

Committees: Operational Property and Projects Sub - for decision Streets & Walkways Sub – for decision	Dates: 16 January 2023 17 January 2023
Subject: Museum of London S278 project Unique Project Identifier: <i>tbc</i>	Gateway 2: Project Proposal Complex
Report of: Executive Director – Environment Report Author: Clarisse Tavin	For Decision
PUBLIC	

Recommendations

1. Next steps and requested decisions	<p><u>Project Description:</u> Highway and Public Realm improvement works in the vicinity of the new Museum of London development in West Smithfield associated with required change for the development.</p> <p><u>Next Gateway:</u> Gateway 3 - Outline Options Appraisal (Complex)</p> <p><u>Next Steps:</u></p> <ul style="list-style-type: none"> • Evaluate the scope of the Section 278 agreement and scheme of highway works with the developers. • Evaluation and Design development including baseline pedestrian modelling and traffic assessments • Stakeholder engagement prior to the outline options appraisal and GW 3. <p>Requested Decisions:</p> <ol style="list-style-type: none"> 1. That a budget of £100,000 is approved to reach the next Gateway, when received from the developer; 2. Note the total estimated cost of the project at £5-£10M (excluding risk) at this preliminary stage; 3. Authorise officers to enter into a Section 278 agreement with the developer at the appropriate time. 4. Delegate authority to Chief Officer, in consultation with the Chamberlain to increase and or adjust the project budget for the Design and Evaluation phase, if following initial Design and Evaluation work, further investigation
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	is deemed necessary to complete the phase (to be carried out at the Developer's cost).																				
2. Resource requirements to reach next Gateway	<table border="1"> <thead> <tr> <th>Item</th> <th>Reason</th> <th>Funds/ Source of Funding</th> <th>Cost (£)</th> </tr> </thead> <tbody> <tr> <td>Staff costs</td> <td>Project Management, and Stakeholder Engagement</td> <td>S.278 (Design & Evaluation Fee (receipted))</td> <td>£30,000</td> </tr> <tr> <td>Staff costs</td> <td>City of London Highways Engineer</td> <td>S.278 (Design & Evaluation Fee (receipted))</td> <td>£10,000</td> </tr> <tr> <td>Fees</td> <td>Surveys and consultants</td> <td>S.278 Design & Evaluation Fee</td> <td>£60,000</td> </tr> <tr> <td>Total</td> <td></td> <td></td> <td>£100,000</td> </tr> </tbody> </table>	Item	Reason	Funds/ Source of Funding	Cost (£)	Staff costs	Project Management, and Stakeholder Engagement	S.278 (Design & Evaluation Fee (receipted))	£30,000	Staff costs	City of London Highways Engineer	S.278 (Design & Evaluation Fee (receipted))	£10,000	Fees	Surveys and consultants	S.278 Design & Evaluation Fee	£60,000	Total			£100,000
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Costed Risk Provision requested for this Gateway: £0																					
3. Governance arrangements	<ul style="list-style-type: none"> • Service Committee: Streets and Walkways Committee • Senior Responsible Officer: Bruce McVean, Assistant Director, Policy & Projects Team, City Operations 																				

Project Summary

4. Context	1. The Planning Applications Sub-committee resolved to grant planning permission for the the new Museum of London in West Smithfield (19/01343/FULEIA) on 22 November 2022. The new activities attracted to the development necessitates improvements to the street environment ensuring enhanced safety and attractiveness, as well as creating the setting for a new Museum of international renown.
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	<ol style="list-style-type: none"> 2. The changes to the highway to facilitate the development will form the scheme of highway works around the site. To align with the tight programme for the new Museum and its soft launch, currently planned in 2025, it is necessary to progress the scheme of highway works and the S278 promptly. 3. It is therefore requested that the project be initiated now in advance of receipt of funds to ensure that there is not a delay once the payment is made. 4. At the current time it is likely that the part of the site known as the Annexe Site, will be delivered by the City Corporation itself as landowner. In this situation the City Corporation as landowner are likely to be responsible for those highway works necessary to make the Annexe Site acceptable. In respect of any works that the City Corporation are responsible for as landowner, these cannot be secured through a s278 agreement because the City cannot enter into a legal agreement with itself. These works will be need to be approved pursuant to the condition which will be attached to the planning permission, and the cost of these works will be met by the City Corporation as landowner. 5. It is likley, at the time of writing, that the signing of the S106, which would normally release the payment for the design and evaluation fee for the S278, may be a little way off. It is therefore proposed to progress with an exchange of letters between the City of London and the Developers to intiате the Design and Evaluation payment, in advance of the S106 being signed. Which ever process activates the receipt of funds first will allow the project to commence. 6. In parallel to the works required to faciliate the the Museum and Annexe Site development through the S278 project, the existing Smithfield Public Realm project will continue to be developed to ensure the public realm in the vicinity of the development delivers a world class visitor destination in line with Destination City. 7. Whilst there are two projects , the design team will be coordinated in its approach and delivery.
<p>5. Brief description of project</p>	<p>The S278 project aims to deliver the necessary highway, transport, security and public realm works in the vicinity of the new Museum of London (including the Annexe Site). The S278 project will focus on the works required for the operation of the</p>

