

**REQUEST FOR MAYORAL DECISION – MD1462**

**Title: Crystal Palace Park regeneration Work – capital funding**

**Executive Summary:**

This MD seeks approval for the entry into a grant agreement with the London Borough of Bromley for £1.84m for Bromley to undertake capital improvements to Crystal Palace Park, identified through a public consultation exercise conducted in June 2014.

The funding will draw down the remainder of the £2m of capital funding which has been earmarked by the GLA to develop and deliver projects which support the restoration of the Park.

The funding will allow proposed projects to be taken forward whilst other Park proposals are being developed further and ensure that the Park is not blighted by a period of inactivity and that the momentum behind improvements to the Park is maintained and enhanced.

**Decision:**

The Mayor approves expenditure of £1.84m to carry out the capital works on the Crystal Palace Park Regeneration Project and agrees to the entry into a grant agreement with the London Borough of Bromley to deliver the project, subject to Bromley allocating all revenue gained from the expanded facilities in the new café beyond £30,000 per annum to a Park investment fund for use on Park-related improvements beyond the current level of service and maintenance provision.

**Mayor of London**

I confirm that I do not have any disclosable pecuniary interests in the proposed decision, and take the decision in compliance with the Code of Conduct for elected Members of the Authority.

The above request has my approval.

**Signature:**

**Date:**

## **PART I - NON-CONFIDENTIAL FACTS AND ADVICE TO THE MAYOR**

### **Decision required – supporting report**

#### **1. Introduction**

- 1.1 Crystal Palace Park (Park) is an English Heritage Grade II\* listed park which was once home to Sir Joseph Paxton's Crystal Palace. The Park is owned by Bromley Council who took control in 1986 from the Greater London Council. The Park's 200 acres incorporates a number of heritage features including the last remaining Paxton fountain basin, pedestrian subway, dinosaur models, and the National Sports Centre.
- 1.2 The Park requires significant financial investment to its infrastructure to ensure that it can be enjoyed by generations to come and an approved masterplan is in place for the Park. The masterplan was drawn up in 2007 and, after a series of legal challenges, confirmed in 2013.
- 1.3 In 2012, the first phase of the masterplan for the Park was progressed, and with the support of the GLA and the London Borough of Bromley a Heritage Lottery Fund (HLF) bid was submitted, which consisted of 10 projects, known as the "10 Point Plan for Crystal Palace Park". The HLF bid included £2.4m of allocated funding (£2m from the GLA and £400,000 from London Borough of Bromley). The GLA's Investment and Performance Board approved the allocation of £2m in June 2013.
- 1.4 In December 2013 the HLF bid was withdrawn, as simultaneous discussions for larger regeneration projects were in train, which would supersede the interventions proposed in the HLF bid scheme.
- 1.5 Following the withdrawal of the HLF bid, a public consultation was carried out by London Borough Bromley (LBB) in June 2014, with 590 people taking part. The results of this consultation (see appendix A) indicated how the public would like to see £2.4m (£2m GLA and £0.4m LBB) spent on improving the Park. The results showed that landscape, heritage and visitor facilities works were all important and the following nine projects were identified in a longlist:
  - Conserving the dinosaur models
  - Return parking site in central area to parkland
  - Renovate concert platform to be a functioning venue
  - Conserving the sphinxes and south terrace steps
  - Remove areas of parking from central axis
  - Restore existing café
  - Conserving the Paxton basin and improving surroundings
  - Remove turnstiles from central axis
  - Create new wheeled sports facility (skate park)
- 1.6 This project shortlist has grown out of the projects that were put forward as part of the withdrawn HLF bid and are in line with the spirit of the masterplan, and have community, borough and GLA support.
- 1.7 The role of the funding requested in this MD, is to provide immediate improvements in the Park whilst the funding for larger scale improvements is explored. The investment from the GLA will allow momentum to be maintained while discussions continue over other proposals for the Park.
- 1.8 Given the works proposed by this MD are taking place concurrently with discussions about substantial transformative investment in the Park, officers are continuing to work with the community, LB Bromley and other stakeholders to identify improvements that will not be undermined or rendered abortive by future investment. However, due to the physical nature of the

Park, some of this short term investment may require reconfiguration if and when a more overarching investment in the Park is agreed.

