

Alistair MacLellan	- Town Clerk's Department
Lucy Frazer	- Town Clerk's Department
Alison Elam	- Group Accountant, Chamberlain's Department
Deborah Cluett	- Assistant City Solicitor, Comptroller and City Solicitor's Department
Sue Ireland	- Director of Open Spaces
Martin Rodman	- Superintendent of Parks & Gardens
Jennifer Allott	- Open Spaces Departmental Business Manager
Louisa Allen	- City Gardens Manager
Patrick Hegarty	- Open Spaces Technical Manager
Bob Meldrum	- Assistant Director, City Surveyor's Department
Roger Adams	- Senior Principal Surveyor, City Surveyor's Department

**1. APOLOGIES**

Apologies were received from Deputy Robert Howard.

**2. DECLARATIONS BY MEMBERS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA**

There were no declarations

3. **MINUTES**

**RESOLVED** – that the minutes of the meeting dated Monday 17 February be approved as a correct record subject to Deputy Stanley Ginsburg and Virginia Rounding being removed from the list of Members present.

**Matters Arising**

**Dog Control Orders**

The Director of Open Spaces updated the Committee on the progress of the Anti-Social Behaviour, Crime and Policing Bill that was currently going through Parliament, noting that the report considering the application of Dog Control Orders (DCOs) under the bill would come to the Committee for consideration in June 2014.

**Epping Forest Emergency Plan**

The Director of Open Spaces noted that she was awaiting confirmation from the City Surveyor's Department that the Epping Forest Emergency Plan had been completed and a rehearsal arranged with the London Borough of Waltham Forest. She committed to getting confirmation on the issue as soon as possible.

4. **OUTSTANDING ACTIONS**

The Committee received a list of outstanding actions.

**RECEIVED**

5. **OPEN SPACES DEPARTMENT BUSINESS PLAN 2014-2017**

The Open Spaces Department Business Manager introduced a report of the Director of Open Spaces on the Open Spaces Department Business Plan 2014-17. She outlined some of the strategic objectives for 2014/15, including a review of City Churchyard management arrangements and the rollout of the Open Spaces visual identity. She noted that the rollout of the new identity had commenced with the recent publication of the Epping Forest Diary 2014/15 and would continue with the forthcoming publication of the Hampstead Heath Diary on 14 April 2014.

She went on to draw the Committee's attention to the one page summary of the business plan, which had been drawn up at the request of frontline staff. She concluded by noting that the departmental risk register had also been included in the plan, and that a new strategic risk had been added to the register concerning the impact of anti-social behaviour across the City's Open Spaces at the request of staff from West Ham Park.

Two observers attending the committee expressed concern that the Business Plan was being presented to the other open spaces management committees for information only, with one observer commenting that that this represented a 'top down' approach rather than a 'bottom up' approach to formulating policy and priorities. In response the Chairman agreed that policy was best informed by a bottom up approach and this was reflected in the fact that many of the strategic objectives within the plan before the Committee had been included after having been identified by the various open spaces management committees throughout the previous year. The Director of Open Spaces confirmed that staff across the open spaces were involved in informing

the business plan to ensure local issues were addressed effectively, and that the plan was submitted to the Open Spaces and City Gardens Committee ahead of the wider open spaces management committees to avoid delay in its timely adoption.

The two observers went on to express concern that the plan referenced projects involving Wanstead Flats and both a West Ham Park café, and the West Ham Park Nursery, despite these projects not having been discussed by the Epping Forest & Commons and the West Ham Park Committees, respectively. In reply the Chairman noted that the projects referred to were at a very early stage in the City of London's project procedure, and were by no means confirmed. He added that it was necessary to reference them in the business plan should it be determined that they were to proceed. In response to a suggestion from an observer, officers agreed to amend reference to West Ham Park Café as a 'feasibility study'.

In response to a suggestion from a member, the Open Spaces Department Business Manager agreed to reference the Hampstead Heath STEM education project to the Hampstead Heath Ponds Project strategic objective.

In response to a request from a member for consistency in terminology throughout the document, the Director of Open Spaces noted that the current plan represented a condensed version of what had been a much larger and unwieldy document and no doubt explained the inconsistency in terminology between what had previously been different papers and reports— she commended the hard work of the Open Spaces Department Business Manager in achieving this reduction and further noted that the document would be reviewed and amended further in future years as appropriate.

In response to comments from an observer and a member, the Chamberlain replied that the inconsistency in figures listed in the financial information section of the plan arose from the use of estimated figures. The Business Manager confirmed the end of year figures would be used.

#### **RESOLVED –**

- That the Open Spaces Department Business Plan 2014-17 be approved;
- That key projects and performance indicators be subject to quarterly reports to be submitted to the Open Spaces and City Gardens Committee.

#### **6. OPEN SPACES ANNUAL REPORT**

The Open Spaces Department Business Manager introduced a report of the Director of Open Spaces on the Open Spaces Annual Report. She noted that currently the annual report cost £8,000 to produce each year and yet, generally, 300 copies of the 500 printed overall were not used. Therefore three options were proposed within the report, with the recommendation being that option B be adopted - an A5-sized 12 page document be produced capable of containing a single side insert detailing annual performance highlights. This would produce a saving of £16,000 over three years.

The Chairman welcomed the report, recognising the scope that existed for achieving a saving whilst making the production and distribution of the report more efficient, particularly given the important role of digital media.

A member commented that a hardcopy annual report had its uses, given it served as useful promotional material that could be handed out at events. He therefore endorsed option B. Another member concurred, but suggested that whilst size of the overall publication be reduced, the same proportion and quality of visual images be retained. A further member welcomed option B, and suggested that whilst it was useful to have portrait photographs of the Director of Open Spaces and her Superintendents within the report, arguably portrait photographs of Chairmen were not required given the shelf-life of the document and the fact Chairmen were replaced according to three year cycles.

The Chairman agreed with the members' comments, noting that option B represented the best of both worlds in securing circulation and savings. A member added that officers could put some more creative thought into ensuring the report was circulated as widely as possible.

#### **RESOLVED –**

- That the current Annual Report production process be replaced by 'Option B' - an introductory document with a shelf life of three years, of A5 size and 12 pages. The new introductory document would be supplemented by a single page insert, to be produced annually, detailing annual performance highlights and financial data.

#### **7. PRESENTATION - OPEN SPACES HEALTH AND SAFETY ACCIDENT REPORTING**

The Director of Open Spaces presented an update to the Committee on Health and Safety Accident Reporting across the Open Spaces Department. She made the following points:

- The number of reported injuries during 2013/14 had remained static compared to previous years, but the number of reported 'near-misses' had increased. This was because of improved reporting processes and greater awareness among staff.
- Examples of incidents reported included staff knee ligament injury (Hampstead Heath), a member of the public breaking their hip (Epping Forest) a contractor damaging underground cabling (West Ham Park) a contractor causing a Mobile Elevated Working Platform (MEWP) to sink into soft ground (City of London Cemetery) and a fatality (Hampstead Heath).
- Staff at Epping Forest were to be congratulated for their work to increase the reporting of 'near-misses'.
- 'Near-misses' were commonly associated with vehicles and poor work practice or equipment handling. Examples included a carabineer-failure resulting in the supply contract being cancelled (City Gardens) and a

contractor cutting roof tiles using power equipment whilst balanced on a step ladder (Epping Forest).

- Information from the last quarter included a vehicle accident (City of London Cemetery), a volunteer scratching an eye on a branch (City Commons) contractor commencing works before given approval and health and safety clearance (West Ham Park) and a staff member being threatened with a knife (West Ham Park).
- Each case reported is investigated locally and then reported to the Open Spaces Technical Manager to be shared across the other open spaces divisions as appropriate. Incidents are then discussed and reviewed at regular departmental health and safety meetings.
- Recent changes to reporting processes included the creation of distinct categories for physical and verbal abuse, and for assault; and 'near-misses' now being differentiated from damage to property.

The Chairman thanked the Director for her presentation and welcomed the fact that there was evidence for better reporting. He expressed concern at the level of incidents of physical and verbal abuse of staff and requested that liaison take place at open spaces sites with the local police.

## 8. SUPERINTENDENT'S UPDATE

The City Gardens Manager provided an update on recent activity across the City Gardens and made the following points:

### **Finance**

The City Gardens budget was in line with agreed budget profiles.

### **Staff**

A new assistant gardener would join the team at the end of April 2014.

### **Gardens**

#### *John Carpenter Street – Blackfriars*

A new green landscaping area comprising hedging and trees had been installed using funding from J.P. Morgan.

#### *St Andrews-Holborn*

The garden was now closed and demolition work had now been completed. Hard landscaping would begin shortly and soft landscaping would commence in September 2014.

#### *Fenchurch Plaza*

A new landscaped area had been created outside Fenchurch Street Station, with hedging and trees to be installed shortly.

#### *Bury Court*

A small landscaped area near St Mary Axe (the Gherkin), including two trees, had been created.

*World War I Remembrance*

A poppy wildflower mix had been planted on 25 March 2014 in St Paul's Cathedral Garden by the choir school.

**Friends of City Gardens and Volunteer Activities**

*Roof Top Survey*

A roof top survey of City Gardens would take place on 27 April and 11 May beginning at 0400, overseen by Dusty Gedge and the Friends of City Gardens – ten City rooftops would be included in the survey.

*Planting Workshop*

The Friends would be undertaking herb planting on 27 April in the containers located on Fann Street.

*Open Squares Weekend 14/15 June*

The Friends would be running a plant stall and selling tea and coffee in Postman's Park as well as organising a heritage quiz at Bunhill. The City of London Guides would also be running tours of the Gardens aimed at families and young people.

*Barbican Station*

A 'pop up' vegetable garden would be planted in June 2014 by the Friends on a disused platform at Barbican station. The project was organised in partnership with Transport for London, and the planters had been designed pro bono by Gensler, the international landscape company. The planters would be constructed of recycled building material and sponsorship was currently being sought.

*City in Bloom*

The Friends were currently leading on a City in Bloom campaign on behalf of the City Gardens.

9. **LITTER MANAGEMENT IN THE CITY'S OPEN SPACES**

The City Gardens Manager introduced a report of the Director of Open Spaces on the trial replacement of litter bins in the City Gardens with recycling bins February 2013 - February 2014.

She noted that overall the trial had been a success, with some issues identified that included some contamination of recyclable waste with non-recyclable waste, increased loading times, and half-loads during winter months.

*Deputy Michael Welbank departed at this point of the meeting.*

In response to a question from a member, the City Gardens Manager replied that an acceptable level of contamination of recyclable waste with non-recyclable waste was around 5%-7%.

**RECEIVED**

10. **OPTIONS APPRAISAL - ST OLAVE'S CHURCHYARD, HART STREET, EC3**  
The Open Spaces Technical Manager introduced a report of the Director of Open Spaces on options for the renovation of St Olave's Churchyard in Hart Street. He noted that option 1 (total funding requirement £66,000) was the preferred option.

The Chairman referenced the contribution to be made to the project by the Church and noted that an additional recommendation further to those detailed in the report – to grant the Town Clerk delegated authority to enter into an agreement with the Church authorities – would need to be resolved by the Committee.

**RESOLVED –**

- That Option 1 be approved for progression to Gateway 5
- That authority be delegated to the Town Clerk, in consultation with the Chairman and Deputy Chairman, for the City Solicitor to enter into an agreement with the Church authorities in order to carry out the improvement works on Church land.

11. **SENATOR HOUSE GARDEN, EC4 - DELEGATED AUTHORITY REQUEST**  
The Open Spaces Technical Manager introduced a report of the Director of Open Spaces. The Chairman welcomed the report and suggested that the Committee seek to utilise the £24,000 goodwill payment from AG Senator House GP Ltd as seed funding for a City Gardens endowment fund, to secure the financial maintenance of the City Gardens in the longer term. He requested therefore that a report outlining the feasibility of such a fund be submitted to a future meeting of the Committee.

**RESOLVED –**

- That delegated authority be granted to the Town Clerk, in consultation with the Chairman and Deputy Chairman, to approve the terms of a transaction and the detailed re-landscaping proposals, once they can be reported that will enable the developer to undertake renovations to Senator House Garden at no cost to the City.
- That officers prepare a report for a future meeting of the Committee on the potential to use the £24,000 goodwill payment as seed funding for a City Gardens maintenance endowment fund.

