

## LONDON BOROUGH OF HAMMERSMITH & FULHAM

**Report to:** Bram Kainth, Executive Director of Place, in consultation with Cllr Sharon Holder, Cabinet Member for Public Realm

**Date:** 05/07/2024

**Subject:** **Highway Junction Improvement Works - Wood Lane, Depot Road and South Africa Road**

**Report of:** Russell Trewartha - Assistant Director Capital Projects

**Report author:** Michael Masella, Lead Engineer, Project Delivery, Environment Department

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### SUMMARY

The Council has secured section 106 funding to deliver highway junction improvement works for the junction at Wood Lane, Depot Road, and South Africa Road (see appendix 1 – General arrangement drawing 1000007589-3-09-0100-01). The proposed scheme follows the strategy for the area, as set out in the White City Opportunity Area Planning Framework (WCOAPF) adopted in 2013.

The junction improvement works will improve the public realm infrastructure and support the Council's climate and ecological ambitions with the inclusion of much needed cycling infrastructure (C34 cycle route) through the junction. This will promote active travel, health, and wellbeing, reduce car journeys, and improve the environment for all. The junction works will provide new pedestrian accesses into the Imperial College Campus and will also link the White City Station with the Imperial College Campus Site, BBC headquarters and the wider White City Area. Residents' forums and associations will be informed about the junction improvements. The DRT has been informed and influenced decision making on the scheme.

The cost of the proposed utility diversion works for the scheme will be established via the detailed design process, and fully funded from the section 106 agreement.

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### RECOMMENDATIONS

1. To prepare the detailed design and implementation of the junction improvement works relating to the section 106 agreement for Wood Lane, Depot Road and South Africa Road junction, at a total project cost of £1,044,855 (£674,855 works, £250,000 design fees and £120,000 project fees).
2. To place a works order with FM Conway Ltd to undertake the proposed capital works, via a call off from the existing Highways term contract, with a total contract value of £674,855.
3. To award a contract to Project Centre for feasibility, concept and detailed designs, via a call off from the Ealing Framework, with a maximum total contract value of £250,000.

4. To approve works orders to utility undertakers to carry out essential diversion works for the scheme, (once the cost is known).

**Wards Affected:** College Park & Old Oak

<b>Our Values</b>	<b>Summary of how this report aligns to the H&amp;F Values</b>
Building shared prosperity	The junction improvement works will improve the public realm infrastructure in the borough for residents and businesses. The scheme supports the economy by encouraging people into the area of the new junction and the new pedestrian accesses into the new Imperial College Campus. This new junction also links the White City Station with the Imperial College Campus Site, BBC headquarters and the wider White City Area.
Creating a compassionate council	The junction improvements include much needed cycling infrastructure (C34 cycle route) through the junction, which will promote active travel, wellbeing and health and improves the environment for all.
Doing things with local residents, not to them	Residents' forums and associations will be informed about the junction improvements. The DRT has been informed and influenced decision making on the scheme.
Being ruthlessly financially efficient	The works contract will be via a call off from the existing highways term contract. The scheme is fully funded from secured Section 106 funding, and so can be delivered at no cost to the Council. The scheme aligns closely with the Mayor of London's transport strategy and the borough's cycle lane aspirations.
Taking pride in H&F	The junction improvements, including cycling infrastructure is a central part of improvements to the public realm and improving community life in the borough.
Rising to the challenge of the climate and ecological emergency	The C34 cycle route, which is part of the junction improvements, is a key enabler for more cycling activity and reducing car journeys. This is required as enabling sustainable travel in the borough is a key part of our climate strategy.

## **Financial Impact**

The proposed junction works and contract awards with a total value of £1,044,855 can be fully funded by secured S106 funding, already received by the Council (Planning Application ref: 2018/00267/OUT). The value of the contract award matches the total secured from the developer for the improvement works as per the S106 agreement. This scheme will be added to the Environment capital programme in 2024/25.

The proposed utility diversion works are an additional cost to the scheme (over and above the £1,044,855 funded in this report). The cost of those works is not yet known and will be quantified during the detailed design process. It is expected that these works will be fully funded by a further developer contribution, to be agreed with the developer once the costs are known. Works will need to be contained within the external funding available.

*Kellie Gooch, Head of Finance (Environment), 23 May 2024.  
Verified by Andre Mark, Head of Finance, 24 May 2024*

## **Legal Implications**

The Council is empowered to undertake these works as part of its functions as a highways authority under the Highways Act 1980. The works are fully funded from receipts payable under the s106 agreement.

The works can be awarded as a works order under the term contract held by FM Conway to undertake highways works for the Council. This is in accordance with a call-off agreement which the Council entered into under a framework agreement set up for the Council, the Royal Borough of Kensington and Chelsea and the City of Westminster. The framework agreement was awarded in accordance with the Public Contracts Regulations 2015 (PCR).

