


<p style="text-align: center;">London Borough of Hammersmith & Fulham</p> <p style="text-align: center;">CABINET</p> <p style="text-align: center;">3 JUNE 2019</p>	
<p style="text-align: center;">CARNWATH ROAD / THAMES PATH IMPROVEMENT SCHEME</p>	
<p>Report of the Cabinet Member for the Environment - Councillor Wesley Harcourt</p>	
<p>Open Report</p>	
<p>Classification - For Decision Key Decision: YES</p>	
<p>Wards Affected: Sands End</p>	
<p>Accountable Director: Mahmood Siddiqi - Director for Transport and Highways</p>	
<p>Report Author: Michael Masella – Senior Engineer</p>	<p>Contact Details: Tel: 020 8753 3082 E-mail: michael.masella@lbhf.gov.uk</p>

1. EXECUTIVE SUMMARY

- 1.1. This report seeks cabinet approval to implement the Thames Path Improvement Scheme on Carnwath Road from Broomhouse Dock, to Whiffin Wharf, and approval to spend the estimated cost of the works which exceed £100,000.
- 1.2. There are two agreements which will fund the costs of the works. The Section 106 agreement dated 12 February 2014 provides a £750,000 Thames Path Contribution for the improvement of the Thames Path near Carnwath Road. This report is seeking £290,000 of the Thames Path Contribution for works including repaving the footpath, installing CCTV cameras, street lighting works, green infrastructure, and design costs. The extent of the works to be carried out is shown on the part of the plan shaded blue on the attached plan.
- 1.3. A further £126,000 will be funded from the Section 278 agreement dated 30 October 2018 to carry out highway works of repaving of the Thames Path including the provision of new street benches. The extent of the highway works for 278 agreement is shown shaded in pink in the attached plan and will include the repaving of footpath on Carnwath Road.
- 1.4. The developer (Tideway Works) carried out works to strengthen the river wall prior to entering into the 278 agreement. However, this section of Thames Path

is currently closed as improvement works are required following the works carried out by the developer and improvement works such as repaving the footpath is needed before this section of the Thames Path can be re-opened.

- 1.5. The funding from the s106 Thames Path Contribution will cover Green Infrastructure by enhancing an existing greenery at Broomhouse Dock and with the installation of planters along the Thames Path. This is part of fulfilling Council's commitment to becoming the greenest Borough.

2. RECOMMENDATIONS

- 2.1. To approve the implementation and estimated cost of £416,000 of the improvement works on the Thames Path at Carnwath Road.
- 2.2. To place the order through the Council's current highway term contract with FM Conway Ltd.

3. REASONS FOR DECISION

- 3.1. The total value is over £100,000 however, the cost is covered by Tideway contributions. It is a form of mitigation included in the Development which was deemed necessary as part of the planning obligations for the development.

4. BACKGROUND

- 4.1. In 2014, as part of the Thames Tideway Tunnel Order (an act of Parliament to build the Thames Tideway Tunnel), a s106 agreement was agreed. This included a provision of £750, 000 "towards the improvement of the Thames Path in the vicinity of Carnwath Road" under the "Thames Path Contribution" within the s106.
- 4.2. Not part of the Thames Tideway Order, a separate planning application (2016/05438/FUL) was required to strengthen a section of river wall west of the site. This entailed the closure and excavation of 100m of a 160m frontage of Thames Path.
- 4.3. As part of the planning application, a s278 agreement was agreed to reinstate the Thames Path for the area that was excavated. The area that was excavated was not up to the current council standards and it was agreed to reinstate follow the Streetsmart Standard.
- 4.4. To avoid a piecemeal appearance, it was decided to reinstate the whole area of the Thames Path using part of the s106 money dedicated "towards the improvement of the Thames Path near Carnwath Road"
- 4.5. In addition to the reinstatement, using the s106 money to install CCTV, replace the light columns to safer drop-down columns and green infrastructure.
- 4.6. Approval was sought from the s106 board for £290,000 of the £750,000. The remaining £126,000 will be sought from the 278 agreement.

4.7. Approval from the CIL/Sec106 board was given in November 2018 and requires approval by cabinet in accordance with the council's Constitution and Financial Regulations.

5. SCHEME PROPOSALS

5.1. The aims of the scheme are to:

- Improve the Thames Path in accordance with the streetscape standards within Streetsmart Guide
- Install council approved CCTV cameras along the Thames Path to cover a remote area of the borough by the council's CCTV network. The main purpose of the cameras is to prevent anti-social behaviour, crime and to monitor the highway on Carnwath Road.
- Liaise with residents in the area in relation to providing opportunities to provide greenery on the Thames Path.

5.2. The works will be procured and implemented using the Council's term contractor FM Conway Ltd via the term contract for highway works.

6. CONSULTATION

6.1. An initial site meeting with council officers was held in October 2018 to see the scope of the works needed.

6.2. A meeting with a resident representing the residents' and representatives from the West Thames Path Strategy Group was held on site in January 2019. The whole site was walked over and the feedback from the site meeting was very positive and some good suggestions and ideas were raised by both parties. These were feedback into the design of the Thames Path.

6.3. We will also consult the Sands End Ward Action Group.

6.4. The final design will be consulted upon by the Council with statutory bodies, residents, businesses, AOD and other stakeholders.