	<p>new museum and the Annexe Site in terms of safety and function. The enhancements (specified in conditions which will be included on the planning permission) may include but are not limited to:-</p> <ul style="list-style-type: none"> • Widening and making good of footways surrounding the Development Site; • Improvements to existing crossings and provision of new crossing facilities; • Any other safety measures to ensure safe pedestrian passage to, from and between the General Market, the Poultry Market and the Annexe Site; • Any changes to the highway to accommodate servicing of the Annexe Site and the General Market; • Provision of security measures on the highway if necessary to protect the Buildings and members of the public; • Provision of a coach drop-off and pick up facility; • Provision of suitable space for taxi pick-ups and drop-offs; • Provision of accessible parking spaces on the highway; • Provision of short stay cycle parking on the highway; • Changes to the kerbside function including market loading bays and hours of operation, waiting and loading restrictions; • Introduction of wayfinding measures on the highway. <p>The Section 278 agreement will also capture the requirement for the Museum of London as developer to meet the cost of any remedial highway works required following the completion of the development.</p> <p>For the avoidance of doubt, for convenience in this report, the term 'Section 278 project' is used to refer to the works required to make both the Museum and Annexe parts of the development site, acceptable in planning terms.</p>
<p>6. Consequences if project not approved</p>	<p>1. There would be no mechanism through which the highway changes required to accommodate the development can be delivered and the developer will be in breach of a planning condition if they are unable to enter into a Section 278 agreement providing for the works necessary for the Museum to open.</p>

	<p>2. Insufficient access requirements to new commercial activities provided by the new development would disadvantage road users with mobility impairments.</p> <p>3. The public realm / materials surrounding the new development would not meet the requirements of the CoL Local Plan and supplementary planning documents.</p> <p>4. Lack of cycling/pedestrian upgrades would not encourage shift to sustainable transport modes.</p> <p>5. Highways that are not maintainable to agreed CoL standards.</p>
7. SMART project objectives	<p>1) Improvements for walking and cycling in the proximity of the development</p> <p>2) Improved safety for all road users</p>
8. Key benefits	<p>Improvements to the surrounding highways and crossings to the Museum site will improve the site for people walking to the museum from public transport or other cultural attractions, encouraging shifts to more sustainable modes of transport.</p> <p>Public realm improvements will increase visitors to the area and promote the new commercial activities at the new development and will support the functional changes required by the Museum to facilitate their new development</p> <p>The area should be accessible to all, promoting inclusivity of the public realm as well as within the Museum.</p> <p>Following the initial evaluation of what is required around the site, the key benefits will be able to be better articulated at the next reporting stage.</p>
9. Project category	4a. Fully reimbursable
10. Project priority	A. Essential
11. Notable exclusions	<i>None</i>

Options Appraisal

12. Overview of options	<p>At this stage there is significant unknowns about the requirements of the S278 work. It is proposed that initial evaluation is undertaken following the receipt of the funding and an update report submitted setting out more detail on what will need to be included as part of the S278 investigations.</p>
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Project Planning

13. Delivery period and key dates	<p>Overall project: The programme is influenced by the evaluation and design stage with three factors likely to determine the complexity of the project:</p> <ul style="list-style-type: none">• Road safety and any identified requirement to close a street (such as West Smithfield)• The scope of security infrastructure required• Any changes required to Farringdon Street which is a TfL managed street <p>The developer has indicated an opening date of 2026 with a soft opening in 2025. The initial estimate is that this will be a challenging timeline to meet, hence the early request to initiate the project</p> <p>Key dates: *following receipt of funds indicative timeline</p> <ul style="list-style-type: none">• January 2023 – development works begin• Dec 2023 - highway design finalised following outline options appraisal (Gateway 3)• June 2024– Gateway 4 report to be finalised and submitted for approval• May 2025– Gateway 5 report to be finalised and submitted for approval <ul style="list-style-type: none">• late 2025 – development works finish and public realm construction works to start on site. <p>Other works dates to coordinate: TBC with highways/transport works programme and TfL.</p>
14. Risk implications	<p>Overall project risk: Medium</p> <ul style="list-style-type: none">• The level of change required to facilitate the development requires external and statutory approvals which do not align with the Developers timeline• Delays to the developer programme owing to changing market forces or engineering difficulties during construction delays the ability for the highway work to be undertaken in time• Linkages to the continued use of the operational market requiring different highway needs to that of the museum meaning that the phasing of work does not meet the Developers aspirations

