



City of Westminster

Cabinet Member Report

Decision makers:	Cabinet Member for Planning and Economic Development
Date:	30 April 2024
Classification:	General Release
Title:	Appointment of consultants to develop Little Venice and Canalside and Paddington Green RIBA Stages 2 to 6 design.
Wards Affected:	Little Venice; Hyde Park
Policy Context	Fairer Environment, Fairer Communities
Key Decision:	Yes
Financial Summary:	<p>The report seeks the approval for capital expenditure of £728,260 to cover costs associated with the design development of Little Venice Canalside and Paddington Green.</p> <p>The expenditure is fully contained within the Council's approved Place Shaping budget for Paddington.</p>
Report of:	Debbie Jackson, Executive Director, Regeneration, Economy and Planning

1. Executive Summary

- 1.1. This report sets out the background for the development of public realm projects in the Paddington area following the Paddington Public Realm Strategy and justifies the appointment of landscape-architecture consultants and sub-consultants to lead RIBA Stages 2 to 6 of the design of Little Venice Canalside (Rembrandt Gardens and Stone Wharf) and Paddington Green (including St. Mary's Churchyard Gardens) and the development of Highways Stage 1 – Feasibility by WCC Highways Term Contract.
- 1.2. These projects contribute to Fairer Westminster with strong focus on Fairer Environment and Fairer Communities objectives, delivering cleaner and safer roads, increasing access to green space, encouraging active travel, and supporting local communities. They will also contribute towards fostering a safe and welcoming city that will help our communities thrive, meeting the local's needs and reducing inequality.
- 1.3. Due the significant spend (above £300k) in one consultant contract there is a requirement for Cabinet Member approval.
- 1.4. Considering that Highways Stage 1 – Feasibility and associated surveys will need to be developed in parallel by WCC Highways Term Contract, we are requesting overall spend approval including these services.
- 1.5. Approval of internal Council's cost associated to the development of this project are also being requested.
- 1.6. This report does not seek approval for the budget for the delivery of these projects, as these are still to be defined and costed through the design development stages.
- 1.7. There will be further internal consultation upon completion of RIBA Stage 2 / Highways Stage 1.

2. Recommendations

- 1.8. Approve the contract award for the appointment of a Landscape Architect to East Architecture, Landscape, Urban Design Limited (the Consultant) in respect of developing RIBA Stages 2-6 for Paddington Canalside and Paddington Green.
- 1.9. Approval of the overall sum of £728,260 sought against the existing Paddington Capital budget, including: contract award for the Consultant to deliver RIBA Stage 2-6 (£586,190), Highways Stage 1 – Feasibility study (£62,070) and associated Council's own internal costs (£80,000).

3. Reason for Decision

- 1.10. A Cabinet Member decision is required to enable Westminster City Council to enter into a contract with East Architecture Landscape Urban Design Ltd, the successful tenderer, to develop RIBA Stages 2-6 for Little Venice Canalside and Paddington Green and its associated surveys.

- 1.11. In a briefing held on 17 July 2023 the Cabinet Member for Planning and Economic Development agreed to proceed with the procurement of consultants to develop the design for Little Venice Canalside (Stone Wharf and Rembrandt Gardens) and Paddington Green (including St Mary's Churchyard Gardens).

4. Background & Context

- 4.1 Paddington Public Realm Strategy was developed in 2020-22 and published in early 2023. It seeks to transform Paddington's fragmented neighborhoods into a vibrant, healthy, and inclusive area by rebalancing the environment to enable legible and safe pedestrian and cycle movement, and to create great public spaces. The strategy sets out an urban framework and programme of public realm projects across either side of the Westway, from Royal Oak to Edgware Road stations.
- 4.2 Both Little Venice Canalside (Stone Wharf and Rembrandt Gardens) and Paddington Green / St Mary's Churchyard Gardens are identified in the Paddington Public Realm Strategy and are key to delivering its objectives.
- 4.3 Little Venice Canalside proposes the improvement of the canalside route from Warwick Avenue station to Paddington. The canal is an asset to the area as an ecological corridor, as well as for leisure and providing open space.
- 4.4 Paddington Green proposal seeks to improve and establish a lively, vibrant and safe local park and public space to better serve the local community, including St Mary's Churchyard. Alongside this the scheme will look to enhance the existing pedestrian route via Church Yard Walk to accommodate both pedestrians and cyclists and create a link to the strategic route between Bishop's Bridge Road and Church Street.
- 4.5 These projects contribute to Fairer Westminster objectives in delivering cleaner and safer roads, increased access to green space, encouraging active travel, and supporting local communities. They will also contribute towards fostering a safe and welcoming city that will help our communities thrive, meeting the local area's needs and reducing inequality.
- 4.6 This project meets the following Fairer Westminster objectives under Fairer Environment and Fairer Communities:
 - 4.6.1 Cleaner and safer streets and the prioritisation of pedestrian safety via reduced vehicular movements.
 - 4.6.2 Enabling and encouraging active travel through the additional cycle links and increased cycle parking.
 - 4.6.3 Addressing local resident's needs, particularly the youth, creating spaces for improved health and wellbeing and reduced inequalities.
 - 4.6.4 Contributing to improve safe spaces for women and girls.
- 4.7 These projects will also contribute to the following City Plan 2019-2040 objectives:

- 4.7.1 Objective 5, to enhance connections by improving options for cycling, walking, whilst prioritising pedestrians (...).
- 4.7.2 Objective 6, Improve quality of life, climate resilience and tackle environmental challenges by protecting, enhancing, expanding our valuable network of parks and open spaces.
- 4.7.3 Objective 7, to improve air quality and other polluting impacts is met by the prioritisation of sustainable transport modes of walking and cycling and the environmental benefits that the new trees and planting will bring to the project area.
- 4.7.4 Objective 8, Promote quality in the design of buildings and public spaces, ensuring that Westminster is attractive and welcoming.
- 4.7.5 Objective 10, Make the most of our unique heritage and historic environment, while encouraging innovations in building technology and improving a sense of place.

5 Appointment of consultants for design works and associated surveys

- 5.1 Following the steer in July 2023 the Place Shaping team has finalised the brief and scope of works and, together with WCC's Procurement team, have proceeded to tender consultants using the GLA Architecture + Urbanism Framework (A+U) Lot. 4 – Landscape, Green Infrastructure and Public Realm. This framework is compliant with PCR 2015 Regulation 33 and the Council's Procurement Code. Its purpose is to allow the appointment of high-quality architectural, place making and urban planning design services.
- 5.2 The GLA A+U Framework was used due the expected procurement threshold being above £214,904.00 and the pre-selected high-quality of consultants on this compliant framework.
- 5.3 The decision for a single contract for *RIBA Stage 2 – Concept Design, Stage 3 – Spatial Coordination, Stage 4 – Technical Design, Stage 5 – Manufacturing and Construction and Stage 6 - Handover* seeks to allow for the design intent to be carried out up to and including delivery of the entire project services with a lead design team throughout the design process.
- 5.4 The option for procuring both project areas together as one was to allow continuity of design intent and coordination between them at least during RIBA Stage 2 – Concept Design. From RIBA Stage 3 onwards the contract will allow for the development of each project area independently if that proves to be the best solution in terms of budget, phasing and buy-in from the community, key stakeholders and the Council's different teams. Key teams already involved in the scoping of the project are Parks and City Highways. During the design development, they will also have a key role and involvement, so lessons learned in similar projects are considered throughout the project development and also after it is delivered, assuring that all operational and revenue implications of the proposed improvements to the area are considered.

- 5.5 The contract will also have break clauses at each RIBA Stage conclusion, allowing for a review of the scope of works and termination of the contract, if required.
- 5.6 East Architecture Landscape Urban Design Ltd, Company registration number 05332948 are classified as a small medium enterprise (SME) and were selected due to an excellent proposal submitted via a competitive procurement process utilising the previously stated framework. The criteria of evaluation were based upon scoring split of 80% Quality and 20% Financial weighting. The quality percentage section includes sub-sections of scoring for responsible procurement which equates to 25% of the quality section requirements.
- 5.7 East have responded very well to the different sections of the tender submission: Understanding of the Brief; Approach, Methodology and Programme; Team Assembled and Experience; and Social Value & EDI. They also had an outstanding interview. The other two submissions were also good but overall did not score as high as East and therefore were not selected.
- 5.8 In parallel to this commission, the Council's City Highways Term Contract will be conducting Highways Stage 1 – Feasibility and associated surveys, which will be focused on the Paddington Green area. These services are required as the Council is the Highway Authority for the roads in the project area.
- 5.9 This Cabinet Member Report is seeking approval to enter a contract with the appointed consultants through the competitive tender and the Highways Term Contract services, including associated surveys.

6 Programme

- 6.1 Upon approval, the contract is scheduled to commence in May 2024, with RIBA Stage 2 – Concept Design expected to take 8 months, including a period for public consultation.
- 6.2 Highways Stage 1 – Feasibility and associated surveys will be conducted following the RIBA Stage 2 timeframe.
- 6.3 An initial period for review of the brief and preparation for public engagement will be conducted on month 1 of this contract.
- 6.4 Solid engagement with the community and key stakeholders will be conducted throughout this contract as to gather information to inform the concept design (months 2 to 5). In parallel to that, design teams will be developing designs and considering all technical requirements based also on the surveys conducted.
- 6.5 This will be followed by an internal review process based on concept design options and associated budgets for delivery (month 6).
- 6.6 On month 7 a public consultation on design options will be conducted with the wider public and key stakeholders. This will consider associated budgets for each of the options and will be clear that the Council still don't have funding secured for the delivery of this scheme.