12. **PROVISIONAL ADDITIONAL WORKS PROGRAMME 2015/16**  
The City Surveyor introduced a report on proposed bids for the Additional Works Programme 2015/16, noting that the bids for 2015/16 totalled £171,700.

**RESOLVED –**

That the contents of the report be noted.

**13. QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

There were no questions.

**14. URGENT ITEMS**

There were no urgent items.

**15. EXCLUSION OF THE PUBLIC**

**RESOLVED** – that under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part I of Schedule 12A of the Act:

**Item(s) 18-20**

**Paragraph(s) 3**

**16. NON-PUBLIC MINUTES**

**RESOLVED** - That the non-public minutes of the meeting held on 17 February 2014 be approved as a correct record.

**17. ST PAUL'S CATHEDRAL GARDEN - MOBILE REFRESHMENT FACILITY TRIAL PERIOD**

The Committee considered a report of the Director of Open Spaces.

**18. DECISIONS TAKEN UNDER DELEGATED AUTHORITY OR URGENCY POWERS - RENNIE GARDEN**

The Committee received a report of the Town Clerk.

**19. QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

There were no questions.

**20. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREE SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**

There was no other business.

**The meeting ended at 12.37 pm**

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Chairman

**Contact Officer: Alistair MacLellan**  
**alistair.maclellan@cityoflondon.gov.uk**

# Agenda Item 7

<b>Committee:</b>	<b>Date:</b>
Open Spaces and City Gardens Committee	02 June 2014
Planning & Transportation Committee	10 June 2014
<b>Subject:</b>	<b>Public</b>
The City of London Open Space Strategy—draft Supplementary Planning Document	
<b>Report of:</b>	<b>For Decision</b>
The Director of Open Spaces	

## **Summary**

This report sets out the background and production of a draft City of London Open Space Strategy, attached at Appendix 1. It lists the ten key strategic objectives that seek to address current and future open space provision and sets out the proposed process for public provision and the timetable therein.

Members are asked to agree to the draft City of London Open Space Strategy being made available for public consultation to allow its adoption as a Supplementary Planning Document within the City of London Local Plan.

Following consultation, any proposed changes to the draft SPD will be brought back to Committee for approval and for formal adoption as a Supplementary Planning Document.

## **Recommendation**

Members are asked to:

- Approve the draft text of the City of London Open Space Strategy Supplementary Planning Document, appended at Appendix 1, for public consultation.

## **Main Report**

### **Background**

1. The City of London produced its first Open Space Strategy in 2008 as a direct response to The Mayor's London Plan (2004). The Strategy was undertaken using the Mayor of London's best practice guidance to preparing Open Space Strategies, which reflected government guidance set out in Planning Policy Guidance (PPG) 17.

2. The National Planning Policy Framework (issued in 2012) has replaced all of the Planning Policy Guidance documents, but paragraph 73 indicates that "planning policies should be based on robust and up to date assessments of the need for open space...". There remains, therefore, a need to prepare an Open Space Strategy and keep this updated through regular monitoring and auditing of open spaces. This draft Strategy has been prepared using the general principles adopted in the City of London Open Space Audit. March 2012 and guidance issued by the Commission for Architecture and the Built Environment (CABE) and the Mayor of London in 2009 to assist London Boroughs in preparing Open Space Strategies.

3. The preparation of the draft Open Space Strategy has been an opportunity to review and build on the previous 2008 Strategy and to set a framework for the improvement and long term sustainability of existing and future spaces.
4. CABE's guidance suggests the following should be included:
  - A comprehensive audit of all open space
  - Assessments of local needs and the value of existing open space, including for cultural, educational, structural, amenity, health and biodiversity value
  - Protection by appropriate designation
  - Prioritisation of investment to address identified needs and deficiencies
  - Identification of opportunities for improving access to and the accessibility of open spaces, particularly by promoting transport, cycling, walking and improving access and facilities for disabled people
  - Identification of opportunities for improving linkages between open spaces and the wider public realm

### **Producing the OS Strategy**

5. In March 2012, a detailed audit was undertaken of all open spaces in and around the City, both public and private. The audit sought to establish the existing supply of open space by identifying the amount of different types of spaces. Additional open spaces which are already approved and financially committed through the Section 106 planning obligations were also taken into account, to give a more thorough picture of the supply of open space in the City.
6. The supply of open space was then weighed against the demand based on daytime population and variation of spread across different zones of the City. This allowed for an assessment of need to be drawn up against the quantitative, qualitative and spatial needs identified by the audit. Finally, a vision for open space in the City is proposed, drawing on the above supply, demand and assessment of need. This vision provided a reference for the development of a strategy, based on 10 key strategic themes. Delivery mechanisms were then identified in order to implement the Strategy and a five year Delivery Plan is proposed to guide delivery over the short and medium terms.

### **Proposals**

7. The 10 strategic themes underpinning the Strategy are:
  - Maintain and increase public access to existing open spaces and enhance the quality of these spaces, in terms of both design and management.
  - Increase the amount of high quality publicly accessible open space in order to maintain the existing City-wide ratio of 0.06 ha per 1000 week day day-time population and focus efforts on creating additional publicly accessible open space in the east area of the City, particularly in the Eastern Cluster and the Aldgate area.

- Ensure that all open spaces are designed and managed to be safe and accessible to all and, where appropriate, enabling opportunities for different activities at different times of the day and year.
  - Provide, where appropriate, additional play opportunities (including equipped play areas) that are accessible to all, including disabled children, in existing and new spaces.
  - Ensure that existing and new spaces make a positive contribution to the biodiversity value of the City through appropriate plant choice and habitat creation.
  - Ensure that enhanced and additional open spaces accord with high standards of sustainable and inclusive design, construction and management and take account of the potential changes to City's climate, particularly the urban heat island effect.
  - Increase the provision of private and communal residential amenity space (balconies and roof terraces) and communal amenity space for office workers (including indoor and outdoor gardens) in appropriate locations.
  - Effectively manage the temporary loss of any open space during the construction of projects and ensure that a high quality open space is established as soon as possible following the necessary works.
  - Manage open spaces to recognise their potential contribution to the improved health and well-being of City and wider communities.
  - Increase public awareness and understanding of the different types of open space in and around the City and encourage the City's communities to make the most of open spaces and to help maintain and improve them.
8. At all stages throughout the production process, the Strategy has taken into account the unique nature of the City environment and the challenges faced when trying to fit our spaces (and their needs) into a generic countryside strategy template.

### **Financial Implications**

9. The Strategy recognises the challenges faced by the City in the current fluctuating financial climate and seeks to address these in a realistic way. It recognises that Open Spaces revenue budgets are fully committed and consequently improvements can only occur if new and innovative ways of securing finance are explored, including through S106 planning obligations and the Community Infrastructure Levy (CIL). The revenue implications of the Strategy are therefore budget neutral.

### **Community Strategy & Other Significant Implications**

10. The production of an Open Space Strategy fulfils key requirements highlighted within the City's Local Plan, notably Core Strategy Policy CS19: Open Spaces and Recreation. Good quality open spaces improve the health of the City's communities and create a pleasant environment which encourages businesses to locate in the City.

11. The provision of high quality open space in the City supports a wide number of key City of London policies and objectives contained within the core objectives of the City of London Community Strategy:

**...is competitive and promotes opportunity**

*To facilitate the opportunity for exemplary, innovative inclusive and sustainable design which respects and enhances the distinctive character of the City.*

**...protects, promotes and enhances our environment**

*To reduce our impact on climate change and how to improve the way we adapt to it.*

*To continue to minimise noise, land and water pollution and improve air quality where this is possible.*

*To conserve and enhance biodiversity.*

**...is safer and stronger**

*To strengthen the City's third sector to further meet the needs of our communities and promote volunteering.*

## **Consultation**

12. Throughout the preparation of the draft Strategy, key internal stakeholders have been consulted through meetings, emails and phone conversations. The next step is to take the draft Strategy out to a wider audience, thus fulfilling the formal consultation stage of its production and enabling it to be adopted as a Supplementary Planning Document. Consultation will be undertaken in accordance with the Duty to Co-operate and the City's Statement of Community Involvement and will include:

- Residents, through 'roadshow' events such as the Transport Sustainability Forum, Guildhall resident consultation events, and House Group/Estate forums;
- City of London Members;
- Other City of London key stakeholder departments;
- Garden users, through an 'advertising campaign' on noticeboards, e newsletters and through the extensive database of contacts that have expressed interest in the City Gardens over many years (held by the City Gardens section), also through hard copies of the draft Strategy deposited at the City libraries;
- Key organisations and agencies throughout the industry such as CABE and the GLA;
- Contacts within neighbouring boroughs.

13. It is proposed that consultation takes place over the summer, from June to September 2014, with the aim of collating and incorporating comments and reporting back to the Open Spaces Committee and the Planning & Transportation Committee in October with a final draft for adoption.

### **Conclusion**

14. The completion and adoption of a comprehensive revised City Open Space Strategy will ensure that the City is strategically managing its open space portfolio in accordance with regional and national good practice.
15. It also offers an opportunity to clearly set out our aims, objectives and policies on open space in the City in order to help safeguard our existing spaces and ensure that all opportunities to increase provision can be properly considered in the context of a long term strategy.

### **Background Papers:**

*Appendix 1: Draft City of London Open Space Strategy SPD June 2014*

### **Contact:**

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Lisa Russell, Planning Officer  
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# Agenda Item 8

<b>Committee:</b>	<b>Date:</b>	<b>Item no.</b>
Epping Forest and Commons Hampstead Heath, Highgate Wood and Queen's Park Open Spaces and City Gardens West Ham Park	12 <sup>th</sup> May 2014 19 <sup>th</sup> May 2014 2 <sup>nd</sup> June 2014 2 <sup>nd</sup> June 2014	
<b>Subject:</b> Anti-social Behaviour, Crime and Policing Act 2014	<b>Public</b>	
<b>Report of:</b> Remembrancer	<b>For Information</b>	
<p style="text-align: center;"><b><u>Summary</u></b></p> <p>This Report informs the Committee of a legislative change which will allow the Common Council to exercise new powers to tackle anti-social behaviour (including powers relating to the control of dogs) in the City Corporation's open spaces.</p> <p>The Anti-social Behaviour, Crime and Policing Act 2014 creates the Public Spaces Protection Order, which may be used by local authorities to curtail activities which have a detrimental effect on public spaces in their areas. As a result of discussions with the Government, provision was included in the Act to enable the Secretary of State to designate the Common Council and other custodians of open spaces as bodies additionally entitled to make these Orders.</p> <p>Use of this provision will enable the Common Council to make Public Spaces Protection Orders in the open spaces outside the City. Infringements of the Orders will be criminal offences punishable by a fixed penalty notice of £100, or a fine of £1,000 on summary conviction.</p> <p>The Common Council's power to make Dog Control Orders will cease after the changes come into effect, although existing Dog Control Orders will continue in force for a period of three years.</p> <p><b>Recommendation:</b></p> <p>The Committee is invited to receive this report.</p>		

## **Main Report**

### **Introduction**

1. The Anti-social Behaviour, Crime and Policing Act 2014 reforms the powers available to local authorities, the police and other bodies to tackle anti-social behaviour. It replaces nineteen existing instruments with a simpler framework of six broad remedies. Among the new remedies is the Public Spaces Protection Order. This will enable local authorities to prohibit or restrict activities which have a detrimental effect on public spaces in their areas.

### **Background**

2. The instruments to be abolished by the Act include the Dog Control Order. The legislation which introduced these Orders allows the Secretary of State to designate bodies other than the local authority as “secondary authorities” for the control of dogs in relation to particular land. Secondary authorities are permitted to make Dog Control Orders where the local authority for the area has not done so. The Common Council was designated in 2012 as a secondary authority in relation to most of the open spaces managed by the City Corporation outside of the City.
3. The possibility that Dog Control Orders might be abolished first became apparent in July 2012. Following a report of the Director of Open Spaces, Members authorised officers to engage with the Government in order to protect the Corporation’s ability to control dogs in its open spaces. Accordingly, discussions were entered into with departmental officials to explore the possibility of making the new powers in the Act available to bodies in the position of the Corporation. Amendments were eventually tabled in the House of Lords by arrangement with the former M.P. for the City, Lord Brooke of Sutton Mandeville.
4. Following the debate on the amendments tabled by Lord Brooke, the Government accepted the case and brought forward a new clause. Accordingly, the legislation in its final form includes a power for the Secretary of State to designate a body other than a local authority as capable of making Public Spaces Protection Orders in relation to any public space over which that body has an existing power to make byelaws. The Government intends to designate the Common Council under this provision in respect of the open spaces outside the City.