- 1.9 Concurrent to the six projects in this MD, a £240,000 community fund is being set up, which is being wholly funded from Bromley's contribution of £400,000 to the project. This is due to the results of the consultation confirming that there was an appetite for the Community Projects Fund. The public's ideas for how they would use grants from this fund ranged from a youth club, to pony rides, to open air cinema. Based on the ideas provided, a number of exciting projects would be deliverable, alongside the public appetite to see the other larger improvement projects realised.

## 2. Objectives and expected outcomes

- 2.1 Initial funding produced costings for all nine capital projects, as well as assessing their feasibility. Following feasibility work, a number of these projects are put forward for delivery.
- 2.2 Three projects are not proposed for funding as a result of the findings of the feasibility study, which indicated that these projects were not possible to deliver to a sufficient quality within the financial, and other, constraints. These projects are the conservation of the Paxton Basin, the restoration of the concert platform, and the removal of the large car parks in the centre of the park.

This MD seeks approval for the GLA to enter into a grant agreement with Bromley in order for Bromley to carry out the following work:

<b>Capital Project</b>	<b>Project theme</b>	<b>Assigned budget following feasibility work £'000</b>
Conservation of the dinosaurs and their setting	Built heritage	360
Building of new café with visitor facilities	Visitor facilities	735
Conservation of the six sphinxes	Built heritage	130
Removal of areas of parking /hard standing	Landscape	150
Removal of turnstiles	Landscape	50
Building of new skate park	Visitor facilities	400
Fees (excluding RIBA stages 1&2 already completed)		175
		<b>2,000</b>
<i>Of which, GLA contribution</i>		<i>1,840</i>
<i>Of which, Bromley contribution</i>		<i>160</i>

- 2.3 The key objectives of the capital funding is:
- To deliver capital improvements to the Park's infrastructure;
  - enhance the visitor experience and restore the Park's heritage;
  - To support a joined up approach to the regeneration of the area; and
  - To increase participation, develop skills, learn about heritage and increase volunteering.
- 2.4 The overall regeneration impacts of the project are envisaged as complementing the wider aspirations of the masterplan, and are as follows:

- To better connect the surrounding residential areas and town centres to the park,
- To improve pedestrian connections across the park to the excellent (and recently improved) public transport available in the area
- To reduce the perception of the park as a scene of crime or antisocial behaviour
- To restore the heritage assets of the Crystal Palace Park.

2.5 The key outputs will be 3-8 construction jobs, 3-8 new jobs and an increase in visitor numbers. These figures are based on the figures generated in support of the Heritage Lottery Fund Bid. The lower end of the spectrum has been adjusted downwards to reflect a minimum total investment of £2m in comparison to the HLF bid.

### **3. Equality comments**

3.1 All projects will be developed and delivered in compliance with relevant Codes of Practice and in line with the public sector equality duty to ensure that the following issues have been considered. All design proposals will be assessed in terms of accessibility to ensure we maximise benefits to people who share a protected characteristic. age, disability, gender reassignment, pregnancy and maternity, race, gender, religion or belief, sexual orientation.

### **4. Other considerations**

#### **a) Key risks and issues**

Proposals for Crystal Palace are currently being developed and there is a risk that investment decisions made now could lead to abortive works depending on the outcome of those discussions. This risk will be mitigated by working with LB Bromley and local stakeholders to ensure that the projects taken forward are in line with both the Crystal Palace Masterplan and emerging proposals.

This regeneration proposal sits alongside the GLA's obligations as owner of the National Sports Centre (NSC) and during the subsequent phase of development, the alignment of the GLA's interests and intentions with the sports centre and the investment in the regeneration of the area will continue.