15. Stakeholders and consultees	<ol style="list-style-type: none"> 1. Local Ward Members 2. Owners/occupiers of adjacent buildings (including the development site) 3. Statutory consultees 4. TfL 5. Local residents 6. Neighbouring local authorities 7. Project Dependencies 8. Local stakeholders <p>An equality impact assessment will be undertaken prior to Gateway 4.</p>
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Resource Implications

16. Total estimated cost	Likely cost range (excluding risk): £5-10m Likely cost range (including risk): £5-10m									
17. Funding strategy	Choose 1: All funding fully guaranteed	Choose 1: Mixture - some internal and some external funding								
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Total	£5 - £10 m									
18. Investment appraisal	Not applicable.									
19. Procurement strategy/route to market	The design and construction drawings are to be undertaken by City of London officers and CoL framework consultants. The construction work is to be carried out by the City of London's Term Highways Contractor.									
20. Legal implications	Where the City Corporation are satisfied it will be of benefit to the public, Section 278 of the Highways Act 1980 allows the City Corporation as highway authority to enter into an agreement with any person for the execution of works by the									

	<p>authority on terms that that person pays the whole or such part of the costs of the works as may be specified.</p> <p>The proposed works are considered to be of benefit to the public. Conditions on the planning permission will require the developers to enter into a Section 278 agreement with the City. The Section 278 agreement will be finalised before the Gateway 5 report is submitted for approval. The City Corporation as landowner are likely to be responsible for those part of the highway works which are necessary to make the Annexe part of the development acceptable in planning terms. The City Corporation cannot enter into a S278 agreement with itself, and as such the necessary works will be agreed pursuant to a planning condition which will require a scheme of highway works to be approved.</p>
<p>21. Corporate property implications</p>	<p>The existing Smithfield Public Realm project, developed with architects Hawkins/Brown and their subcontractors, was intended to develop a holistic plan for the public realm across the wider Smithfield area, which could then be delivered in stages to align with the different major developments, i.e. New Museum in West Smithfield followed by the East and West Markets.</p> <p>This was to allow a joined up and visually seamless vision to be delivered at different times. The S278 highway, security, and public realm improvements will need to work with both an operational Meat Market until c.2028 and then support the aspirations for the Grade II* listed East and West Market Buildings and Grade II Rotunda to become an exciting new international cultural and commercial destination. Therefore, as the S278 proposals evolve, the City Environment Team will continue to work closely with City Surveyors to ensure any physical changes at West Smithfield complement the wider area vision and future of the Meat Market buildings.</p>
<p>22. Traffic implications</p>	<p>Possible road closures and disruption to vehicle traffic during the construction phase. Other traffic implications will be assessed as part of the project evaluation. Pedestrian access on the public highway will be maintained at all times.</p>
<p>23. Sustainability and energy implications</p>	<p>2. There are relevant sustainability impacts associated with this project but they have not been considered to date</p> <p>The materials and working practises will be as per the sustainability criterion of the City of London's Term Highways Contract. The design will seek to integrate sustainable measures in line with the Climate Action Strategy. The level of sustainability impact associated with the project will be determined as the project is started to be fully scoped out, and impacts will be fully considered as the design develops.</p>

24. IS implications	None
25. Equality Impact Assessment	An equality impact assessment will be undertaken as part of the design process.
26. Data Protection Impact Assessment	The risk to personal data is less than high or non-applicable and a data protection impact assessment will not be undertaken.

