



London Borough of Hammersmith & Fulham

CABINET

22 JULY 2013

JANET ADEGOKE CENTRE - SECTION 106 WORKS

Report of the Cabinet Member for Transport and Technical Services, Councillor Victoria Brocklebank-Fowler

Open Report

Classification - For Decision
Key Decision: Yes

Wards Affected: Wormholt and White City;

Accountable Executive Director: Nigel Pallace,
Executive Director Transport and Technical Services

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1. EXECUTIVE SUMMARY

- 1.1. The Janet Adegoke Centre is a mixed use development (residential / health centre / retail) next to Wormholt Park enclosed by Bryony Road, Bloemfontein Road and Sawley Road. The development has a section 106 agreement requiring highway works for the access requirements and needs of the new development and to improve the streetscape environment and road safety in the area. These works are being funded by the developer.
- 1.2. Initial works in the vicinity of the site's marketing suite will be carried out on 3 June for 3 weeks to improve the appearance of the site entrance prior to potential buyers visiting the site.
- 1.3. This report seeks approval to proceed with the main elements of the works. These works will be undertaken once the developer has completed their site works in approximately October 2013. The proposed works include:
 - Improved raised entry treatment at Sawley Road.
 - Resurfacing of the footways surrounding the development with artificial stone paving.

- Installation of a loading bay and disabled parking bay on Sawley Road
- Widening of the informal pedestrian crossing point on Bloemfontein Road near Australia Road.
- Installation of new cycle racks and trees where permissible on the highway due to underground utility apparatus.

1.4 The total cost of Section 106 works is estimated at £547,500.

2. RECOMMENDATIONS

- 2.1. That implementation of the works as detailed in this report be approved.
- 2.2. That expenditure of s106 funding be approved as follows: £410,600 for works to be implemented in October 2013 and £136,900 to be spent on works in June 2013.

3. REASONS FOR DECISION

- 3.1. The Council is legally required to undertake highway works as per the requirements of the section 106 agreement for this site.

4. INTRODUCTION AND BACKGROUND

4.1. A section 106 agreement regarding the Janet Adegoke site was made on 18 November 2011. The full section 106 agreement is attached as an appendix. The agreement requires the council to undertake the following highway works:

- Upgrading the footway around the site
- Provide a loading bay on Sawley Road and one on Bryony Road
- Provide a new or upgraded crossing on Bloemfontein Road
- Provide alteration or relocation of traffic calming measures
- Provide disabled parking bays
- Provide a vehicle crossover on Sawley Road and a vehicle crossover on Bloemfontein Road
- Reinstate the redundant crossover on Bryony Road to footway
- Replace any street trees and street furniture removed as part of works
- Alter parking bays as required to undertake the works

4.2. The highway works design has been developed with the aim of meeting the requirements listed above.

5. PROPOSAL AND ISSUES

5.1. The proposed works were split into two phases. The first phase will be completed in June 2013. The second phase of works is expected to be

undertaken in October 2013. The estimated costs of the second phase of works is £410,600 and requires approval from Cabinet before implementation. The full cost of the works is being funded by the developer and will be paid in full before the first phase begins.

First Phase of Works (June)

- 5.2. The first phase of works to be completed in June 2013 will include installation of a new raised entry treatment on Bryony Road, a loading bay on Bryony Road, and artificial stone paving on the footway along Bryony Road. These works are required as part of the section 106 agreement and cost approximately £136,900. This phase will be completed early in order to improve the aesthetics of the site entrance prior to potential buyers visiting the site. The phase 1 works were approved for implementation by the Cabinet Member for Transport and Technical Services in March 2013.

Second Phase of Works (to be approved by cabinet)

- 5.3. The second phase of works will begin after the hoarding is removed around the site. This is anticipated to be in October 2013. The works will take approximately 10 weeks to complete and will require a point closure of Sawley Road at the junction with Bloemfontein Road for 2 weeks, to construct the raised entry treatment.

6. OPTIONS AND ANALYSIS OF OPTIONS

- 6.1. Options were confined by the section 106 agreement. The design was developed in accordance with the council's StreetSmart guide and in consultation with the developer.

7. CONSULTATION

- 7.1. Consultation has been undertaken with Team White City and the developer. Team White City expressed no objections to the design.
- 7.2. Consultation with the H&F Disability forum and London Buses will be undertaken.

8. EQUALITY IMPLICATIONS

- 8.1. The proposed works have a positive effect on equality.
- 8.2. The proposed works include de-cluttering which will reduce the number of obstructions that could impede movement of visually impaired pedestrians and people using wheelchairs. It will also improve the footway space for people using prams and strollers.

- 8.3. The footway will be widened on the southern side of Bryony Road and the northern side of Sawley Road between Bloemfontein Road and Wormholt Park providing more space for pedestrians.

9. LEGAL IMPLICATIONS

- 9.1. There are no legal implications arising out of the physical highways works set out in the report. Any proposed changes to existing traffic management orders as set out in paragraph 1.3 of the report will require the council to follow the statutory process set out in the Road Traffic Regulation Act 1984 and secondary legislation. If any objections are made this may lead to a public inquiry. A public inquiry may lead to a delay in implementation of the proposed highway works and increase in the budgeted costs of the proposed works.
- 9.2. As road traffic authority, the council must exercise its functions as far as practicable to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities.
- 9.3. Legal implications completed by Adesuwa Omoregie, Planning Solicitor

10. FINANCIAL AND RESOURCES IMPLICATIONS

- 10.1. The Council is entitled under the terms of the S106 agreement to charge the developer for the cost of Highways work in relation to their development although these funds are not yet in the Council's possession.

An invoice to the developer for £547,461 has been raised. Officers should not proceed with phase 1 or 2 until the full balance of the money due has been received.

- 10.2. Implications verified/completed by: Giles Batchelor, Finance Manager, ex. 2407

11. RISK MANAGEMENT

- 11.1. Not applicable.

12. PLANNING IMPLICATION/ S106 COMPLIANCE

- 12.1. The use of Former Janet Adegoke Leisure Centre S106 fund towards the planned highway works in the site vicinity complies with the S106 agreement dated 18 November 2011. Schedule 3 of the agreement states that the Council shall carry out improvements and alterations to the public highways and public footways at the site. Which shall include all the works

specified in clauses 2,6,7 and 8 of the Schedule 3. Given the fact that the proposed works is in accordance with the S106 agreement, the Director of Planning raises no objection to the use of the S106 contribution towards the highway works in the site vicinity.

12.2. Implications verified/completed by: Peter Kemp, Planning Change Manager, on behalf of the Director of Planning. 0208 753 6970

13. PROCUREMENT AND IT STRATEGY IMPLICATIONS

13.1. Not applicable in this case.

LOCAL GOVERNMENT ACT 2000 **LIST OF BACKGROUND PAPERS USED IN PREPARING THIS REPORT**

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

LIST OF APPENDICES:

Appendix 1 - S106 agreement

Appendix 2 - Plan of proposed works