- 6.7 On month 8, a period for review of feedback received and a recommendation on routes for progressing with the concept designs will take place. This will conclude RIBA Stage 2 – Concept Design / Highways Stage 1 - Feasibility.
- 6.8 Once this stage is completed, an internal review gateway will consider if further stages of detailed design for one or both of these schemes will be recommended.
- 6.9 Approval for further design development beyond RIBA Stage 2 / Highways Stage 1 and delivery budgets will need to be considered before progressing, including all associated governance and sign off procedures.

7 Financial Implications

Capital Expenditure budget

- 7.1 The Capital programme, approved by full Council in February 2023 includes an allocation to Paddington Place Shaping budget of £1,669,000.
- 7.2 During 23/24, it has been proposed that £1,000,000 of budget allocated to other place shaping schemes which have either been cancelled or delayed are to be reallocated to Paddington Place Shaping budget. This request was agreed by Cabinet on 29 January 2024. The team have also secured £141,000 of external funding from TfL LIP (Local Implementation Plans) which due to Capital accounting processes has led to an additional Capital expenditure request. Should this request be agreed by Full Council in March 2024 the new Paddington place shaping budget will be £2,810,000.

Description	£'s
Approved budget	1,669,000
Existing place shaping budgets to be reallocated	1,000,000
External funded expenditure	141,000
Total proposed budget	2,810,000

- 7.3 Additional expenditure budget will be needed for the delivery stages once the scope and cost estimates have been established at the end of RIBA Stage 2. Future Capital budget requests will be sought in line with the Council's established processes.

Spend

- 7.4 The spend approval request is for £728,260 comprising of £586,190 to deliver the scope of works outlined in 5.1 to 5.9 above. A detailed breakdown of the contract costs is within the table below. There is a further £62,070 of Highways Term Contract costs and £80,000 of Internal Council costs associated with the delivery of the contract.

Cost type	Cost detail	£'s
East Architecture Landscape Urban Design Ltd	RIBA Stage 2, including surveys	133,300
	RIBA Stage 3	143,770
	RIBA Stage 4	155,355
	RIBA Stage 5	130,385
	RIBA Stage 6	23,380
	Subtotal 1	586,190
Highways Term Contract	Highways Stage 1 – Feasibility, including surveys and contingency	62,070
	Subtotal 2	62,070
WCC costs*	Internal costs to complete Stage 2	80,000
Total cost		728,260

*WCC costs based on current resourcing within the programme.

Funding

- 7.5 The total costs of **£728,260** (exclusive of VAT) will be fully met by the existing budget and funded through the Council's capital programme.

Revenue implications

- 7.6 There will be printing, and engagement related costs associated with the overall Capital spend and these will be met by the existing wider Place shaping revenue budget. Costs are not expected to exceed £10,000. As the programme develops towards the delivery stage, all revenue implications will be considered as part of any future spend approval requests.

Risk

- 7.7 RIBA Stages 2-6 design costs are fixed through the contract, therefore there is no risk to the budget unless a future variation to the contract is requested.
- 7.8 Current scoped Highways Stage 1 – Feasibility costs of £62,070 have been agreed with the Highways team and will be initially paid against the Highways budget and then transferred to Paddington place shaping capital programme. Any increases in scope will be agreed between Highways and the Place Shaping team ahead of any future cost transfers.

8 Legal and Governance Implications

- 8.1 The recommendation in this report is seeking approval of:
- (i) A direct award Call-Off Contract for Landscape Architect to East Architecture, Landscape, Urban Design Limited (the Consultant). The call-off contract for award has been procured via the Greater London Authority (GLA) Architecture + Urbanism Framework (Ref: GLA 81689) - Lot 04: Landscape, Green Infrastructure & Public Realm (the Framework). The contract award is in respect of the development of Little Venice Canalside and Paddington Green (the Project).