Appendices

Appendix 1	Project Briefing
Appendix 2	Site location plans
Appendix 3	Risk Register

Contact

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Appendix 1 : Project Briefing

Project identifier			
[1a] Unique Project Identifier	tbc	[1b] Departmental Reference Number	N/A
[2] Core Project Name	Museum of London Section 278 project		
[3] Programme Affiliation <i>(if applicable)</i>	Markets Colocation Programme; Museum of London;		

Ownership	
[4] Chief Officer has signed off on this document	
[5] Senior Responsible Officer	Bruce McVean – Assistant Director
[6] Project Manager	Clarisse Tavin – Group Manager

Description and purpose
[7] Project Description
The Project will provide highway and Public Realm improvement works in the vicinity of the new Museum of London.
[8] Definition of Need: What is the problem we are trying to solve or opportunity we are trying to realise (i.e. the reasons why we should make a change)?
<ul style="list-style-type: none"> • Local Plan • City Transport Strategy /Barbican and Smithfield ‘Healthy Streets Plan’ • Climate Action Strategy • Culture Mile Look and Feel Strategy • Destination City <p>The project is required to support the of the new Museum of London and Annexe building.</p>
[9] What is the link to the City of London Corporate plan outcomes?
<p>[1] People are safe and feel safe.</p> <p>[2] People enjoy good health and wellbeing.</p> <p>[9] Our spaces are secure, resilient and well-maintained.</p>
[10] What is the link to the departmental business plan objectives?
<p>3. Creating a welcoming seven-day City that is inclusive, clean, secure and accessible</p> <p>4. Improving the quality and safety of the environment for businesses, workers, residents and visitors</p> <p>5. Ensuring the built environment, businesses and people take action on and are resilient to climate change.</p>

The Climate Action Strategy identifies pedestrian priority and improve pedestrian comfort as necessary conditions for Net Zero by 2050.

[11] Note all which apply:

Officer: Project developed from Officer initiation	N	Member: Project developed from Member initiation	N	Corporate: Project developed as a large scale Corporate initiative	N
Mandatory: Compliance with legislation, policy and audit	Y	Sustainability: Essential for business continuity	N	Improvement: New opportunity/idea that leads to improvement	N

Project Benchmarking:

[12] What are the top 3 measures of success which will indicate that the project has achieved its aims?

- 1) Increased high-quality public realm, e.g. materials to meet SPD, greater capacity for people, improved accessibility, increased historic interpretation elements
- 2) Increased quantity of greenery and planting in the area; improved flood risk mitigation measures
- 3) Improved air quality
- 4) Radical reduction in vehicle movement in line with aims of the transport strategy; and improved road safety
- 5) Number of visitors increases
- 6) Healthy Streets Indicators improve for each space in the project area

[13] Will this project have any measurable legacy benefits/outcome that we will need to track after the end of the 'delivery' phase? If so, what are they and how will you track them? (E.g. cost savings, quality etc.)

The project will mitigate two of the Corporate Risks. Wider footways and less traffic in the area will likely result in fewer road collisions contributing to the mitigation of CR20. Reduction in vehicle traffic is also likely to improve local air quality contributing to the mitigation of CR21. Benefits and outcomes will be measured and reported as part of the Transport Strategy Monitoring and reporting.

[14] What is the expected delivery cost of this project (range values)[£]?

£5-10m

[15] Total anticipated on-going revenue commitment post-delivery (lifecycle costs)[£]:

TBC

[16] What are the expected sources of funding for this project?

Mixture - some internal and some external funding

Mixture of funding sources – some external funding from the Museum of London and some internal funding from the City as land owner.

[17] What is the expected delivery timeframe for this project (range values)? Are there any deadlines which must be met (e.g. statutory obligations)?

The Developer has indicated an opening date of 2026 with a soft opening in 2025. The initial estimate is that this will be a challenging timeline to meet, hence the early request to initiate the project.

Key dates: *following receipt of funds indicative timeline

- January 2023 – development works begin
- Dec 2023 - highway design finalised following outline options appraisal (Gateway 3)
- June 2024– Gateway 4 report to be finalised and submitted for approval
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- late 2025 – development works finish and public realm construction works to start on site.

Project Impact:

[18] Will this project generate public or media impact and response which the City of London will need to manage? Will this be a high-profile activity with public and media momentum?

Yes- the wider Museum of London project, the Markets Consolidation Programme, initiatives are generating public interest and have media/ comms strategies in place.

[19] Who has been actively consulted to develop this project to this stage?

<(Add additional internal or external stakeholders where required) >

Chamberlains: Finance	Officer Name: tbc
Chamberlains: Procurement	Officer Name: tbc
IT	Officer Name: N/A
HR	Officer Name: N/A
Communications	Officer Name: tbc
Corporate Property	Officer Name: N/A
External	

[20] Is this project being delivered internally on behalf of another department? If not ignore this question. If so:

Please note the Client supplier departments.

Who will be the Officer responsible for the designing of the project?

If the supplier department will take over the day-to-day responsibility for the project, when will this occur in its design and delivery?

Client	Department: N/A
Supplier	Department: N/A
Supplier	Department: N/A
Project Design Manager	Department: N/A
Design/Delivery handover to Supplier	N/A

Appendix 2 : Site location plans



