



City of Westminster

Cabinet Member Report

Decision makers:	Cabinet Member for Planning and Economic Development
Date:	21 February 2024
Classification:	General Release
Title:	Harrow Road Open Space refurbishment
Wards Affected:	Queen's Park
Policy Context:	Fairer Environment, Fairer Economy
Key Decision:	Yes
Financial Summary:	This report seeks approval for capital expenditure of £1,946,802 to cover costs associated with design and implementation of the proposals identified in this report. The expenditure is contained within the Council's approved Harrow Road Capital Budget.
Summary of the Recommendations	That formal approval is given by the Cabinet Member for Planning and Economic Development to undertake canal wall repairs and refurbishment of the public open space at Harrow Road Open Space.
Report of:	Debbie Jackson – Executive Director, Regeneration, Economy and Planning

1. Executive Summary

- 1.1 This report seeks approval to progress with detailed design and implementation of public realm works at Harrow Road Open Space including canal wall repairs and in the context of the wider project encompassing pedestrian crossing improvements outside Queen's Park Library.
- 1.2 Subject to approval of this report works to address significant structural issues with the canal wall are anticipated during spring 2024, with the wider public realm works to follow on afterwards.
- 1.3 Due to its geographical location, Harrow Road Open Space falls within the Council's North Paddington Programme; a place based investment initiative, which aims to improve the health, safety, and economic wellbeing of communities in the Queen's Park, Harrow Road and Westbourne Wards.

2. Recommendations

- 2.1 That formal spend approval totalling £1,946,802 is given by the Cabinet Member for Planning and Economic Development to undertake canal wall repairs and refurbishment of the public open space at Harrow Road Open Space as outlined in Appendix A of this report.

3. Reason for Decision

- 3.1 The recommendations in this paper will lead to a significant improvement to the public space at Harrow Road Open Space, opposite Queens Park Library. It will also resolve long-standing issues with the Canal Wall at this location which if remain could lead to significant future challenges for WCC.
- 3.2 The project responds to key community aspirations and priorities set out in the Queens Park Neighborhood Plan. It will also support the local high street by providing an important space of respite alongside the Harrow Road, facilitate improvements in biodiversity within an area of deficiency and ensure accessibility improvements are made to the open space to ensure equal access for everybody.
- 3.3 A Cabinet Member Decision is required in accordance with the Scheme of Delegation due to the value of the decision.

4. Background & Context

- 4.1 Westminster City Council have an aspiration to transform the Grand-Union canal into a blue-green spine for the north of the city. We envision a waterway that is not only an effective walking and cycling corridor, but also as a place that can enrich lives and make a difference to the communities it runs through. This project is part of the North Paddington Programme and is aimed at addressing the long-standing social-economic and health challenges in the northwest of Westminster. With funding secured from the Greater London Authority's Good Growth Fund, we have commissioned a multi-disciplinary team to design and deliver public space improvements to Harrow Road Open Space. The project vision is to create a more inviting, sustainable, and accessible public space for all.

4.2 Since 2021, the City Council has worked with the local community to better understand their needs and aspirations for the space. A design has been produced in response to longstanding ideas and aspirations of local community groups and stakeholders gathered through engagement events. The design has also been informed by previous work by Queen's Park Community Council and Syte Architects who developed early proposals for the Canalside as part of their visioning work for Canal Terrace in 2019 and wider work on the Queens Park Neighbourhood Plan. As part of the engagement feedback there has been the suggestion of a name change to Queen's Park Canalside which we have noted and will progress separately.

4.3 This project contributes to Fairer Westminster objectives in delivering safer roads, increased access to green space and supporting local communities. This project meets the following Fairer Westminster objectives under Fairer Environment and Economy:

- Improve our high streets as part of our place-based approach to delivering services.
- Help community groups improve their local green spaces.
- Help build the City's climate resilience and improve air quality.
- Cleaner and safer streets.

The following City Plan 2019-2040 objectives are met by this scheme.

- **Objective 3** - Enhance the area as a visitor destination by providing a different offer and space to dwell on the High Street.
- **Objective 6** - Improve quality of life, climate resilience and tackle environmental challenges by protecting, enhancing, expanding our network of parks and open spaces.
- **Objective 8** - Promote quality in public spaces, with a high-quality urban design that responds to community ambitions and the architectural heritage of the area.
- **Objective 9** - Making sure our neighborhoods continue to thrive.
- **Objective 10** - Make the most of our unique heritage and historic environment, while improving a sense of place

4.4 Repairs to the existing canal wall are a key piece of enabling work that must be completed prior to the public realm enhancements. It is not clear from any documentation who owns the wall. Investigations have shown that the Canal and River Trust believe it is not their responsibility on the basis that there is not a tow path on this side of the canal.