The contract to the Project Centre is a public services contract under the PCR and subject to the rules relating to advertising and competition set out in the regulations. The use of the Ealing framework is a compliant method of procurement. It has been let in accordance with the PCR. The Council is able to call-off under it and it allows for direct awards.

These are both high value contracts under the Council's Contract Standing Orders. The issue of an order under an existing term contract does not require any procurement procedure to be followed under the CSOs. The use of a suitable third party framework in accordance with its terms is a compliant method of procurement under the CSOs. Both procurements are therefore in accordance with the requirements of the CSOs.

The award of the works is a key decision under the Council's constitution and needs to be included in the key decision list on the Council's website.

*John Sharland, Assistant Director of Legal Services  
29 May 2024*

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## **Background Papers Used in Preparing This Report**

None.

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## **DETAILED ANALYSIS**

### **Proposals and Analysis of Options**

## **Background**

1. The site is situated to the east of Wood Lane with access into the main part of the site taken via Depot Road. Land owned by Network Rail and West London railway line lie to the east with the West Cross Route (A3220) beyond. To the north, the site extends under part of the A40 Westway flyover. The southern boundary adjoins land owned by St James that is being brought forward for residential development, with the Hammersmith and City Line Viaduct and Westfield Shopping Centre further south.
2. An application for outline planning permission allocated statutory registration No. 2018/00267/OUT for a mixed use development delivered as a phased masterplan comprising 7 Development Zones and accommodating:
  - up to 178,102 sqm of research and development, offices and other business uses (Use Class 81) in 6-13 storey buildings
  - up to 373 residential units (Use Class C3) in 18-23 storey buildings
  - a hotel of up to 8 storeys and associated facilities (Use Class C1)
  - community and/or leisure uses and retail, cafes, restaurants and bars (Use Classes D1 and/ or D2,A1-5)
  - access bridge over the railway (Central Line), parking, servicing and landscaping
  - the demolition of Stadium House
3. The proposed scheme follows the strategy for the area which is set out within the White City Opportunity Area Planning Framework (WCOAPF) adopted in 2013.
4. As part of a planning permission the owner entered into a Section 106 agreement on 28th April 2021, for the “Junction Works” to be carried out by the Council.

### **The junction works include:**

- A new signalised junction at Wood Lane and Depot Road.
- A new pedestrian and vehicular access arrangement from Wood Lane via a new bridge (to be built by the developer) over the London Underground Central Line.
- To provide civils works to include provision of traffic signal equipment,
- Relocation of two bus stops.
- Relocation of LBHF and TFL CCTV equipment.
- C34 cycle route improvements incorporated into the junction design.
- Replacement and replanting of any street tree(s) to be removed, including low level planting and greening.
- Replacement of any redundant street furniture.
- Alterations to the existing waiting and loading restrictions.
- Alterations to statutory undertakers' pipes, cables, plant and equipment.
- Surface water drainage alterations as required for new gullies, manholes, connections and all pipework.
- Provision and relocation of lighting columns and any other street furniture associated electrical work.
- Change the road markings and traffic signs both temporary and permanent.
- Footway and carriageway resurfacing works.

- The works shall be designed and constructed in accordance with the Department for Transport memoranda, standards and advice notes including the latest amendments thereof, and the Council's latest streetscape guidance, Street-smart.
5. The scheme also includes utility diversion works, the cost of which will be established via the detailed design process. These works will be fully funded from the same section 106 agreement (funded by Imperial College London).
  6. The Council is satisfied that the junction works and highways works are of benefit to the public.
  7. The junction works and highway works will be implemented by the Council's highway term contractor FM Conway Ltd.
  8. The extent of the junction works is shown in drawing no. 1000007589-3-09-0100-01, included at Appendix 1.

### **Reasons for Decision**

9. The Council has a duty to discharge its obligations of the section 106 agreement by undertaking the works for which this funding was secured. These works can therefore be undertaken at no cost to the Council.
10. The Council wants to make it easier for people in West London to use sustainable travel and lead active lifestyles. In addition, the Council also wants to make the streets on the cycle route alignments healthier, safer and more welcoming places for everyone. The junction improvement works forms part of the Mayor of London's plan for Healthy Streets, a long-term vision to encourage more Londoners to walk and cycle by making London's streets healthier, safer and more welcoming.

### **Equality Implications**

11. The junction improvement works have been formally presented to the representatives of the Disabled Residents Team for their feedback and project officers.
12. An Equalities Impact Assessment (EQIA) has been produced and updated through the life of the scheme. Opportunities for mitigation of negative impacts have been identified and actioned. An updated EQIA is attached at Appendix 2.

### **S106 Implications**

13. The Council secured a £1m financial contribution via the S106 agreement to various highways improvements required as a result of the approved development (2018/00267/OUT). The contribution was to be paid in two instalments - £50,000 on completion of the S106 agreement and £950,000 prior to commencement of the Bridge works.