## **Public Spaces Protection Orders**

5. Public Spaces Protection Orders may be made in relation to activities carried on (or likely to be carried on) in a public place, which are reasonably considered to have a detrimental effect on the quality of life in the locality. This effect must be persistent or continuing in nature, and must be such as to make the activity unreasonable. The Orders may restrict activities through prohibition or the imposition of requirements, although these restrictions may not go beyond what is reasonable and justified in relation to the detrimental effect sought to be tackled. For bodies designated under the new provision described above, the Orders may only restrict activities which are within the scope of the body's pre-existing byelaw-making powers.
6. Consultation with the police and community representatives must be undertaken before a Public Spaces Protection Order is made. A designated body will additionally have to consult with the local authority for the area. Requirements of publicity will be laid down in regulations at a later date. The Orders will have effect for periods of up to three years, but may be renewed indefinitely for so long as they are considered to be necessary.
7. Breach of a Public Spaces Protection Order will be a criminal offence punishable by a Level 3 fine (currently £1,000). Alternatively, a fixed penalty notice of up to £100 may be issued by a constable or by an authorised officer of the authority which made the Order. While the Order is in force, any local byelaws which apply to the same activity will cease to have effect.
8. Public Spaces Protection Orders made by local authorities will generally take precedence over those made by designated bodies in relation to the same subject-matter and area. However, it will be open to any body with byelaw-making powers over land (such as the Common Council) to exclude generally the jurisdiction of the local authority to make Public Spaces Protection Orders, without affecting its own ability to make such Orders (if designated for that purpose).

## **Application to the City Corporation**

9. In relation to spaces within the City, the Common Council will be able to make Public Spaces Protection Orders simply in its capacity as a local authority. The new provision which has been secured will additionally allow the Common Council (as a designated body) to make Orders in relation to the open spaces outside the City, to the same extent as it can presently make

byelaws. The power will be similar in form to the existing power to make Dog Control Orders, but will cover a comprehensive range of anti-social behaviour, and not just that concerned with dogs.

10. Byelaw-making powers are exercised over all of the Corporation's open spaces that are managed under statutory authority (although not those held by the Corporation simply as a private landowner). It is considered that the various byelaw-making powers are wide enough to encompass most of the types of activity which might have a persistent or continuous detrimental effect on the quality of life in the locality, and which are therefore within the scope of the new order-making power.
11. It is anticipated that Public Spaces Protection Orders could be used on a case-by-case basis to tackle those problems which the current byelaws do not cover or have proved inadequate to address. The principal advantages of the Orders over byelaws are three-fold. First, no approval from the Government is needed before a Public Spaces Protection Order comes into effect, meaning that they can be used to respond more flexibly to developing problems. Second, fixed penalty notices can be issued for infringements of an Order, which is often likely to prove a more convenient and effective means of enforcement than prosecution in the magistrates' court. Third, infringements of an Order will potentially attract a higher penalty than is normal for infringements of byelaws, leading to a greater deterrent effect.
12. As with Dog Control Orders, Public Spaces Protection Orders made by the Common Council in relation to the open spaces outside the City will give way to any corresponding Orders made by the local authority for the area. This is subject to the Common Council's entitlement to exclude altogether the jurisdiction of the local authority in relation to a given area of land.

### **Commencement**

13. The new power is expected to come into force in October this year. It is understood that a period of six months after that date will be given to finalise any Dog Control Orders already under consideration, after which the Common Council's power to make Dog Control Orders will cease. Any Dog Control Orders applicable to the Corporation's open spaces at that time will continue in force for a further period of three years, after which they will be treated as if they were Public Spaces Protection Orders. The Common Council will during this period retain the ability to vary or revoke any Dog Control Orders previously made by it.

## **Consultation**

14. The Director of Open Spaces has been consulted in the preparation of this report.

## **Recommendation**

15. The Committee is invited to receive this report.

## **Background papers**

- Reports of the Remembrancer on the Anti-social Behaviour, Crime and Policing Bill:
  - Police Committee, 5<sup>th</sup> July 2013;
  - Policy and Resources Committee, 25<sup>th</sup> July 2013.
- Report of the Director of Open Spaces on Dog Control Orders:
  - Epping Forest and Commons Committee, 9<sup>th</sup> July 2012;
  - Hampstead Heath, Queens Park and Highgate Wood Committee, 23<sup>rd</sup> July 2012;
  - Open Spaces, City Gardens and West Ham Park Committee, 23<sup>rd</sup> July 2012.

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# Agenda Item 9

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	
<b>Subject:</b> Aldgate Highway Changes and Public Realm Improvement Project	<b>Gateway 4/5 Options review and Authority to Start Work</b>	<b>Choose an item.</b>
<b>Report of:</b> <b>Director of the Built Environment</b>		<b>For Decision</b>
<b><u>Summary</u></b>		
<b><u>Dashboard</u></b>		
<ul style="list-style-type: none"> <li>• Project Status: Green</li> <li>• Timeline: Gateway 4/5</li> <li>• Total Estimated Construction Cost: £17.1M - £19.5M</li> <li>• Spend and Commitments to Date: £3.3M (62% TfL and 38% S106)</li> <li>• Overall Project Risk: Green</li> </ul>		
<p>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.</p>		
<p>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.</p>		
<p>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</p>		

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 Minories 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: £ 156k

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.

#### **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 Member 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**

<b>1. Design summary</b>	<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 changes to allow two-way traffic on Minories by early 2015. If we are unable to meet this deadline, TfL is likely to exercise its</p>
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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 wayfinding sign is replaced with a smaller sign;
- Existing York paved footway with associated levels and drainage on 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 Specification **excludes** the following features:

- Pedestrians/accessibility improvements to Leadenhall

	<p>Street / Fenchurch Street junction;</p> <ul style="list-style-type: none"> <li>• Handrail lighting;</li> <li>• No walkway lighting at all;</li> <li>• Tree uplighting and uplighting to School façade;</li> <li>• Play budget reduced;</li> <li>• Western Space Urilift;</li> <li>• Cheaper luminaires;</li> <li>• Various measures to reduce long-term highway maintenance costs;</li> <li>• Shared footway on Middlesex Street;</li> <li>• Courtesy crossings at India Street / Minorities and at Haydon Street / Minorities; and</li> <li>• Church Garden water feature.</li> </ul> <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><b>2. Delivery team</b></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><b>3. Programme and key dates</b></p>	<ul style="list-style-type: none"> <li>• Main Works: July '14 - December '16;</li> <li>• Eastern Space: November '14 – May '15;</li> <li>• Western Space: March '16 – February '17; and</li> <li>• Pavilion Building: March '16 – June '17.</li> </ul> <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><b>4. Outstanding risks</b></p>	<p>The key risks faced by the project are listed below.</p>

	<ul style="list-style-type: none"> <li>• 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;</li> <li>• 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 with 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;</li> <li>• 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</li> <li>• The consultant undertaking the Structural design has been delayed, so this element of design has yet to be finalised and a figure of £1.32M (medium or high specification) has been allowed as a 'worst case scenario' sum. Officers are meeting urgently with the consultant to progress these works.</li> </ul>
<p><b>5. Budget</b></p>	<p><b>Capital Cost</b></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 bidding in competition.</p>

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 £7.8M 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 £156k 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>
<b>6. Success criteria</b>	<ul style="list-style-type: none"> <li>• Creation of the public square and improvement of the appearance/amenity of the area;</li> <li>• Enlivened, well utilised spaces;</li> <li>• Improved perception of safety for pedestrians;</li> <li>• Improvement of mobility (for all modes) through the area;</li> <li>• Improved potential for development of disused sites;</li> <li>• Reduced road danger; and</li> <li>• Improved satisfaction rates for all users of the streets and spaces.</li> </ul>
<b>7. Progress reporting</b>	<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

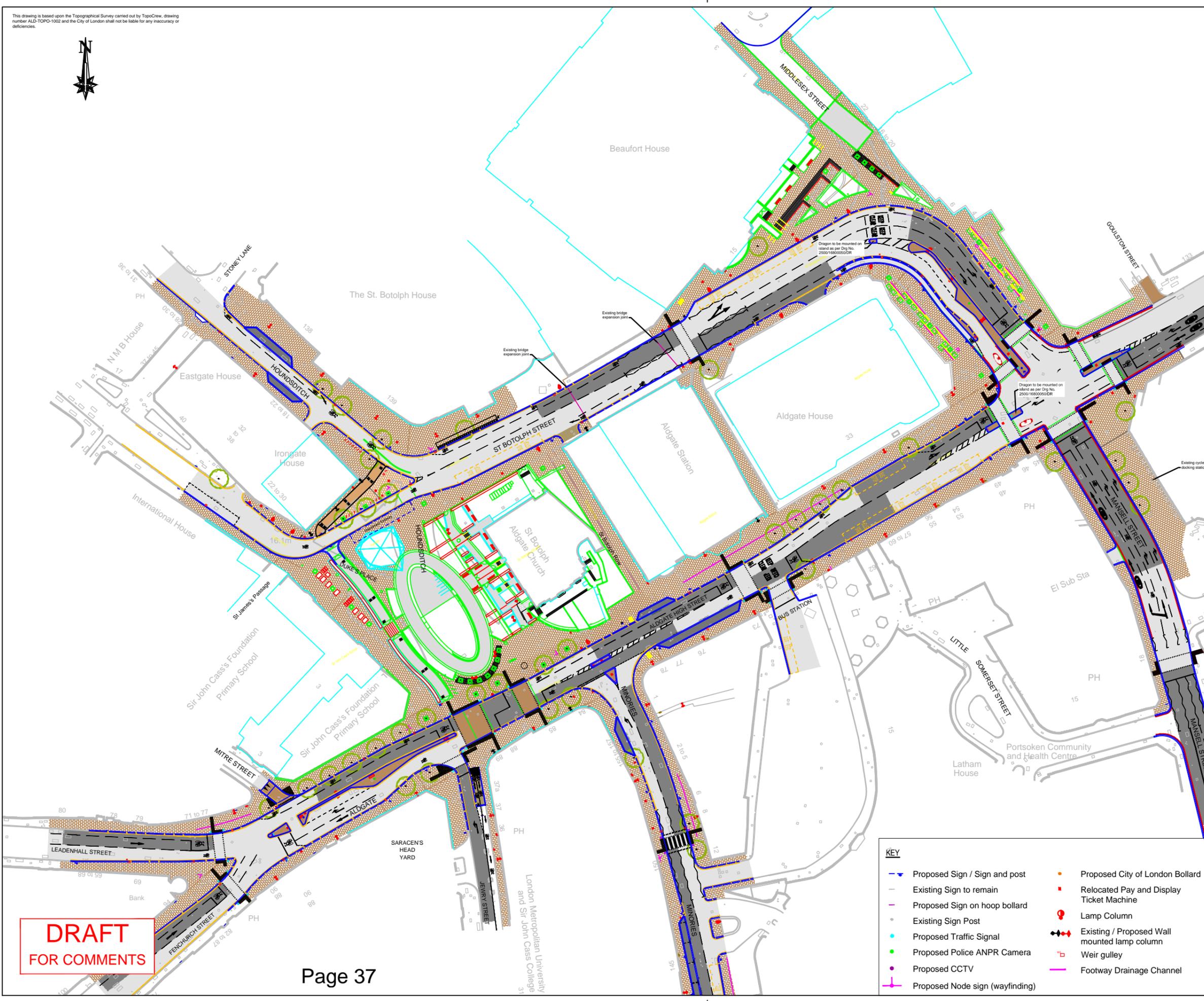
<b>Appendix A</b>	Stakeholder Workshop Results
<b>Appendix B</b>	Scheme Drawing
<b>Appendix C</b>	Pavilion Building
<b>Appendix D</b>	Events Programme
<b>Appendix E</b>	Key Differences Between Options
<b>Appendix F</b>	Consents, Permissions and Orders Required
<b>Appendix G</b>	Sources of Funding
<b>Appendix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

### Contact

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<b>Telephone Number</b>	020 7332 3564

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This drawing is based upon the Topographical Survey carried out by TopoCrew, drawing number ALD-TOPO-1002 and the City of London shall not be liable for any inaccuracy or deficiencies.