#### **b) Links to Mayoral strategies and priorities**

The Crystal Palace Park Regeneration project will address the following Mayoral Objectives as set out in the London Plan 2011:

- Policy 2.18 – Green infrastructure: the network of open and green spaces (A and F)
- Policy 7.1 – Building London's neighbourhoods and communities (A, C, D)
- Policy 7.2 – An inclusive environment (A, B, D)
- Policy 7.3 – Designing out crime (A and B)
- Policy 7.4 – Local character (A and B)
- Policy 7.5 – Public Realm (A, B, C, D)
- Policy 7.6 – Architecture (A)
- Policy 7.8 – Heritage Assets and Archaeology (A, B, C, D, E, F)
- Policy 7.9 – Heritage led regeneration (A, B, C)
- Policy 7.19 – Biodiversity and access to nature (A)
- Policy 7.21 – Trees and Woodland (A and B)

The project is also in line with the Mayor's commitment to improving London's parks expressed in his manifesto for public space – London's Great Outdoors.

#### **c) Impact assessments and consultations**

Proposals for park improvements have been the subject of consultation with local stakeholder groups and park users, as detailed elsewhere in this report.

## **5. Financial comments**

- 5.1 Approval is being sought to grant fund up to £1.84m of capital over the two financial years 2015/16 - 2016/17 to LB Bromley to deliver six projects at Crystal Palace Park (to be governed by funding agreement).
- 5.2 The current approved capital budget for Crystal Palace Park is £1.84m. The original capital budget of £2m was reduced by £160,000 when MD1401 approved the use of £160,000 revenue funds for this project.
- 5.3 LB Bromley will contribute £160,000 of capital towards the cost of the projects, and will support the creation of a Community Projects Fund (managed by LB Bromley) by funding £240,000 of revenue.
- 5.4 The GLA funding will be granted subject to LB Bromley allocating all revenue gained from the expanded facilities in the new café beyond £30,000 to a Park investment fund, for use on Park-related improvements.
- 5.5 All requisite budget adjustments will be made.
- 5.6 As the proposed funding above is to be governed via funding agreement, officers are reminded to ensure that they liaise with both the Legal and Finance Teams in the preparation and execution of the funding agreements. In addition, the monitoring of the funding and associated payments must be line with the Authority's Funding Agreement Toolkit.
- 5.7 Officers will be responsible for assessing LB Bromley's grant claims against the funding agreement and taking any remedial action should output and costs vary from the agreement. The funding agreements should clearly state milestones to be met in order to claim funding.
- 5.8 Officers should also ensure that the requirements relating to the Authority's Contracts and Funding Code are met.
- 5.9 Any changes to this proposal must be subject to further approval via the Authority's decision-making process.
- 5.10 The Regeneration Team within the Development, Enterprise & Environment Directorate will be responsible for managing this project and associated funding agreement.

## **6. Legal comments**

- 6.1 Sections 1 to 4 of this report indicate that:
  - 6.1.1 the decisions requested of the Mayor (in accordance with the GLA's Contracts and Funding Code) fall within the GLA's statutory powers to do such things considered to further or which are facilitative of, conducive or incidental to the promotion of social development and the promotion of the improvement of the environment in Greater London; and
  - 6.1.2 in formulating the proposals in respect of which a decision is sought officers have complied with the GLA's related statutory duties to:

- pay due regard to the principle that there should be equality of opportunity for all people (further details on equalities are set out in section 3 above) and to the duty under section 149 of the 2010 Act to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation as well as to advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not<sup>1</sup>;
- consider how the proposals will promote the improvement of health of persons, health inequalities between persons and to contribute towards the achievement of sustainable development in the United Kingdom; and
- consult with appropriate bodies.

6.2 This report indicates that the contribution of £1,840,000 to the London Borough of Bromley amounts to the provision of grant funding and not payment for services. Officers must ensure that the funding is distributed fairly, transparently, in accordance with the GLA's equalities and in a manner which affords value for money in accordance with the Contracts and Funding Code.

Officers must ensure that an appropriate funding agreement is put in place between and executed by the GLA and the London Borough of Bromley before any commitment to fund is made.

