

Report of Head of Projects and Programmes

Report to Director of City Development

Date: 7th December 2018

Subject: design and cost report for Sovereign Square green space phase 3 – Platform Access Road

Capital scheme number: 33053

Are specific electoral wards affected? If relevant, name(s) of ward(s): Hunslet and Riverside	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, access to information procedure rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

1. Sovereign Square green space phase 1 and 2 were completed in June 2016. The phase 1 works consisted of the delivery of the main central area of the green space including the water feature, raised lawns, tree grove, rain garden and the public realm around number 2 Sovereign Square.
2. The original phasing programme also included the access road works from Pitt Row to the entrance under the railway arches as part of the green space works (phase 3). However, these were removed from the Sovereign Square contract pre-tender for phase 1 as a result of the redevelopment of City House, now known as Platform, as this route was to be used as the construction access for those works. On that basis a temporary landscaping treatment was included within phase 1 on the understanding that the permanent landscaping works would be delivered at a later date once Platform was complete.
3. All of the above was set out within a legal agreement between The Council and Bruntwood, along with two options for the delivery of the works: 1. The Council deliver

the works to the access road with 10 weeks of the completion of Platform following the issue of a works completion notice from Bruntwood Ltd; 2. Bruntwood Ltd carry out the works on behalf of the Council to the agreed specification.

4. Following a review of the works earlier this year, the timings re sourcing of materials and the interface needing to be managed with access to the Platform building and the access road works needing to impact on this as little as possible, it was agreed that the most appropriate way forward that ensured that the Council did not breach the terms of the legal agreement between itself and Bruntwood Ltd, was that Bruntwood Ltd would carry out the works on behalf of the Council.

Recommendations

5. The Director of City Development is requested to approve the injection and give authority to spend £246,306.48 for the delivery of phase 3 of the public realm works at Sovereign Square plus an additional £10k on design fees meaning that the total works costs are £256,306.48;
6. Further to Executive Board approval to the Legal Agreement in March 2014 the Director of City Development is asked to accept the tender submission from Bruntwood Ltd to the value of £246,306.48 and approve the award of the contract for the delivery of phase 3 of the public realm works to Bruntwood Ltd.

1 Purpose of this report

- 1.1 The purpose of the report is to seek approval to inject funding into the capital programme and authority to spend said funding for the construction of City House access road works at Sovereign Square, which is phase 3 of the green space and to accept the tender price received from Bruntwood Ltd of £246,306.48 plus an additional £10k in design fees for the delivery of these works.

2 Background information

- 2.1 Sovereign Square green space phase 1 and 2 were completed in June 2016. The phase 1 works consisted of the delivery of the main central area of the green space including the water feature, raised lawns, tree grove, rain garden and the public realm around number 2 Sovereign Square.
- 2.2 The original phasing programme also included the access road works from Pitt Row to the entrance under the railway arches as part of the green space works. However, these were removed pre-tender to phase 1 as a result of the redevelopment of City House, now known as Platform, as this route was to be used as the construction access for those works. On that basis a temporary landscaping treatment was included within phase 1 on the understanding that the permanent landscaping works would be delivered at a later date once Platform was complete.
- 2.3 All of the above was set out within a legal agreement between The Council and Bruntwood approved by Executive Board in March 2014, along with two options for the delivery of the works: 1. The Council deliver the works to the access road with 10 weeks of the completion of Platform following the issue of a works completion notice from Bruntwood Ltd; 2. Bruntwood Ltd carry out the works on behalf of the Council to the agreed specification.
- 2.4 Following a review of the works earlier this year (including both design, procurement and delivery), the timings re sourcing of materials and the interface needing to be managed with access to the Platform building and the access road works needing to impact on this as little as possible, it was agreed that the most appropriate way forward that ensured that the Council did not breach the terms of the legal agreement between itself and Bruntwood Ltd, was that Bruntwood Ltd would carry out the works on behalf of the Council.
- 2.5 A tender return for the works has been submitted in August 2018 by Bruntwood Ltd for the delivery of City House access works to the value of £246,306.48 based on a works schedule, tender drawings and specification produced by ReForm Landscape Architecture who were the original landscape architects on the Sovereign Square green space scheme. The tender return has been checked against the original cost estimates developed by NPS in 2015 and reviewed by Reform and NPS to ensure that the tender return represents market value.
- 2.6 The tender price has been accepted in principle and a contract between both parties (Bruntwood and The Council) has been drafted. In order to maintain the delivery programme, the contract now needs to be awarded to Bruntwood Ltd.

3 Main issues

3.1 The scheme consists of:-

- The removal of the temporary landscaping works along Platform access road (ie digging out of the surface bitmac down to formation level) and the removal of the material to tip;
- The installation of granite sett paving to Platform access road;
- Construction of a pedestrian crossing point from Pitt Row into Sovereign Square green space
- Topsoiling and shrub planting to existing grassed planting beds

3.2 The works are due to commence on the 7th January and be complete by the end of March.

3.3 These works are the third phase of Sovereign Square green space form part of the original planning approval (secured in 2013) for the delivery of the entirety of Sovereign Square green space. Phase four consisted of public realm improvements to Sovereign Place which sits directly behind the BT building. This area is likely to be impacted by the proposals for HS2 and as such phase four will be put on hold until there is more certainty on the HS2 deliverability.