4.5 However, there is no evidence either that it belongs to or is the responsibility of the City Council. Therefore, repair works proposed under this report are being undertaken by WCC as a responsible authority, and by undertaking the works does not take any legal responsibility for any future ongoing maintenance or repair of the canal wall.

5. Proposed works

5.1 The improvement works comprise:

- Canal wall repairs.
- Public open space refurbishment.
- Highways works in the vicinity of the open space (subject to separate approval).

- 5.2 **Canal wall repairs** – the canal wall in this location is in a poor state of repair. Urgent repairs are required before the wall decays further, which could lead to more costly works to keep the public open space above it in a good and safe condition. The repairs are necessary before any refurbishment of the public open space is undertaken because roots from vegetation are affecting the surface levels in the open space. The repair includes refurbishment work to the railings lining the space.
- 5.3 **Public Open Space refurbishment** – plans include wheelchair and pushchair accessible ramps, more seating, improvements to area outside the library, in canal reed beds to support biodiversity, play and educational features, relaying paving, architectural lighting, new planting.
- 5.4 **Highway works** – the wider pedestrian crossing and highway public realm improvements around Queen’s Park Library are subject to a separate approval.
- 5.5 **Exploring additional scope for a pontoon** - As part of the original engagement on this project there was a community ambition to see a ‘pontoon’ or community mooring spot provided alongside the refurbished open space. To advance this ambition extensive engagement has taken place with the Canal & River Trust and contact made with fourteen boat/water-based organisations to inform the potential feasibility and future management or operational arrangements for such provision.
- 5.6 Whilst CRT are supportive of encouraging greater use of the canal, they have policies in place that set clear guidance on maintaining navigable widths along the canal. As a result, the dual provision of a generous sized pontoon alongside a moored boat is untenable in this location. In addition, WCC have been unable to clearly identify a third party that would be willing or able to commit to the management and maintenance of a narrower ‘pontoon’, mooring point and / or any infrastructure adjacent to the canal wall that will enable access.
- 5.7 The provision of a pontoon or similar piece of infrastructure without third party management in place will not be possible to absorb within existing WCC management arrangements, especially given its water-based location and the liabilities this presents.
- 5.8 As a result, the provision of a pontoon is not included in the proposals at this stage to avoid additional complexities that could impact programme. The specification and design of the canal wall will be such that mooring points, or a pontoon could be delivered at a future date should a suitable management arrangement be established within the constraints of the location.
- 5.9 A plan of proposals showing the open space refurbishment and highway works is provided in Appendix A.

6. Procurement

- 6.1 A tender exercise has been undertaken for the canal wall repairs. This is a design and build tender and has been supported by WCC’s Procurement Team, working within the Procurement Code guidelines.
- 6.2 From an initial interest of 25 companies, WCC received a total of 2 firm bids for this package of works, which was evaluated and moderated in line with the procurement code. The contract has been awarded to Greenford Limited as their bid was the highest scoring and most economically advantageous tender received. Internal

approval was obtained to proceed and approval to award given by the Executive Director of Regeneration, Economy and Planning.

- 6.3 The open space refurbishment has been designed through landscape architectural consultants, LDA Design, up to RIBA Stage 3.
- 6.4 Technical details for the open space and highways work along with delivery of both will be undertaken through the Highways Term Contract.

7. **Financial Implications** **Capital Expenditure budget.**

- 7.1 The Capital programme, approved by full Council in February 2023 includes an allocation to Harrow Road Place Shaping of £4.788m.
- 7.2 During 23/24, a further budget virement of £1.1m was approved, therefore the total budget is £5.888m.

Spend

- 7.3 Total spend of £2,626,527 is required to deliver the project, including the highway works. A summary of the spend is outlined in the table below.

Cost type	£'s
Canal wall repairs	259,966
Canal wall repair external management costs	31,711
Public Open Space refurbishment works*	1,655,125
Canal wall repairs and public open space total	1,946,802
Highways works costs*	679,725
Overall total	2,626,527

*These are estimated costs and subject to detailed design and onsite investigations. Internal costs included.