## **7. Investment & Performance Board**

7.1 IPB received a report in March 2015 seeking £1.84m budget for these capital works. Members approved the provision £1.84m capital funding from the Central Programme Budget and the subsequent removal of the equivalent amount from the existing project budget.

## **8. Planned delivery approach and next steps**

### **8.1 Procurement**

Bromley Council (the Commissioning Authority), supported by the Greater London Authority, have appointed the multi-disciplinary team through the ADUP procurement framework, as this route allows for consultants who can provide demonstrable experience in heritage, public realm, landscape and heritage improvement projects. This team is appointed to carry out the full works through construction.

The monies for capital works will be provided through grant agreement between the GLA and Bromley, which will be provided and monitored by officers in the regeneration team, with the grant being drawn up in consultation with TfL legal.

### **8.2 Management and Maintenance**

As part of the confirmation of Bromley Council's contribution of funds to this project, the council reconfirmed its commitment to maintaining investment in, and to the future of, the park. To that end the Leader of Bromley Council sits on the Crystal Palace Park Executive Board.

Additionally, the Crystal Palace Park Improvement Scheme seeks to make it easier to maintain the park, and the consultant's brief to deliver the scheme includes management and maintenance plan outputs being agreed before the construction phase is entered into. This is to ensure that both new and improved facilities will be maintained for generations to come.

Additionally, the uplift in income from the new and expanded café facilities will be held by Bromley in a ring fenced fund, for use on Park-related improvements beyond the current level of service and

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<sup>1</sup> The protected characteristics and groups are: age, disability, gender reassignment, pregnancy and maternity, race, gender, religion or belief, sexual orientation and marriage/ civil partnership status.

maintenance provision. This mechanism will be written into the grant agreement between the GLA and the LB or Bromley.

### 8.3 **Project timetable**

The following are indicative key programme dates for feasibility.

<b>RIBA stage</b>	<b>Starts</b>	<b>Ends</b>
Enter into grant agreement with Bromley		31/04/2015
Riba Stage 2 Completion of concept design	25/02/2015	01/05/2015
Riba Stage 3 developed design	04/05/2015	03/07/2015
RIBA Stage 4 technical design	06/07/2015	23/10/2015
LBB procure and appoint contractors	06/07/2015	18/12/2015
RIBA Stage 5 Construction	04/01/2016	06/01/2017

**Public access to information**

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FOI Act) and will be made available on the GLA website within one working day of approval.

If immediate publication risks compromising the implementation of the decision (for example, to complete a procurement process), it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary. **Note:** This form (Part 1) will either be published within one working day after approval or on the defer date.

**Part 1 Deferral:**

**Is the publication of Part 1 of this approval to be deferred? NO**

If YES, for what reason:

Until what date: (a date is required if deferring)

**Part 2 Confidentiality:** Only the facts or advice considered to be exempt from disclosure under the FOI Act should be in the separate Part 2 form, together with the legal rationale for non-publication.

**Is there a part 2 form – NO**

**ORIGINATING OFFICER DECLARATION:**

Drafting officer to confirm the following (✓)

**Drafting officer:**

Matthew Turner has drafted this report in accordance with GLA procedures and confirms the following have been consulted on the final decision.

✓

**Assistant Director/Head of Service:**

Debbie Jackson has reviewed the documentation and is satisfied for it to be referred to the Sponsoring Director for approval.

✓

**Sponsoring Director:**

Fiona Fletcher-Smith has reviewed the request and is satisfied it is correct and consistent with the Mayor's plans and priorities.

✓

**Mayoral Adviser:**

Richard Blakeway has been consulted about the proposal and agrees the recommendations.

✓

**Advice:**

The Finance and Legal teams have commented on this proposal.

✓

**EXECUTIVE DIRECTOR, RESOURCES:**

I confirm that financial and legal implications have been appropriately considered in the preparation of this report.

**Signature**

**Date**

**CHIEF OF STAFF:**

I am satisfied that this is an appropriate request to be submitted to the Mayor

**Signature**

**Date**