3.4 It is proposed that S106 funding received from the delivery of the development plot B at Sovereign Square - £188,339 for the delivery of public realm within the vicinity of Sovereign Square is utilised in full to support the delivery of this scheme. In addition one other additional funding source has been allocated to these works - 27910.087 and it is proposed to use this to cover the remaining balance of £68,000.

4 Corporate considerations

4.1 Consultation and engagement

4.1.1 The Executive Member for Regeneration, Transport and Planning has been consulted and is supportive of the proposal.

4.1.2 Ward members have been informed of the programmed works.

4.2 Equality and diversity / cohesion and integration

4.2.1 At the time this scheme was designed significant consultation was undertaken with access and disability groups to ensure that the whole green space was DDA compliant and the site easily navigable for all users. This was then subject to a planning submission and a scheme agreed as part of the planning process. What will be delivered here is as per the scheme approved by plans panel in 2013. At the time the scheme was approved by Executive Board for the funding and delivery of the works an ECDI screening was undertaken and this did not highlight an areas for further consideration from an equality point of view.

4.3 Council policies and the best council plan.

4.3.1 The Council's new Vision 2010-2030 is that by 2030, Leeds will be internationally recognised as the best city in Britain – a city that is fair, open and welcoming with a prosperous and sustainable economy, a place where everyone can lead safe, healthy and successful lives. The delivery of new green space is paramount to the successful delivery of the Inclusive Growth Strategy and the 12 big ideas set out within that which identifies 21st century infrastructure as one. Sovereign Square green space was delivered on the back of our ambition to create a 21st century, high quality green space and this proposal aligns fully with that ambition.

4.4 Resources and value for money

4.4.1 The cost of the works is £256,306.48 and this breaks down as follows:-

- Construction - £215, 287.66
- Prelims £31,018.82
- Fees £10,000

4.4.2 Capital funding and cash flow.

Complete the embedded table below:-

Previous total Authority to Spend on this scheme	TOTAL £000's	TO MARCH 2018 £000's	FORECAST				
			2018/19 £000's	2019/20 £000's	2020/21 £000's	2021/22 £000's	2022 on £000's
LAND (1)	0.0						
CONSTRUCTION (3)	0.0						
FURN & EQPT (5)	0.0						
DESIGN FEES (6)	0.0						
OTHER COSTS (7)	0.0						
TOTALS	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Authority to Spend required for this Approval	TOTAL £000's	TO MARCH 2018 £000's	FORECAST				
			2018/19 £000's	2019/20 £000's	2020/21 £000's	2021/22 £000's	2022 on £000's
LAND (1)	0.0						
CONSTRUCTION (3)	246.3		222.0	24.3			
FURN & EQPT (5)	0.0						
DESIGN FEES (6)	0.0						
OTHER COSTS (7)	10.0		10.0				
TOTALS	256.3	0.0	232.0	24.3	0.0	0.0	0.0
Total overall Funding (As per latest Capital Programme)	TOTAL £000's	TO MARCH 2018 £000's	FORECAST				
			2018/19 £000's	2019/20 £000's	2020/21 £000's	2021/22 £000's	2022 on £000's
Holding A/c Balances	68.0		68.0				
Section 106 / 278	188.3		164.0	24.3			
Total Funding	256.3	0.0	232.0	24.3	0.0	0.0	0.0
Balance / Shortfall =	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Parent scheme number : 33053

Title : Sovereign Square Greenspace Phase 3 Access Road

There are no revenue implications for the scheme as the land occupied by the access road once complete will be leased to Network Rail, who through their subtenant Bruntwood Ltd will have maintenance responsibility for the access road.

4.5 Legal implications, access to information and call-in

4.5.1 The Council and Bruntwood Ltd are in a legal agreement to deliver these works at a point in time when works to Platform are complete and Bruntwood Ltd issue a legal notice to the Council. This notice is imminent and therefore works need to commence as soon as possible to ensure that the conditions as set out in the legal agreement are met.

4.6 Risk management

4.6.1 Risks on this scheme are low. Legal agreements are in place and site investigations do not identify any areas that could prevent the works being delivered successfully.

To minimise any risk to The Council regarding access to Platform and not meeting the delivery start date for the Council as set out in the legal agreement, Bruntwood Ltd are delivering the works on site on the Council's behalf, thereby reducing any risk exposure.

5 Conclusions

- 5.1 The delivery of the access road works to Platform effectively completes the delivery of Sovereign Square green space. It is essential that these works are carried out by Bruntwood Ltd to minimise and interface issues with the day to day business operations of Platform.
- 5.2 The tender received from Bruntwood Ltd to the value of £246,306.88 represents value for money as it has been reviewed against the previous tender for Sovereign Square green space and by NPS.

6 Recommendations

- 6.1 The Director of City Development is requested to approve the injection and give authority to spend £246,306.48 for the delivery of phase 3 of the public realm works at Sovereign Square plus an additional £10k on design fees meaning that the total works costs are £256,306.48.
- 6.2 Further to Executive Board approval to the Legal Agreement in March 2014 the Director of City Development is asked to accept the tender submission from Bruntwood Ltd to the value of £246,306.48 and approve the award of the contract for the delivery of phase 3 of the public realm works to Bruntwood Ltd.

7 Background documents¹

- 7.1 None.

¹ The background documents listed in this section are available for download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.