**Notes:**

1. No information to be scaled from this drawing.
2. Works shall comply with the current City of London Specification for Highway works.
3. All road markings refer to the "Traffic Signs Regulations and General Directions 2002". Refer to drawing number 1200/16800050/RM
4. This drawing is to be read in conjunction with all relevant drawings
5. The Contractor will be held responsible for any damage caused to private highways and privately owned street furniture.

Rev No.	DATE	DESCRIPTION_2	BY
		DESCRIPTION_2	
		DESCRIPTION_2	
		Revision	

**ALDGATE GYRATORY**

**General Arrangement**

**CLIENT:**  
**HIGHWAY DESIGN AND CONSTRUCTION**  
 DEPARTMENT OF THE BUILT ENVIRONMENT  
 PO BOX 270  
 GUILDHALL  
 LONDON  
 EC2P 2EJ  
 TEL: 020 7606 3030

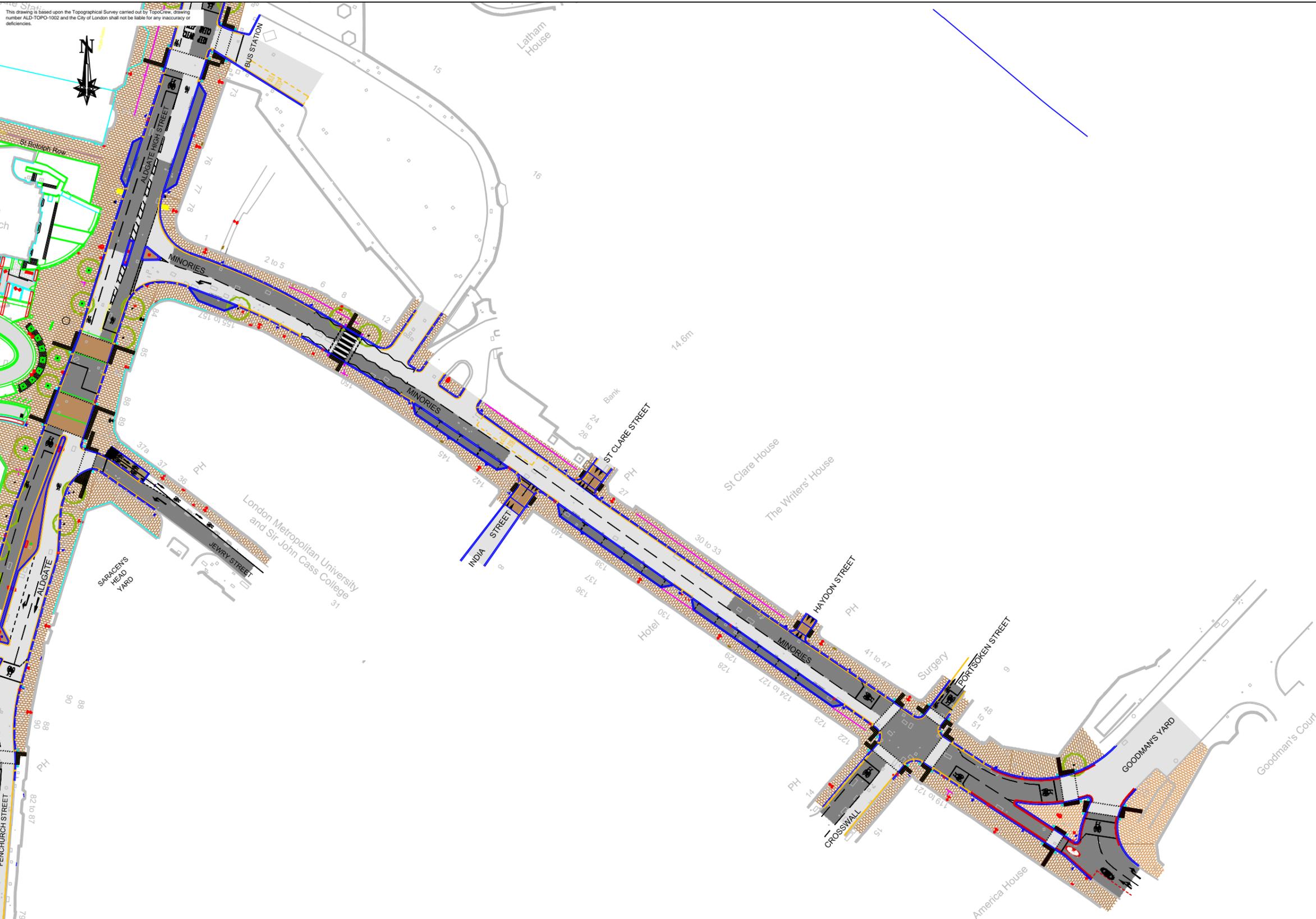


**KEY**

Proposed Sign / Sign and post	Proposed City of London Bollard
Existing Sign to remain	Relocated Pay and Display Ticket Machine
Proposed Sign on hoop bollard	Lamp Column
Existing Sign Post	Existing / Proposed Wall mounted lamp column
Proposed Traffic Signal	Weir gulley
Proposed Police ANPR Camera	Footway Drainage Channel
Proposed CCTV	
Proposed Node sign (wayfinding)	

**DRAFT FOR COMMENTS**

SHEET: SHEET 1 of 1	<p>THIS MAP IS REPRODUCED FROM ORDNANCE SURVEY MATERIAL WITH THE PERMISSION OF ORDNANCE SURVEY ON BEHALF OF THE CONTROLLER OF HER MAJESTY'S STATIONERY OFFICE © CROWN COPYRIGHT 2006. ALL RIGHTS RESERVED. UNAUTHORISED REPRODUCTION INFRINGES CROWN COPYRIGHT AND MAY LEAD TO PROSECUTION OR CIVIL PROCEEDINGS. CITY OF LONDON 100023243 2008.</p>	
Date: 2014		
Designed by: JR		
Checked by: BM		
Scale & Drawing Size: --	Revision: --	Drawing No: 100/16800050/GA7-D



This drawing is based upon the Topographical Survey carried out by TopoLine, drawing number ALD-TOPO-1002 and the City of London shall not be liable for any inaccuracy or deficiencies.

- Notes:**
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Rev No.	DATE	DESCRIPTION	BY
-	-	DESCRIPTION_2	-
-	-	DESCRIPTION_2	-
Revision			By

TITLE:  
**ALDGATE GYRATORY**

TITLE:  
**General Arrangement**

CLIENT:  
**HIGHWAY DESIGN AND CONSTRUCTION**

DEPARTMENT OF THE BUILT ENVIRONMENT  
PO BOX 270  
GUILDHALL  
LONDON  
EC2P 2EJ  
TEL: 020 7606 3030

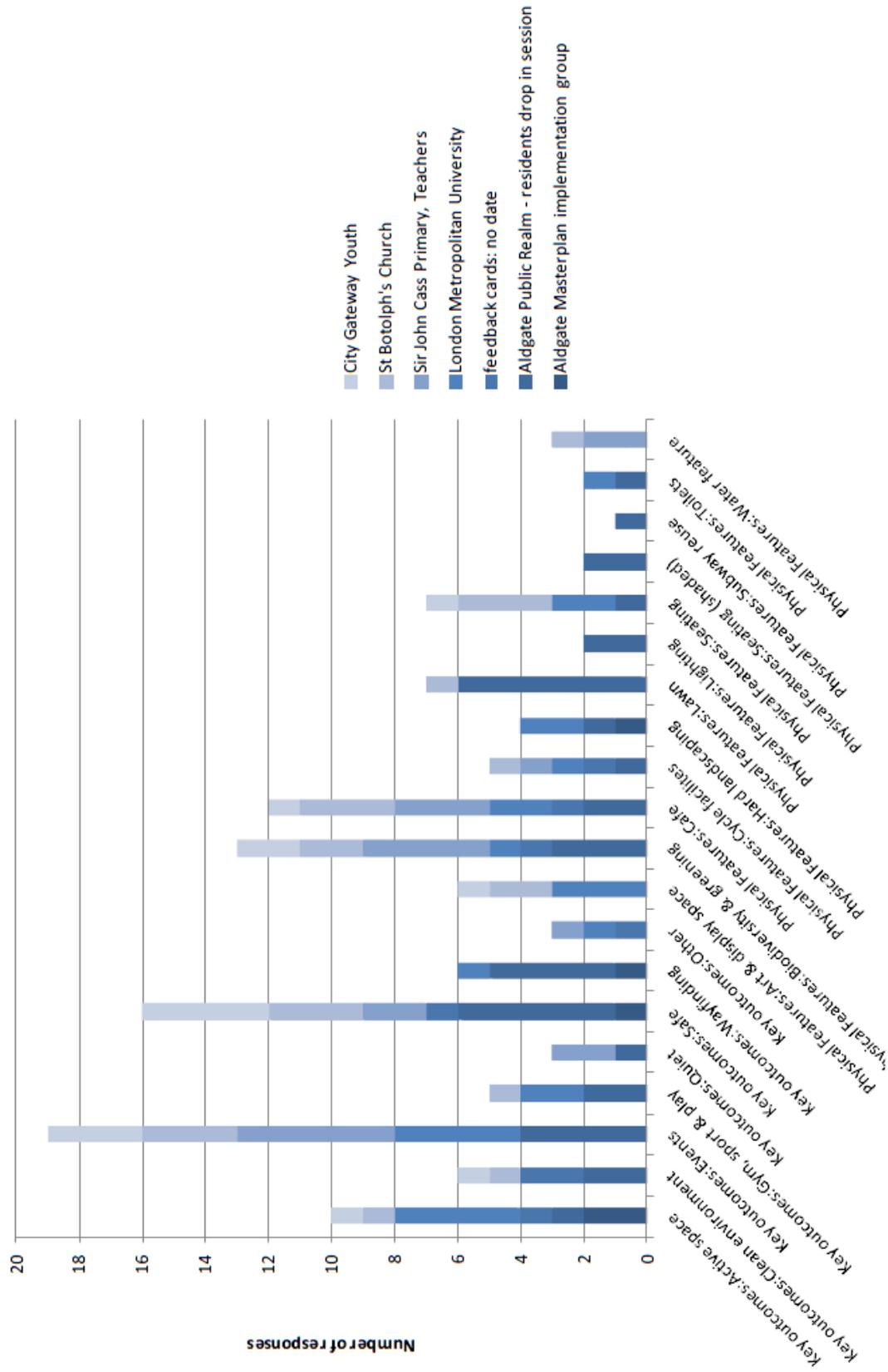


- KEY**
- Proposed Sign / Sign and post
  - Existing Sign to remain
  - Proposed Sign on hoop bollard
  - Existing Sign Post
  - Proposed Traffic Signal
  - Proposed Police ANPR Camera
  - Proposed CCTV
  - Proposed Node sign (wayfinding)
  - Proposed City of London Bollard
  - Relocated Pay and Display Ticket Machine
  - Lamp Column
  - Existing / Proposed Wall mounted lamp column
  - Weir gully
  - Footway Drainage Channel

**DRAFT FOR COMMENTS**

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Date: 2014	
Designed by: JR	
Checked by: BM	
Scale & Drawing Size: --	Revision: --
Drawing No: 100/16800050/GA7-D	

# APPENDIX A – Workshop Results



Summary of Consultation Responses (excluding the Sir John Cass Primary Pupils)

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## Appendix B – Scheme Drawing

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## Appendix C - Pavilion Description



The reconfiguration of the Aldgate Gyratory system will create a new public space between St Botolph's Without Church and Sir John Cass's Foundation Primary School. It is proposed to site a pavilion at the north end of the park to provide a café and community space. This facility is important to the success of the area as a recreational amenity which is welcoming and appealing to a wide range of users. It offers opportunities for more passive enjoyment of the new space, as well as providing natural surveillance and a base and meeting point for community events. By encouraging the fullest possible use and enjoyment of the new space, for the widest possible variety of activities, its benefits to the local community can be maximised. The risks of anti-social behaviour can sometimes be associated with public realm which is under-used, or monopolised by one section of the community. With the introduction of this pavilion these risks can be minimised. In addition, the pavilion will itself be a striking and attractive feature which contributes to the enhancement of the amenity.