7. EQUALITY IMPLICATIONS

7.1. The Council has had regard to its public sector equality duty contained in Section 149 of the Equality Act 2010 and it is not anticipated that there will be any negative impact on any groups with protected characteristics from these works. Hammersmith and Fulham Action on Disability (AOD) will be consulted on the proposed highway works.

7.2. Implications verified/completed by: **Peter Smith**, Head of Policy & Strategy, tel. 020 8753 2206.

8. LEGAL IMPLICATIONS

- 8.1. The Council is authorised to undertake improvements to a public highway using its powers under section 62 of the Highways Act 1980.
- 8.2. Section 62(2) of the Highways Act 1980 authorises the Council to carry out any work (including the provision of equipment) for the improvement of highways maintainable under public expense.
- 8.3. Part 3 of Schedule 1 of the S106 Agreement signed and completed on 12 February 2014 provides for a £750,000 contribution towards the improvement of the Thames Path in the vicinity of Carnwath Road. This report is seeking £290,000 of the contribution for the works specified in this report.
- 8.4. The highway works stated in the s278 agreement relating to Pretofina Wharf Carnwath Road dated 30 October 2018 includes repaving of the Thames Path and provision of new street benches.
- 8.5. Implications verified/completed by: **Emmanuel Amponsah** (Solicitor Planning and Highways), tel: 07788418743.

9. FINANCIAL IMPLICATIONS

- 9.1. The main funding allocation is broken down as follows:

Council CIL/s106 Board through s106 agreement - Section106 area (Thames Path currently open to the public)

Design Cost	£15,000
Green Infrastructure	£50,000
Civils works	£91,000
Street lighting works	£50,000
CCTV cameras, ducting and fibre	£64,000
Project management supervision	£20,000

Sub Total: £290,000

Thames Tideway Section 278 agreement (Thames Path currently closed and enclosed within the Thames Tideway site)

Civils works	£116,000
Project management supervision	£ 10,000

Sub Total: £126,000

- 9.2. The CIL/s106 board approved £290,000 funding allocation in November 2018.
- 9.3. The s278 agreement the £126,000 will be sought from the developer BMV JV on behalf of Thames Tideway.

9.4. The Highway Maintenance Section is fully aware of the construction methods and materials used and these are built-in into our future maintenance term contract.

9.5. Implications verified by: Giles Batchelor, Finance Manager, tel. 020 8753 2407 and **Emily Hill**, Assistant Director, Corporate Finance, tel. 020 8753 3145.

10. IMPLICATIONS FOR BUSINESS

10.1. The proposed highway improvements include footway repaving, new planters and new street lighting will be carried out by the council's term contractor FM Conway Ltd.

10.2. Local businesses will be notified by letter when the works will commence on site.

10.3. A public consultation will be carried for local residents and businesses because the existing highway is being significantly changed. Their comments and views on the proposals will be reported back before implementation.

10.4. Implications verified/completed by: **Albena Karameros**, Economic Development Team, tel. 020 7938 8583.

11. COMMERCIAL IMPLICATION

11.1. The order is to be placed through the council's highway term contractor FM Conway Ltd which is for 5 years with permissible three one-year extensions and has been competitively tendered and awarded in April 2017. The term contract is designed for all public highway projects and programmes of works. The contract is based on a tendered schedule of rates these are general for any scheme (small, medium and major public highway projects) over the life of the contract period. The contract allows, a maximum value of £4 million pounds per project using tendered schedule of rate items, or £9 million per project using target pricing. This therefore makes the contract generic for any project the council wishes to develop and implement over potentially the next 8 years. The major scheme described in this report is within the scope of permitted orders that can be placed with FM Conway Ltd under its contract.

11.2. Implications completed by: **Joanna Angelides**, Commercial Consultant, tel. 020 8753 2586.

12. IT IMPLICATION

12.1. IT Implications: No IT implications are considered to arise from the proposal in this report. However, if the installation of new CCTV results in a requirement for new systems to be procured, existing systems to be modified, or IT enhancements to be considered IT Services should be consulted.

12.2. IM Implications: A Privacy Impact Assessment should be completed to ensure all potential data protection risks resulting from this proposal – particularly CCTV - are properly assessed with mitigating actions agreed and implemented.

12.3. Contracts should include H&F's data protection and processing schedule. This is compliant with the General Data Protection Regulation (GDPR).

12.4. Implications completed by: **Karen Barry**, Strategic Relationship Manager, tel 020 8753 3481.

13. RISK MANAGEMENT

13.1. Officers have consulted appropriately on the proposed scheme, including with the Flood Risk Manager and Insurance Service. They have also confirmed that all installations will adhere to the Highways Code of Practice and that the designs implemented will not give rise to risks of trip/slip claims at these locations. Consultation and communication with local stakeholders is also planned to shape the proposed scheme prior to implementation.

13.2. Officers need to ensure that consultation with Hammersmith and Fulham Action on Disability (AOD) on the proposed highway works is completed before the work commences.

13.3. Implications verified/completed by: **David Hughes** on mobile: 07817 507695 and tel. 0207 361 2389.

14. BACKGROUND PAPERS USED IN PREPARING THIS REPORT

No.	Description of Background Papers	Name/Ext of holder of file/copy	Department/ Location
	None.		

LIST OF APPENDICES:

Appendix 1. - Drawing no. 58500/7/3