- 7.4 This CMR is seeking approval for only the canal wall repairs and public open space refurbishment works amounting to £1,946,802. The highway work costs of £679,725 will be subject to a separate approval by the Cabinet Member for City Management and Air Quality.
- 7.5 In August 2023, spend approval was granted via CMR for £2,713,000 to deliver Maida Hill market. Including this spend request of £1,946,802 and separate approval for the highway elements of the project of £679,725, the total commitment against the Harrow Road budget will be £5,339,527 and is within the total approved budget of £5,888,000.
- 7.6 The overall Harrow Road place shaping programme is scheduled to complete in 2024/25. The programme is reliant on permits from CRT - should those be received to enable work to begin as anticipated, all spend against the budget will be incurred by 31 March 2025.

Risks and opportunities

- 7.7 **Canal wall repairs** - The costs have been fixed based on the current scope of the project. However due to the nature of the site and work involved there could be an increase in costs should any currently unknown issues arise once on site.

Additionally, a permit is required from the Canals and Rivers Trust to work within a waterway and the timescales are dependent upon timely consents and approval to work in spring/summer months.

- 7.8 **Public Open Space refurbishment** - Work is still ongoing on the technical design for the Public Open Space refurbishments and as such a generous contingency has been included that officers will seek to reduce once the project advances and there is greater certainty of costs.

Revenue Implications

- 7.9 As referenced in 4.4 and 4.5 above, WCC does not consider the canal wall its responsibility and therefore the Council will not be responsible for any future maintenance in relation to these essential repairs.
- 7.10 A recent Medium Term Financial Plan (MTFP) request of £5,000 per year has been made to increase the future revenue maintenance budget for the Public Open Space.

8. Legal Implications

- 8.1 S1 Localism Act 2011 provides the Council with a General Power of Competence which enables it to do anything an individual can do provided it is not prohibited by other legislation.
- 8.2 The Director of Law (ref: Isaac Carter) has considered this report and is satisfied that the proposals set out fall within the statutory powers as detailed in 8.1.

9. Consultation

- 9.1 Queen's Park Ward Councillors have been briefed on the wider North Paddington Programme and kept informed of this project and its progress throughout. A comprehensive programme of engagement over a number of years has been held with the local community including an engagement exercise held at Queen's Park Library in May specifically about proposals for this project. Responses back from the engagement were positive with particular interest in safety, of pedestrians at the crossing (car speeds), of lighting at night and of establishing clear sightlines (obstructed by shrubbery).

<p style="text-align: center;">If you have any queries about this Report or wish to inspect any of the Background Papers, please contact: Rebecca Cloke, Interim Head of Place Shaping, rcloke@westminster.gov.uk</p>

APPROVED BY

Name and Title
Gary Allen, Finance
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Appendices

Appendix A – Plan of proposals & visualisations

For completion by the **Cabinet Member for Planning and Economic Development**

Declaration of Interest

I have no interest to declare in respect of this report

Signed: 

Date:

13 February 2024

NAME: _____
Councillor Geoff Barraclough

State nature of interest if any

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(N.B: If you have an interest you should seek advice as to whether it is appropriate to make a decision in relation to this matter)

For the reasons set out above, I agree the recommendation(s) in the report entitled **Harrow Road Open Space refurbishment** and reject any alternative options which are referred to but not recommended.

Signed 

Cabinet Member for Planning and Economic Development

Date13 February 2024.....

If you have any additional comment which you would want actioned in connection with your decision you should discuss this with the report author and then set out your comment below before the report and this pro-forma is returned to the Secretariat for processing.

Additional comment:
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If you do not wish to approve the recommendations, or wish to make an alternative decision, it is important that you consult the report author, the Director of Law , Strategic Director Finance and Performance and, if there are resources implications, the Strategic Director of Resources (or their representatives) so that (1) you can be made aware of any further relevant considerations that you should take into account before making the decision and (2) your reasons for the decision can be properly identified and recorded, as required by law.

Note to Cabinet Member: Your decision will now be published and copied to the Members of the relevant Policy & Scrutiny Committee. If the decision falls within the criteria for call-in, it will not be implemented until five working days have elapsed from publication to allow the Policy and Scrutiny Committee to decide whether it wishes to call the matter in.