Following the success of the visitor information centre at St Pauls there was a desire to create a family of these pavilions around the City which would help identify the 'brand' of the City of London. Make, who were the architects for the St Paul's Pavilion, were therefore commissioned to design the pavilion.

In the early stages of design development, before Make's involvement, the concept was for a small kiosk offering a limited range of food and drink. As the design developed it was recognised that a larger building providing a wider range of food and drink would better serve the space and the local workers and residents. The brief therefore developed to a building with a footprint of 140m<sup>2</sup> containing a server, back of house facilities, staff facilities and toilets that would also be available for public use.

The concept that Make has developed is the pavilion as a piece of origami made up of a series of planes draped on to the square with a high degree of transparency between the solid planes. Unlike the earlier pavilion which had only to face St Pauls Cathedral this one has to address a series of views and directions from which users may approach the building.

The initial design was for a symmetrical building with all the facilities in it. However it was felt that the size and massing of the building would be too visually dominant. Furthermore the inclusion of back of house facilities meant that one side of the pavilion was blank thus reducing the building's transparency and its addressing of views and entrances.

The pavilion sits over one of the existing pedestrian subways that will be blocked up as part of the Gyrotory System works. It was therefore decided to look at using this space for toilets and back of house facilities. By placing these functions in the subway it meant that it was possible to reduce the footprint of the pavilion to 105m<sup>2</sup>. Placing back of house facilities below ground meant the previously blank aspect of the building could be opened up thus enhancing transparency and addressing views and desire lines. The building was also made asymmetric.

The reduction in the footprint, the move to asymmetry and a slight relocation to better integrate with the landscape substantially reduced its visual impact to a level that was felt to be appropriate in the context of the whole development.

The current proposal is for a pavilion building with a footprint of 105m<sup>2</sup>, containing a seating area, servery, a small preparation area, storage and disabled toilet. A lift, which will be mainly for goods use, connects down to the back of house function in the re-used subway. There is also a dumb waiter for moving food and crockery between the two levels. The principle route for customers is a stair that makes a connection into the side of the existing subway.

The re-used subway contains the food preparation area which will have a small cooking facility. There will also be four unisex toilets which will also be available for use by members of the public. The staff facilities and food storage are also contained at this level.

The design has also been developed in the light of lessons learned from the St. Pauls pavilion. The construction there involved making a structural frame, waterproofing this frame and then applying a stainless steel skin to the outside. This not only produced a very deep section to the envelope but also led to a lengthy construction period.

The construction methodology has partly informed the choice of material for the Aldgate Pavilion. The steel skin is also designed to form the structure of the pavilion so the weathering skin and the structure is one integrated element. Thus that the envelope is greatly reduced and the building profile minimised. The inside of the skin will have insulation spray applied to it, which in turn will be finished with a timber lining.

Over time Cor-Ten steel develops a weathered rust coloured surface that is protective and consistent in appearance. Furthermore the weathering development can be stopped at a chosen colour by the application of a clear acrylic coating. The colour of the envelope will match the weathered red brick of the adjacent listed buildings.

The Cor-Ten steel will form an extremely robust skin to the pavilion. In the event that the skin is graffitied it is a simple matter to remove this and then apply chemicals to accelerate the weathering process so that it matches the existing. No trace will be seen of the area that has been cleaned.

Entrance doors are provided on each side in the transparent element, during summer the large sliding windows can be opened at the front of the pavilion to provide a seamless transition

between inside and outside. To reinforce this seamless transition a similar stone floor to that used externally will be used.

It is intended that the operator will be a social enterprise rather than an alternative commercial structure. To ensure alignment between the design and the expectations of an operator a number of actions have been put in place. The catering consultant who carried out the original feasibility study of the area has been commissioned to produce a detailed design of the kitchen and servery to ensure technical compliance. Industry operators have also been approached to obtain their views on the fit between design and operating requirements.

Subject to authorisation to proceed at Gateway 5 a planning submission for the pavilion will be made shortly afterwards.

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# Appendix D - Arts, Events and Play - Terms of Reference

## 1. Context

*CORE STRATEGY STRATEGIC OBJECTIVE 5: To ensure the provision of inclusive facilities and services that meet the high expectations of the City's business, resident, student and visitor communities, aiming for continuous improvement in the City's rating in satisfaction and quality of life.*

The Arts, Events and Play Working Group (AEP WG) was established in January 2014 in the context of CS5 and the ongoing community consultation process to develop the Aldgate Highway and Public Realm Improvement Scheme.

The Aldgate and Tower Area Strategy, adopted in 2011, set the following objective:

*"To create simple, attractive, safe, enjoyable and welcoming streets and public spaces that meet the needs of the City community, to offer opportunity for play, leisure, installation of public art and cultural events"*

In 2013 the public consultation on the early proposals for the Aldgate project identified events and play as a key priorities for the new spaces in Aldgate. The following three charts capture the responses received that have enabled the project team to develop the Western Space.

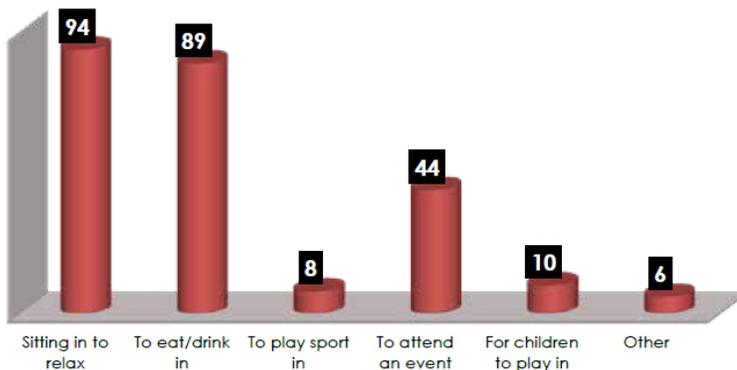
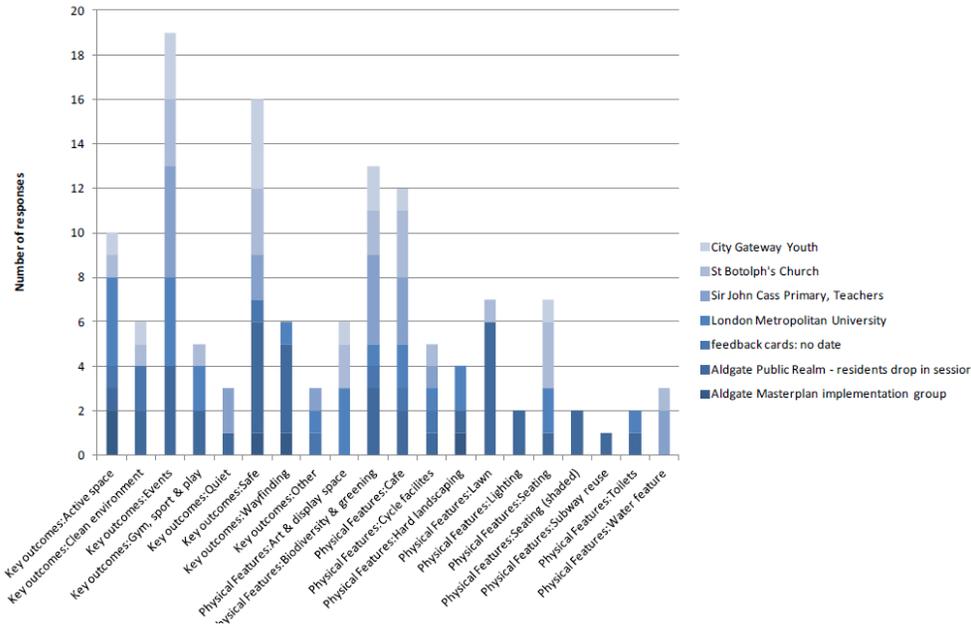


Chart 10: Potential ways respondents would use the western space.

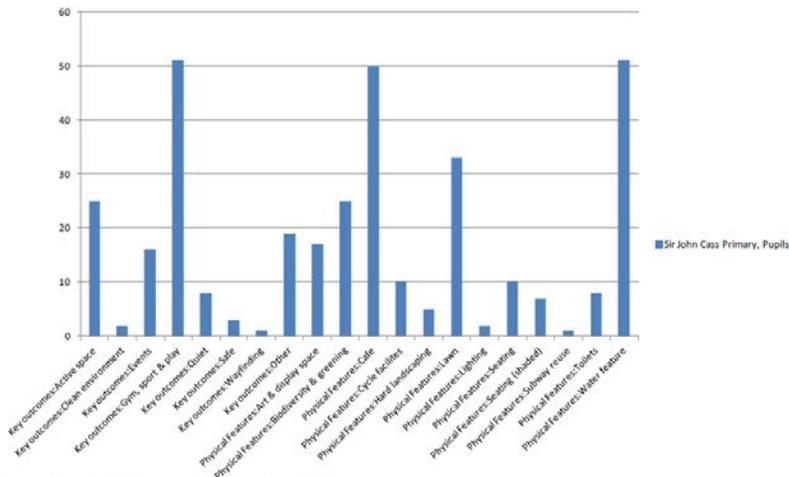
### Chart 1: Public consultation, use of the Western Space



Summary of Consultation Responses (excluding the Sir John Cass Primary Pupils)

## Chart 2: Workshop results – what do stakeholders want for the Western Space

Meetings with stakeholders, including the children at the Sir John Cass Primary school also identified strong support for play and events initiatives in the new public spaces as the chart above and the following chart demonstrates.



Summary of Consultation Responses - Sir John Cass Primary Pupils

## Chart 3: Workshop results – what do children want for the Western Space

The proposed post Gateway 5 continuation of the AEP WG is intended to establish a practical framework to achieve these objectives and priorities.

## **2. Scope and Longevity**

The AEG WG is concerned with the Aldgate and Portsoken areas. The AEG will operate for 5 years from the initiation of construction of the Aldgate Highway and Public Realm Improvement scheme.

## **3. Membership**

The membership of the AEG WG will include representation from the City of London (Members and officers) and key community stakeholders. Representation will be extended as required to meet the objectives of the AEG WG.

## **4. Chairmanship**

The Chairman will be a local ward Member from the Aldgate, Tower or Portsoken Ward.

## **5. Objectives**

The objectives of the AEP WG are as follows:

- To create and enhance community structures in the Aldgate area;
- To promote usage of the new public spaces by local residents, stakeholders and businesses;
- To develop a clear branding of Aldgate to support promotion of the area;
- To identify, commission and manage the delivery of a range of public art and play features in the Aldgate area;
- To deliver a range of events in the new public spaces and surrounding area;
- To deliver joined up initiatives around the Aldgate area;
- To identify and secure third party monies to achieve arts, events and play initiatives in Aldgate; and
- To support use of the new pavilion in Aldgate.

## **6. Purpose and Functions**

The AEP WG will have the following functions:

- To act as a strategic and coordinating forum for developing arts, events and play initiatives in Aldgate;
- To advise the Project Board on matters specifically relating to arts, events and play in Aldgate;
- To identify sources of funding and grants to support arts, culture and special events related activities in Aldgate;
- Provide leadership in, and actively promote community activities related to the arts, cultural and special events;

- Provide liaison, linkages and networks to assist community activities and organisations; and
- Ensure a joined up approach with CPAT in engaging business and the community in Aldgate.

## 7. Facilitation

The AEP WG will be facilitated by administrative and technical support from CoL officers and external resources as required. The structure of this is yet to be established; the project structure includes a Project Board with working groups reporting to the board.

## 8. Reporting

The AEP WG will report through the Aldgate Highway and Public Realm Improvement Scheme reporting structures. The AEP WG will approve an annual report to be presented to Members, attached to the six monthly project Issues Report, setting out the achieved outcomes of the groups' work. At the completion of the Aldgate project the Gateway 6 reporting process will continue, as in the case of the Eastern Cluster Arts initiative. The ongoing Gateway 6 will not only report on the AEP achievements but also on the monitoring and outcomes of the project.