14. Both instalments have been received. The £50,000 was received in 2021/22 and drawdown by Highways in the same year. The £950,000 was indexed and £1,044,855.50 was received in 2023/24.
15. This report seeks to discharge the Council's obligations to undertake the required highways works and therefore accords with the purposes for which the S106 funds were secured.

*Matt Paterson, AD of Strategic Planning, 23 May 2024*

### **Risk Management Implications**

16. There is a reputational risk of a negative reaction from residents leading to bad press, potential legal impediments, and protests. Whilst it is noted that some resident consultation has taken place, to partially mitigate the risk it is recommended that a thorough resident engagement exercise is undertaken prior to any detailed design work. This would make significant steps to adhering to the council value of 'Doing things with local residents, not to them'.
17. There is a further risk through increased traffic delays leading to increased traffic fumes and noise during any building works. This does not adhere to the council value of 'Rising to the challenge of the climate and ecological emergency'. This risk must be largely accepted; however, the council should take whatever steps are necessary to deflect fumes and reduce noise as much as is feasible.
18. There is a delivery risk in the management of this initiative leading to a potential loss of control, missed delivery dates, financial losses and reputational impacts. To mitigate appropriate programme, governance, reporting and communications must be put in place to ensure that the programme is delivered, to budget, on time, to the defined quality levels and that the required outcomes are achieved. This will include maintaining a programme Risks, Assumptions, Issues and Dependencies (RAID) log, change control mechanisms as well as defined supporting processes. These should all be laid out and agreed in a Programme Management Document.
19. There is an engagement risk that LBH&F will be exposed to losses, delays and responsibilities due to ambiguities in poorly drafted contracts, inconsistent use of terminology, or lack of clarity in the contractual obligations and payment terms. To mitigate this risk, it is advised that all contracts are reviewed by external construction experts and compared to current construction contract where issues have been encountered.

*Jules Binney, Risk and Assurance Manager, 23<sup>rd</sup> May 2024*

### **Climate and Ecological Emergency Implications**

20. The junction improvement works contribute to the Council's Climate Emergency programme and its route to net zero emissions in the borough by 2030. Transport produced an estimated 153.3 kilotons of CO<sub>2</sub> in the borough in 2017 (the most recent data available), representing 22.5% of H&F's total emissions.

21. Encouraging modal shift from polluting vehicles to cleaner sustainable forms of travel, by incorporating the C34 Cycle Lane into the junction design, of which cycling and walking are among the cleanest.
22. This proposal meets the recommendations of H&F's Air Quality Commission to increase infrastructure for cycling and walking in partnership with TfL.

*Verified by Hinesh Mehta, Assistant Director Climate Change, 22/05/2024*

### **Procurement implications**

23. The works order is to be placed through the council's existing highway term contract with FM Conway Ltd. The term contract is designed for all public highway projects and programmes of works. The contract is based on a tendered schedule of rates to be applied to any scheme (small, medium, and major public highway projects) over the life of the contract period. 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.
24. The London Borough of Ealing has granted permission to the London Borough of Hammersmith and Fulham, to access their Framework Contract via the Access Agreement signed on 31st Aug 2023. Project Centre have been commissioned to complete the detailed design for this project via this agreement with London Borough of Ealing using Lot 3 - Transport & Engineering Services. Project Centre have been engaged since the beginning of the project which started in 2021. An approval to spend report was approved for £50,000 (in accordance with the S106 agreement) to allow Project Centre to commence work on the scheme design. For business continuity and invested knowledge that Project Centre have accumulated during the last two and half years of the project, the council has continued to use them for the detailed design stage of the project.
25. The utility companies that are affected by the highway scheme and need to divert their assets are:
  - BT Openreach                      existing utility supplier
  - UK PowerNetworks                existing utility supplier
  - Cadent Gas                            existing utility supplier
  - Thames Water                        existing utility supplier
  - Colt                                      New utility supplier
  - Eu Networks                          New utility supplier
  - Lumen Technologies                New utility supplier
  - Zayo Europe / Abovenet            New utility supplier
  - Community Fibres                  New utility supplier
  - ITS Technology                      New utility supplier
  - Vorboss                                New utility supplier
  - Virgin Media                         update existing utility supplier details
  - Vodafone                              update existing utility supplier details

And this may include other statutory undertakers who need to divert their assets to enable our scheme delivery.

## **Consultation**

26. Consultation has been undertaken as part of the planning application process and permission has been granted for highway works at The Former Dairy Crest Site, No.56 Wood Lane.
27. Any amendments to Traffic Orders will follow the procedural requirements set out in The Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996.

## **LIST OF APPENDICES**

Appendix 1 - General Arrangement Drawing no. 1000007589-3-09-0100-01  
Appendix 2 - Equalities Impact Assessment (EQIA)