- (ii) Additional budget spend in the sum of £62,070 for the Project transferred from the Council's Highways budget to undertake a highways stage 1 feasibility study (including associated surveys) and
 - (iii) Additional internal budget spend of £80,000 to deliver the Project.
- 8.2 The Framework has been set up in compliance with regulation 33 of the Public Contracts Regulations 2015 ("the PCR") and permits the Council access to procure services in accordance with terms of the Framework. The Council was able to procure the services it required by way of a running a mini competition.
- 8.3 A Call-Off Order Form must be completed as required by the term of the Framework. The Council must use the Framework call-off terms and conditions which does not permit material amendments but allows the Council to incorporate its own special conditions. As such, the specific requirements for the Council regarding Professional Indemnity Insurance, its Ethical Procurement Policy and any other special terms should be incorporated into the Council's Call-Off Contract to be executed with the Consultant. The form of contract to be used is the standard JCT Consultancy Agreement, 2016 with the Council's standard amendments as permitted by the Framework terms.
- 8.4 The report recommends that the Call-Off Contract fee for the services to be delivered is £586,190.00 (exclusive of VAT) in respect of a contract term for the period of three (3) years to commence in March 2024.
- 8.5 Subject to endorsement from the Commercial Gateway Review Board, approval of the call-off contract award is required from the relevant Cabinet Member following recommendation to approve from the appropriate Executive Leadership Team member.
- 8.6 The Cabinet Member Terms of Reference delegate the powers of this decision to the Cabinet Member. In accordance with Paragraph 33.12 of the Council's Access to Information Procedure, this proposed key decision was entered in the Forward Plan on 10 November 2023 and the necessary 28 clear days' notice has been given. A period of five clear days - the call-in period – must elapse before the decision is enacted. If the decision is called-in during this period, it cannot be enacted until the call-in has been considered and resolved.

9 Ward Member Consultation

- 9.1 A site visit was held with Little Venice Ward Members and key stakeholders in August 2023 to discuss opportunities and establish the remit of the project, including discussions on the high-level objectives of this commission and expected timeframes for procurement on appointing a landscape-architecture consultant.
- 9.2 A draft of this Cabinet Member Report has also been shared with Ward Members and has received comments from Cllr Caplan and Cllr Dean. Their comments are summarised below:

- No objection to improving these sites in the Ward and they are very supportive for greater access and accessible routes to the canal between Little Venice and Paddington Basin.
- Do not support the spend on the project development due to lack of information shared since the previous site visit.
- It is assumed that the allocated budget (£728,260) will also cover for construction, as it is noted that the Council has not secured funding for the delivery of this scheme and this amounts for over 25% of the total budget for all Paddington Place Shaping Programme Capital Budget (£2.81M).
- Paragraph 4.3 is supported as a desirable objective but with an acknowledgement that it will be contingent on the cooperation of CRT, who owns most of the land.
- Paragraph 4.4 is not supported due to concerns that accommodating cyclists and pedestrians on Churchyard Walk could compromise pedestrian access to the church and churchyard. Alternative priorities for cyclist access across the Harrow Road are suggested.

9.3 Considerations on the comments received, also shared with Ward Members ahead of the publication of this Cabinet Member Report:

- Support is welcomed and collaboration with key stakeholders, the local community and Ward Members is important to meet the objectives outlined in the project brief. It's crucial to note that the primary purpose of this Cabinet Member Report is to secure approval for commissioning the necessary consultant services to initiate the design proposals.
- The project briefs follow what has been set out in the Paddington Public Realm Strategy (publicly available and shared previously) and includes the need to explore different views and considerations from Ward Members and key stakeholders once the consultants start developing the proposals.
- In line with the Council's Procurement best practice, design consultants will work through RIBA Stages 2 to 6, with break clauses in the contract at the completion of each RIBA stage, allowing for review of scope, if necessary. There will be an initial cost for RIBA Stage 2 of £275,370 (comprising landscape architecture consultants fees £133,300, Highways Stage 1 £62,070, and related internal expenses total £80,000), followed by a review before progressing to Stage 3 and beyond.
- There is no delivery budget yet associated to the scheme as costs will vary depending on the design proposals to be developed at RIBA Stage 2.
- There is only a small portion of the canalside towpath that is owned by Canal and River Trust. The remaining area TfL is the freeholder and WCC has a long lease for the area.
- Currently cyclists and pedestrians use the same space on Churchyard Walk, which is narrow and not adequate as a shared surface. Alternative options will be explored once a design consultant is appointed.

If you have any queries about this Report or wish to inspect any of the Background Papers, please contact:

Ramiro Levy, Place Shaping Principal

BACKGROUND PAPERS

- [Paddington Public Realm Strategy](#)
- [Procurement: Architecture + Urbanism Framework | London City Hall](#)

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:

NAME:

Councillor Geoff Barraclough

30 April 2024

State nature of interest if any

(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 **Appointment of consultant to develop Paddington Canalside and Paddington Green RIBA Stages 2 to 6 design** and reject any alternative options which are referred to but not recommended.

Signed

Cabinet Member for Planning and Economic Development

Date ...30 April 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:

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.