## 9. Funding

The overall funding model concept is to create a basis of a self-sustaining arts, events and play programme as already demonstrated by the Eastern City Cluster arts initiative. In Aldgate, this model would seek to generate self-sustainability through:

- Event fees;
- Sponsorship from local businesses;
- Facilitating pro bono and contributions in kind; and
- Collaborative working with other local initiatives.

The City Property Advisory Team (CPAT) will be responsible for raising third party funding (including income generation, business and grant contribution) to achieve the objectives of the AEP WG. The target funding schedule (broken down by facilitation and initiative spend) is as set out in the table below:

	2014/15	2015/16	2016/17	2017/18	2018/19	GRAND TOTAL
Facilitation	£20,000	£20,000	£20,000	£20,000	£20,000	£100,000
Initiatives	£50,000	£65,000	£80,000	£95,000	£110,000	£400,000
<b>Grand Total</b>	<b>£70,000</b>	<b>£85,000</b>	<b>£100,000</b>	<b>£115,000</b>	<b>£130,000</b>	<b>£500,000</b>

Levered funding may be in cash or in contributions in kind (for example expert resources or event spaces.)

## Appendix E: Table of Cost Saving Items by Option

	High	Medium	Low
<b>Highway Changes</b>			<b>808,957</b>
Remove Leadenhall/Fenchurch junction from the project.			808,957
<b>Feature Lighting</b>		<b>131,000</b>	<b>246,000</b>
Remove lighting from churchyard handrails.			35,000
Remove uplighting from benches on Middlesex Street.		61,000	61,000
Walkway between Aldgate House and Aldgate LU station feature lighting inset into arches.		50,000	100,000
Do not light rill.		20,000	20,000
Remove uplighters to Church façade.			10,000
Remove uplighters of trees and Aldgate Avenue end wall in Eastern Space.			15,000
Remove uplighters to school facade.			5,000
<b>Reduced Amenity</b>		<b>154,496</b>	<b>298,992</b>
Reduce Play Budget			55,000
Urillift near the Eastern Space		86,496	86,496
Asphalt the inset bays along Minorities.		68,000	68,000
Urillift in the Western Space.			89,496
<b>Refining Costs</b>		<b>374,935</b>	<b>861,945</b>
Use cheaper alternative street lighting luminaires (however these are untrials and not within the scope of the existing City luminaire stock).			15,000
Remove the surfacing structural membrane in the TEZ chicane (protecting against repetitive vehicle loading at a focused alignment).			237,500
Do not refurbish the kerb, drainage pits and footway sections along the eastern side of Minorities.		128,574	128,574
Do not allow for strengthening Utility boxes.			201,510
Remove Aldgate TEZ rebuild - realigning the northern kerblines of Aldgate to accommodate trees and an EB cycle lane, but not rebuilding the central island.		188,300	188,300
Police Camera replacement Project pay for new TEZ camera on Middlesex Street (however, there is a risk that the Police Camera Replacement Project would meet the Aldgate time frames).			8,000
Shared footway so cyclists utilise footway on Middlesex Street - between St Botolph Street and the south bound ASL.			25,000
Replace inset covers with concrete covers around the gyratory within LBTH and TfL boundaries.		58,061	58,061
<b>Road Danger Reduction</b>			<b>16,772</b>
Remove courtesy crossing India Street junction with Minorities.			15,339
Remove courtesy crossing Haydon Street junction with Minorities.			1,433
<b>Water Features</b>		<b>122,000</b>	<b>190,000</b>
Remove rill, replacing it with a granite similarly shaped upstand to support the proposed lawn.		122,000	122,000
Remove Church Garden water feature.			68,000
		<b>782,431</b>	<b>2,422,666</b>

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## **Appendix F - Consents, Permissions, Orders, Agreements and Planning Permissions**

### **Planning Permissions**

#### **Eastern Space:**

1. Planning sought for the Eastern Space includes, for the City:
  - New gates and fence above 1.2m high around subway entrance under Beaufort House;
  - Removing at height planter adjacent to existing subway entrance at Middlesex Street; and
  - Removing brass look-alike structures above the subway entrances.
2. Planning sought for the Eastern Space includes, for Tower Hamlets:
  - Removing brass look-alike structures above the subway entrances; and
  - Relocating the art work 'totem'.

#### **Western Space:**

3. Planning sought for the Western Space (City only) includes:
  - New gates and fence above 1.2m high around new Church Gardens;
  - Potential for events and public art; and
  - Pavilion.

### **Faculty**

4. Faculty will be sought for changes to the Church fabric.

### **Traffic Orders**

#### **Road Traffic Regulation Act 1984 – Section 6 (delegated authority already exists):**

5. Permanent directional traffic Traffic Order – Two-way traffic, one-way traffic WB on St Botolph Street across western space and preventing motor vehicles across western space;
6. Permanent Traffic Order preventing motor vehicles across a section of Middlesex Street (requires a Section 101 of Local Government Act 1972 with LBTH);
7. Permanent Traffic Order amending waiting and loading restrictions throughout the project (requires a Section 101 of Local Government Act 1972 with LBTH);

#### **Highways Act 1980 - Section 69(1):**

8. Permanent Traffic Order preventing pedestrians entering subways.

## **Stopping-Up Orders**

### **Town and Country Planning Act - Section 247 ('Stopping Up' Order):**

9. Stop up the highway under the footprint of the pavilion and along the length of subway to be utilised by the pavilion building.
10. Stop up the highway within the International House building.
11. Stop up the highway St Botolph building.

## **Public Space Protection Order**

### **Anti-Social Behaviour, Crime and Policing Act 2014 – Section 55(1) [Public Space Protection Order (PSPO)]:**

12. Protection Order has similar effect that a Gating Order would have. The Home Office have agreed that this is an appropriate use of the proposed legislation.

## **Agreements**

### **Local Government Act 1972 - Section 101:**

13. Tower Hamlets.
14. TfL.

### **Highways Act 1980 - Section 8:**

15. Tower Hamlets.
16. TfL.

### **Subway Maintenance Agreement:**

17. Rescind existing agreement that will no longer be required.

## **Other Powers**

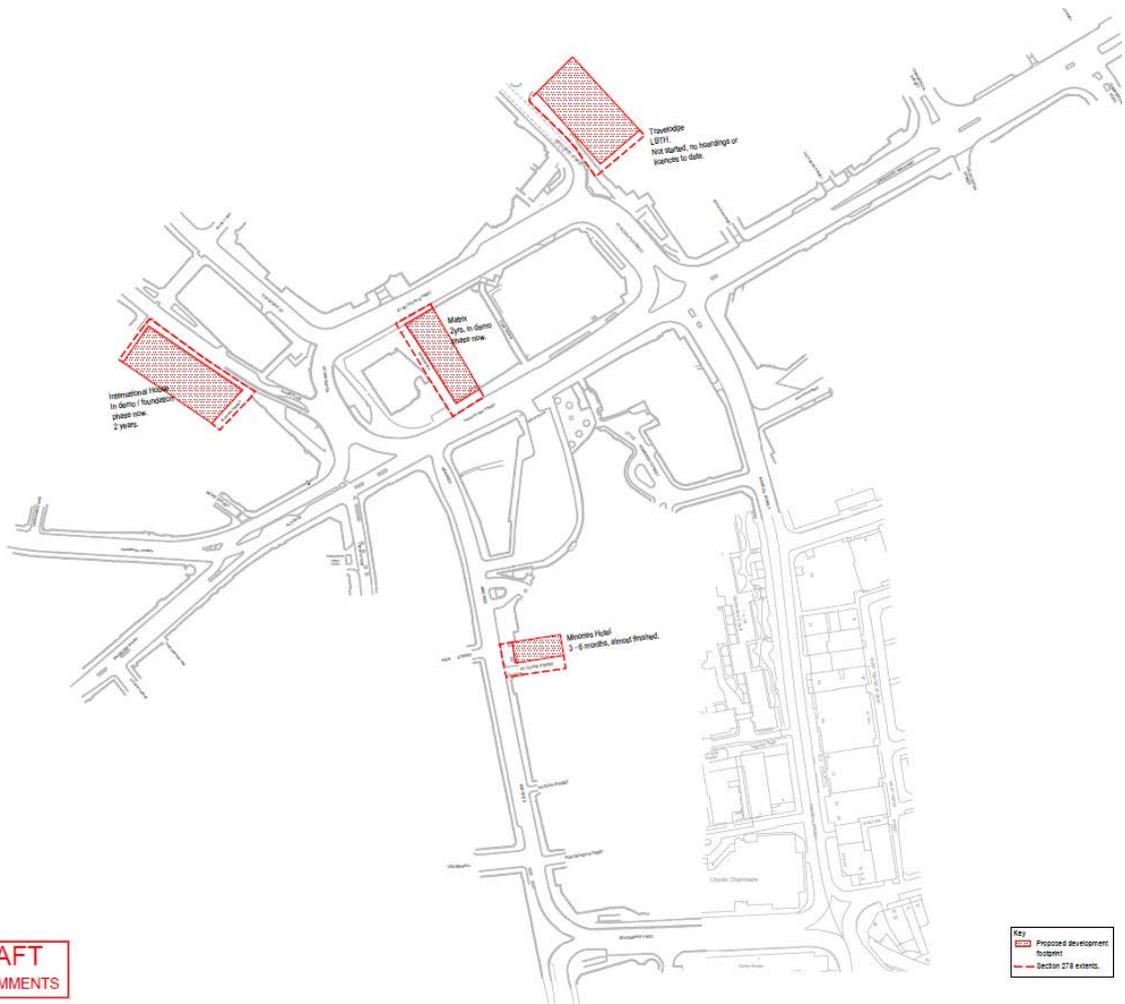
### **Highways Act 1980 - Section 13:**

18. Declassify the section of carriageway under the western space.

### **Traffic Management Act 2004 – Section 61(4):**

19. Remove the section of carriageway under the western space from the SRN Order.

# Appendix H – S278 Areas



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FOR COMMENTS

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## Appendix I - Revenue Implications

Full Specification							
Department	Current	Proposed	First year Variance	5 Years	10 Years	15 Years	20 Years
Structures - Inspections	£1,500.00	£7,500.00	£6,000.00	£35,024.39	£81,873.11	£117,817.90	£181,112.46
Structures - Maintenance	£4,000.00	£4,000.00	£0.00	£20,000.00	£40,000.00	£60,000.00	£80,000.00
City Surveyors: Heritage Items	£1,788.00	£3,876.00	£2,088.00	£15,000.00	£30,000.00	£45,000.00	£60,000.00
Cleansing - Revenue	£8,000.00	£42,500.00	£34,500.00	£185,500.00	£420,000.00	£718,400.00	£1,099,700.00
Cleansing - Capital	£0.00	£0.00	£0.00	£38,500.00	£83,500.00	£167,000.00	£340,000.00
Highways	£32,335.00	£48,180.00	£15,845.00	£230,500.00	£472,400.00	£703,300.00	£970,200.00
Highways: M&E	£10,900.00	£59,650.00	£48,750.00	£290,250.00	£546,750.00	£814,750.00	£1,096,000.00
Highways: Drainage	£2,800.00	£9,800.00	£7,000.00	£47,500.00	£95,000.00	£142,500.00	£206,000.00
Open Spaces	£34,173.83	£76,932.70	£42,758.87	£398,888.29	£855,256.63	£1,404,174.00	£2,057,652.40
<b>Total</b>	<b>£95,496.83</b>	<b>£252,438.70</b>	<b>£156,941.87</b>	<b>£1,261,162.68</b>	<b>£2,624,779.74</b>	<b>£4,172,941.90</b>	<b>£6,090,664.86</b>

Medium Specification							
Department	Current	Proposed	First year Variance	5 Years	10 Years	15 Years	20 Years
Structures - Inspections	£1,500.00	£7,500.00	£6,000.00	£35,024.39	£81,873.11	£117,817.90	£181,112.46
Structures - Maintenance	£4,000.00	£4,000.00	£0.00	£20,000.00	£40,000.00	£60,000.00	£80,000.00
City Surveyors: Heritage Items	£1,788.00	£3,876.00	£2,088.00	£15,000.00	£30,000.00	£45,000.00	£60,000.00
Cleansing - Revenue	£8,000.00	£42,500.00	£34,500.00	£185,500.00	£420,000.00	£718,400.00	£1,099,700.00
Cleansing - Capital	£0.00	£0.00	£0.00	£38,500.00	£83,500.00	£167,000.00	£340,000.00
Highways	£32,335.00	£47,380.00	£15,045.00	£226,500.00	£464,400.00	£691,300.00	£954,200.00
Highways: M&E	£10,900.00	£46,400.00	£35,500.00	£226,000.00	£423,500.00	£632,750.00	£850,000.00
Highways: Drainage	£2,800.00	£9,800.00	£7,000.00	£47,500.00	£95,000.00	£142,500.00	£206,000.00
Open Spaces	£34,173.83	£76,932.70	£42,758.87	£398,888.29	£855,256.63	£1,404,174.00	£2,057,652.40
<b>Total</b>	<b>£95,496.83</b>	<b>£238,388.70</b>	<b>£142,891.87</b>	<b>£1,192,912.68</b>	<b>£2,493,529.74</b>	<b>£3,978,941.90</b>	<b>£5,828,664.86</b>

Basic Specification							
Department	Current	Proposed	First year Variance	5 Years	10 Years	15 Years	20 Years
Structures - Inspections	£1,500.00	£7,500.00	£6,000.00	£35,024.39	£81,873.11	£117,817.90	£181,112.46
Structures - Maintenance	£4,000.00	£4,000.00	£0.00	£20,000.00	£40,000.00	£60,000.00	£80,000.00
City Surveyors: Heritage Items	£1,788.00	£3,876.00	£2,088.00	£15,000.00	£30,000.00	£45,000.00	£60,000.00
Cleansing - Revenue	£8,000.00	£42,500.00	£34,500.00	£185,500.00	£420,000.00	£718,400.00	£1,099,700.00
Cleansing - Capital	£0.00	£0.00	£0.00	£38,500.00	£83,500.00	£167,000.00	£340,000.00
Highways	£32,335.00	£47,280.00	£14,945.00	£226,000.00	£463,400.00	£689,800.00	£952,200.00
Highways: M&E	£10,900.00	£43,000.00	£32,100.00	£215,000.00	£401,500.00	£599,750.00	£806,000.00
Highways: Drainage	£2,800.00	£9,800.00	£7,000.00	£47,500.00	£95,000.00	£142,500.00	£206,600.00
Open Spaces	£34,173.83	£76,932.70	£42,758.87	£398,888.29	£855,256.63	£1,404,174.00	£2,057,652.40
<b>Total</b>	<b>£95,496.83</b>	<b>£234,888.70</b>	<b>£139,391.87</b>	<b>£1,181,412.68</b>	<b>£2,470,529.74</b>	<b>£3,944,441.90</b>	<b>£5,783,264.86</b>

\* 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.

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<b>Committee(s):</b>		<b>Date(s):</b>
Health and Wellbeing Board	- For information	30 May 2014
Open Spaces City Gardens Committee	- For decision For information	2 June 2014
Community and Children's Services Committee	- For decision	13 June 2014
Housing Sub Committee	-	10 July 2014
<b>Subject:</b>	<b>Public</b>	
Smokefree Children's Playgrounds		
<b>Report of:</b>	Director of Community and Children's Services/Director of Open Spaces	<b>For Decision</b>
<b>Summary</b>		
<p>This report presents the proposal of implementing voluntary no smoking codes within children's playgrounds, for a trial period of six months, in four identified areas in the City:</p> <ul style="list-style-type: none"> <li>○ Middlesex Street estate</li> <li>○ Tower Hill Gardens</li> <li>○ Portsoken Street</li> <li>○ West Smithfield Rotunda Garden</li> </ul> <p>The key aim of smokefree children's playgrounds is to deter children and young people from smoking. The objectives include to:</p> <ul style="list-style-type: none"> <li>○ Reduce child exposure to smoking and help to decrease the number of young people starting to smoke</li> <li>○ Decrease cigarette litter such as cigarette ends, empty packets and wrappers to playgrounds more pleasant and to protect wildlife.</li> <li>○ Reduce the risk of children putting toxic cigarettes ends into their mouths</li> </ul> <p>A consultation exercise has been carried out with the public and Friends of City Gardens, which evidenced support for this initiative.</p>		
<b>Recommendation(s)</b>		
Members are asked to:		
<ul style="list-style-type: none"> <li>● Agree the smokefree children's playgrounds' proposal in principle</li> <li>● Agree the four playgrounds where the proposal should be implemented for a trial period.</li> </ul>		

## Main Report

### Background

1. The Healthy Lives, Healthy People: A Tobacco Control Plan for England, published in 2011 described what the Government would do to reduce tobacco use over the next five years.<sup>1</sup> In the plan, support is given to local communities and organisations who want to go further than the requirements of smokefree laws in creating environments free from second hand smoke, for example, in children's playgrounds, outdoor parts of shopping centres and venues associated with sports and leisure activities.
2. An increasing number of Councils in the UK are creating smokefree playgrounds. The usual mechanism is by using voluntary codes; although some Councils are considering whether seeking local regulatory powers would be practicable.
3. The benefits of stopping smoking in playgrounds have been identified as follows<sup>2</sup>:
  - To support the denormalisation of smoking
  - To reduce the risk of exposure to second hand smoke
  - To reduce smoking-related litter and the threat of cigarette ends, which are non-biodegradable and toxic to children, wildlife and the environment
  - To reduce fire risk
  - To offer the potential for increased use of parks and recreation areas
4. Children become aware of cigarettes at an early age. Three out of four children are aware of cigarettes before they reach the age of five, irrespective of whether or not their parents' smoke. However, if young people see smoking as a normal part of everyday life, they are more likely to become smokers themselves.<sup>3</sup>
5. Denormalisation of smoking is a phrase used in tobacco control to refer to the breaking down of community acceptance and tolerance for smoking.<sup>4</sup> Children, it is argued, are greatly influenced by their sense of what is normal and attractive, which is in turn influenced by the imagery and social meaning attached to different behaviours portrayed in media and youth culture.<sup>4</sup>
6. Measures which discourage the use of tobacco in premises covered by smokefree legislation and prevent smoking activity in outdoor settings, such as play areas, by means of codes or norms also have a denormalising affect by reducing the exposure that children have to smoking.

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<sup>1</sup> HM Government (2011) The Healthy Lives, Healthy People: A Tobacco Control Plan for England.

<sup>2</sup> UK Healthy Cities Network (2012) The case for smokefree children's play areas. Available at: [www.healthycities.org.uk/uploads/files/network\\_briefing\\_smokefree\\_childrens\\_play\\_areas\\_v2.pdf](http://www.healthycities.org.uk/uploads/files/network_briefing_smokefree_childrens_play_areas_v2.pdf)

<sup>3</sup> Office for National Statistics (1997), Teenage smoking attitudes in 1996.

<sup>4</sup> Hastings G and Angus K (2008), Forever cool: the influence of smoking imagery on young people. Available at: [www.management.stir.ac.uk/about-us/?a=19777](http://www.management.stir.ac.uk/about-us/?a=19777)

## Current Position

7. The City Tobacco Control Alliance meets quarterly and is responsible for overseeing a range of work streams delivering the Corporation's tobacco control priorities.
8. There are different work streams of the Alliance, two of which are to denormalise smoking and to prevent young people from starting to smoke.
9. Currently all playgrounds in the City permit smoking as they are not included within the national smokefree legislation.
10. The Alliance has identified four possible playgrounds where a voluntary code could be implemented. These playgrounds are located in:
  - a. Middlesex Street Estate
  - b. Tower Hill Gardens
  - c. Portsoken Street
  - d. West Smithfield Rotunda Garden
11. The public, residents of Middlesex Street Estate and Friends of City Gardens have been consulted on the proposals, full details in Appendix 1 and 2.
12. Implementation and communication of the proposal was discussed with the Area Manager of Middlesex Street Estate. A briefing note was posted to all residents of Middlesex Street estate detailing the proposal and asking for comments. Details were also posted on their Facebook page. No feedback has been received.
13. The Friends of City Gardens are in general favour of the proposal, however they do have some concerns; enforcement, appropriate signage and removal of litter bins. They also suggest that gardens heavily used by City workers or visitors would be better placed to implement this proposal.
14. The City Gardens Support Services Officers assisted completion of questionnaires to users in the three identified gardens. 27 questionnaires were completed. The majority of respondents are in favour of voluntary smokefree children's playgrounds, but did note issues with enforcement.
15. 89% of respondents stated it is very important/moderately important for the City of London Corporation to prevent children being exposed to second hand smoke.
16. 85% of respondents strongly agreed/agreed on a voluntary code of not smoking within the children's playgrounds. 55% strongly agreed/agreed on a voluntary code of not smoking within the entire garden.
17. 74% of respondents strongly agreed/agreed that appropriate signage would strengthen the message.
18. Half of respondents believe a voluntary code of not smoking will reduce levels of smoking in the area, however, 37% believe it will be difficult to enforce.

## Proposals

19. It is proposed that smokefree playgrounds will be implemented for a trial period of 6 months and evaluated to inform future delivery.
20. It is proposed that implementation of the smokefree playgrounds will involve:
  - a. Initial observation of smokers in the identified areas to determine a baseline for evaluation.
  - b. Development of public information resources and appropriate signage. See Appendix 3 for examples of signage.
  - c. Provision of smokefree training for gardeners and housing officers to enable them to respond to questions from the public and to signpost them to local Stop Smoking Services.
  - d. A launch of smokefree playgrounds by preparing press releases.
21. The effectiveness of the initiative is proposed to be measured by an initial observation of smokers in the identified areas before the launch of the project. This observation will be repeated after the trial period and compared.
22. The Public Health Team will work in partnership with the Area Manager for Middlesex Street Estate to ensure the initiative is communicated to all residents. Letters will be sent to all residents, as well as posters displayed in communal areas. Training of the housing officers will ensure that they are equipped to answer residents' questions.
23. This initiative will not be policed by Corporation officers. We expect it to be self policing, supported by the appropriate signage. Work elsewhere has demonstrated that smokefree outdoor areas are self-regulatory and signage acts as a simple yet powerful deterrent.

## Implications

24. Financial costs related to designing and printing the signage is estimated to total approximately £500. This funding will be allocated from the Public Health budget, managed by Community and Children's Services.

## Conclusion

26. Smokefree children's playgrounds are becoming increasingly common in the UK and have strong public support. The evidence from the local consultation mirrors this support. However, enforcement is deemed as an issue.
27. Smokefree children's playgrounds are an important component of tobacco control policy in helping to reduce the health and economic burden of smoking in our communities.
28. The Board are asked to agree the proposal of smokefree playgrounds, and agree which playgrounds should be identified.

## Appendices

- Appendix 1 – Comments from Friends of City Gardens
- Appendix 2 – Results from public consultation
- Appendix 3 – Example of signage

### **Gillian Robinson**

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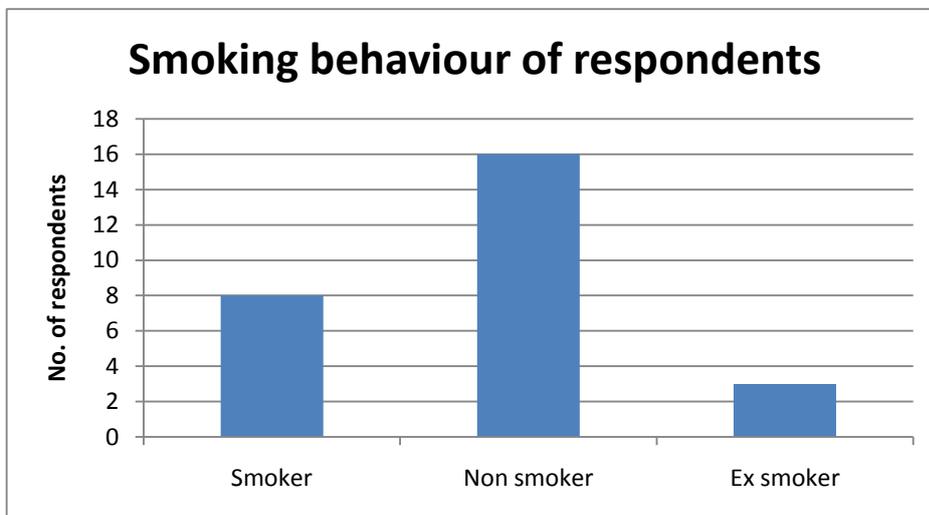
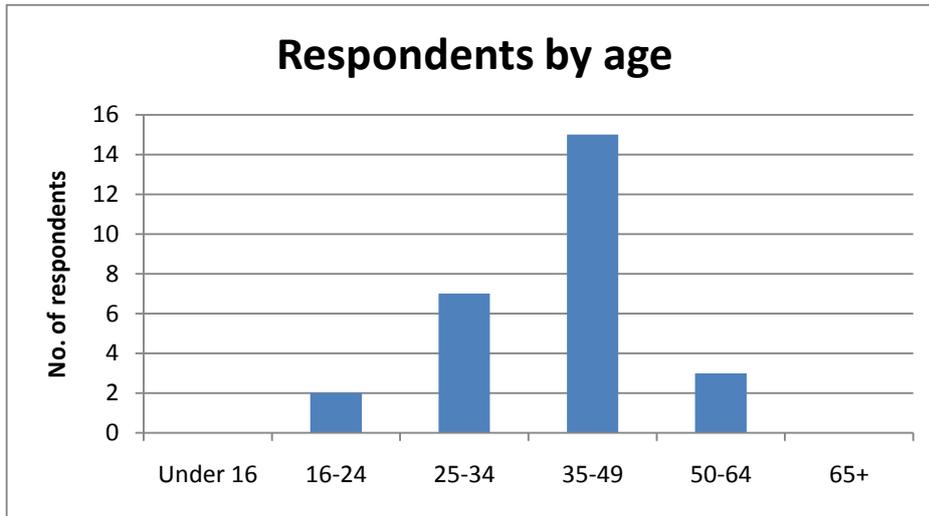
## Appendix 1

### Feedback from the Friends of City Gardens

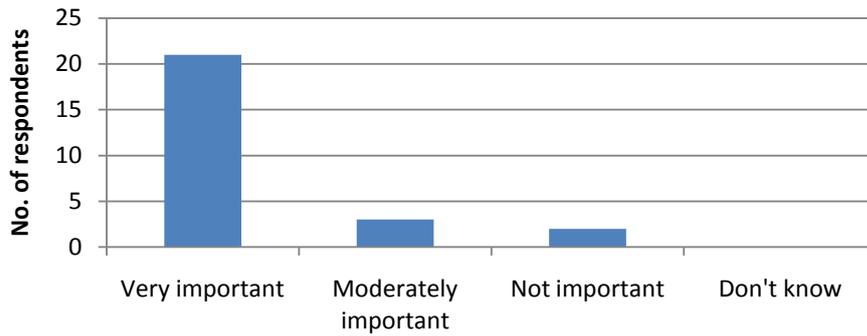
1. The three gardens selected for the trial are in socially deprived areas (Portsoken, Smithfield (close to hospital and used by rough sleepers) and Tower Hill gardens and although all 3 had children's play areas it was felt the trial would be more meaningful if it included gardens heavily used by City workers or visitors - such as Cleary or St Paul's.
2. Although banning smoking in gardens and in particular those with children's' play areas might be desirable enforcing it would be impossible.
3. More positive steps to stop smoking were generally felt to be more effective than a ban. Perhaps engagement with smokers in these gardens as part of the consultation and providing positive encouragement to stop would be more effective.
4. Using signs such as **thank you for not smoking in the children's play area** might be more effective - such as those in Fortune Park.
5. We would be concerned that if smoking was banned that smoking litter bins would be removed which would be likely to create a litter problem as people would still smoke and throw their butts on the ground and in flower beds where they are difficult to remove.
6. We would also be concerned that Smoking Ban signage could be intrusive and spoil the relaxed atmosphere of the gardens.

## Appendix 2

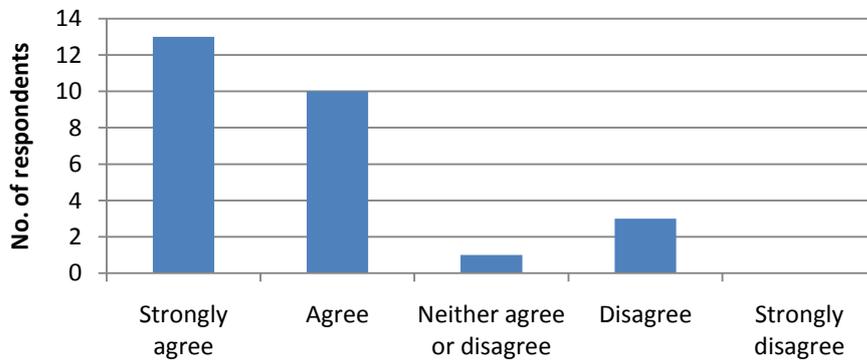
### Results from public consultation



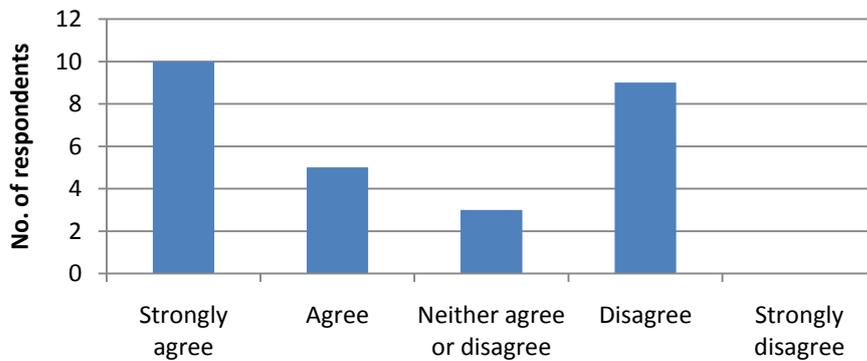
### Attitudes to protecting children from secondhand smoke

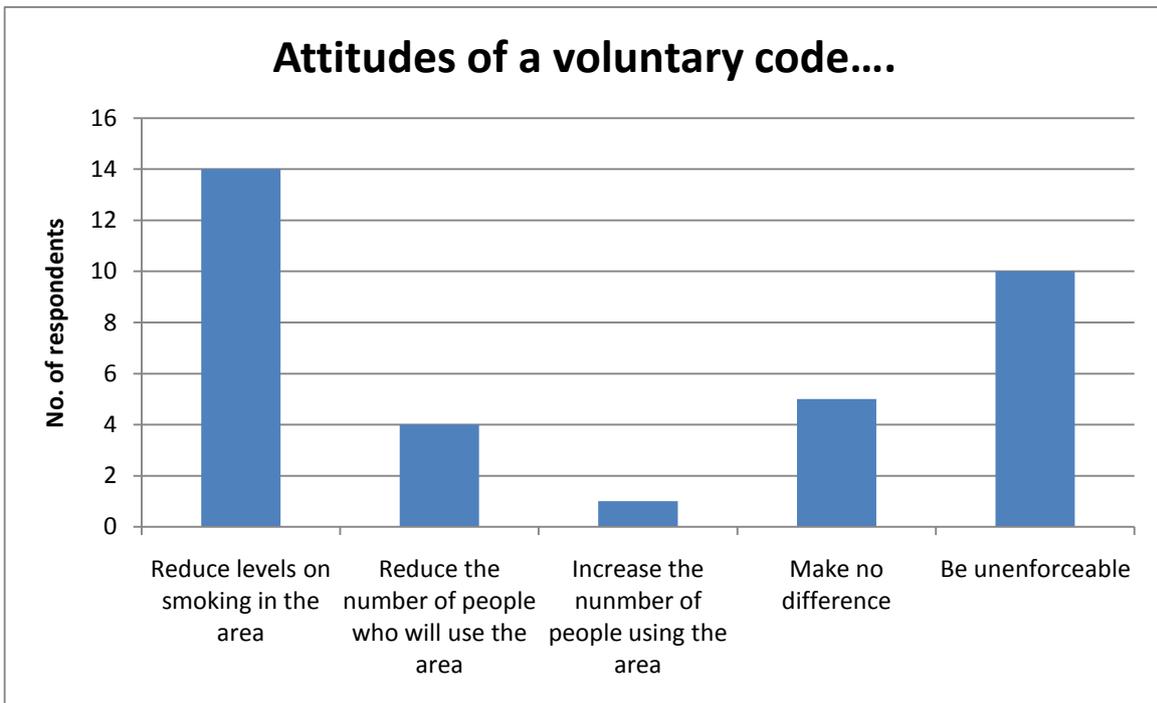
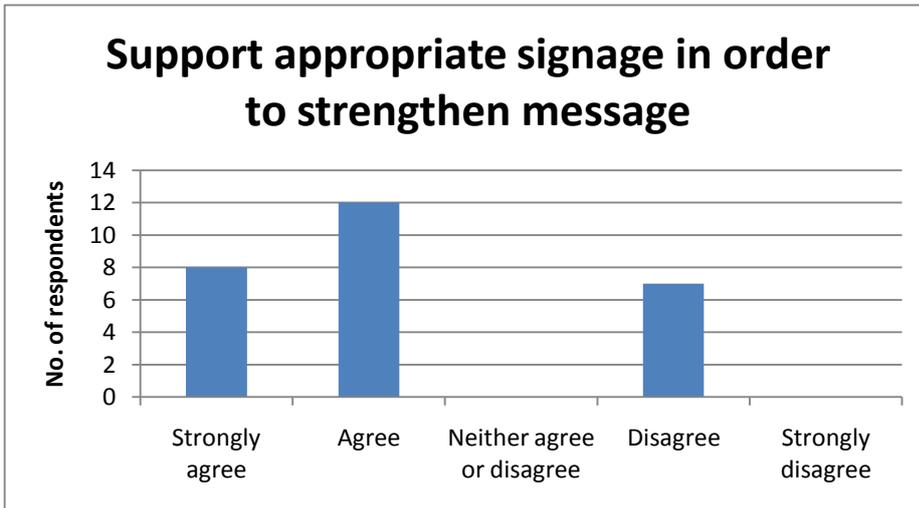


### Support a voluntary code of not smoking within the immediate playground area



### Support a voluntary code of not smoking within the entire park





**What is your view on the CoLC creating smokefree outdoor spaces where children (under 18) are present?**

- Good idea
- Good idea
- Good idea
- Good idea
- Good idea as long as there are places where people can smoke
- Agree, where there is a heavy presence of children
- Yes, good idea
- Has a duty to provide spaces that children are not subject to smoke
- There should be smokefree spaces
- Playgrounds - yes
- This park should be a no go area for smokers
- Are you addressing the core issue - air pollution

Agree but should also have places for smokers  
A good thing depending upon size of space and no. of people presently smoking there  
Important for children to be in a smokefree area  
Support scheme  
A very good project  
Very sensible, a good idea. The less children are exposed to smoking and observing those smoking the better  
Agree. I wouldn't smoke next to people who are eating or children.  
Not supportive  
Of course, good idea

#### **Other potential smokefree areas suggested**

Smoking should be banned in all outdoor parks/gardens  
Building entrances  
Rule should be introduced on a site by site basis  
Parks only  
Don't like smoking outside stations  
Focus on areas where children are present  
All public parks  
Outside tube stations

#### **Comments**

Good idea, but right location? Bigger issue - air quality  
Lots of restrictions on smokers already. Fence off play area?  
How many children really use the space ratio to smoker and other users?  
Smoking banned so much that it is difficult to say where it is a problem. Doorway smoking is unpleasant  
Smoking ban doesn't work outside Smithfield Market  
Smoking in gardens is ok if they are courteous and not sit close to others when smoking  
What would stressy bankers do?  
Depends on location. Usage can vary - nursery across the road use the site  
Second-hand smoke has less impact in outdoor areas  
No children use the park. Enough limitations on smokers already  
If it's voluntary, people may not comply  
A brilliant idea  
Should be compulsory  
What is the proposal for e-smoking? There is no secondary smoke, should it be treated differently? No, in my opinion but there is no public statement on this.

### Appendix 3

#### Examples of signage



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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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