

TRANSPORT FOR LONDON

BOARD

SUBJECT: BAKER STREET STATION – TRANSPORT AND WORKS ACT ORDER APPLICATION

DATE: 30 JULY 2008

1 PURPOSE AND DECISION REQUIRED

1.1 This paper seeks the Board's approval for London Underground Limited (LUL) to submit an application for a Transport and Works Act Order (TWAO) to facilitate provision of step-free access (SFA) to subsurface platforms at Baker Street Station (Baker Street) and associated delegations.

2 BACKGROUND

2.1 Baker Street is a Grade 2 listed building located within a Conservation Area. Its ten platforms and three ticket halls, which serve the Metropolitan, Circle Hammersmith & City, Jubilee and Bakerloo Lines respectively, provide an important bus/Underground interchange for daily commuters. Lines running through Baker Street fan out all across London. This wide-ranging network connectivity, particularly the link provided to the national rail network at Paddington via the Hammersmith & City Line, makes it an important interchange for people attending the London 2012 Olympics and Paralympics (the London 2012 Games).

2.2 Accordingly, the Olympic Delivery Authority (ODA) has identified Baker Street as an important part of the public transport network that will serve the London 2012 Games. TfL and the ODA have agreed that providing SFA to the deep level lines at Baker Street (the Jubilee and Bakerloo Lines) is not practicable in the time available before the London 2012 Games. As part of the overall arrangements for delivering a package of transport measures to facilitate the London 2012 Games, it has been agreed with the ODA that LUL will seek to deliver SFA to the subsurface lines at Baker Street (i.e. the Metropolitan, Circle and Hammersmith & City lines) by September 2011.

2.3 The Baker Street SFA Project, as agreed with the ODA, is budgeted within the TfL Investment Programme.

2.4 The Finance Committee considered this proposal at its meeting on 10 July 2008 and approved it being recommended to the Board.

3 DESCRIPTION OF THE SCHEME

3.1 The Baker Street SFA Project, illustrated at Appendix 1, involves two physically discrete, but complementary, work streams – works on Platforms 1 to 4, and works on Platforms 5 & 6.

- 3.2 SFA to Metropolitan Line Platforms 1 to 4 will be provided by building an aerial 'bridge' from the ticket hall, spanning the platforms. This overbridge will be linked to the platforms by way of two new lifts. Completion of these works will have the effect of providing SFA to Platform 5 (Circle, Hammersmith & City Line platform) via an existing passageway from Platforms 1 & 2.
- 3.3 The proposed means of providing SFA from Platform 5 across to Platform 6 (the second Circle, Hammersmith & City Line platform at Baker Street) involves incorporating the existing Marylebone Road public highway subway into the station and linking it to platform level by installing a new lift at either end of the subway.
- 3.4 Apart from the temporary use of Allsop Place as a work site, the works to provide SFA to Platforms 1 to 4 will take place entirely within LUL's operational property and therefore will not require express planning permission. The local planning authority, Westminster City Council (WCC), has recently indicated that they consider that Platforms 1 to 4 lie within the listed part of Baker Street Station and the proposed SFA works at those platforms will therefore require listed building consent.
- 3.5 Delivering SFA between Platforms 5 & 6 is somewhat more complicated because the project involves working on land that LUL does not own or control and express planning permission is required for the works. It is likely to be necessary to terminate three existing Baker Street business tenancies, divert utility service equipment, and undertake temporary work on land that is owned by third parties in order to implement the scheme. LUL will seek to reach voluntary agreement regarding these matters but, in the absence of the use of statutory powers, it will have no means of compelling private landowners to agree to allow it to enter onto their land to carry out the necessary works.
- 3.6 LUL is very mindful of TfL's obligations towards delivery of transport measures for the London 2012 Games and it takes the view that there is a compelling case for having legal powers to take the project forward should the agreements necessary to implement the Baker Street SFA Project not be forthcoming voluntarily. It has been decided that applying for a TWAO is the best means of ensuring that the Baker Street SFA Project is delivered in time for the London 2012 Games as it is the only means of offering certainty of securing all of the required consents in the timescale contemplated. Submission of the TWAO application is planned for December 2008. Assuming the application is granted by June 2010, works on site are programmed to commence in July 2010 and be completed during September 2011.

4 CURRENT STATUS

- 4.1 Taylor Woodrow Construction Limited (TWC) has completed Phase 2 (Concept Design) for SFA to Baker Street's subsurface platforms and WCC has recently approved the design and appearance of the bridge for Platforms 1 to 4.

- 4.2 The decision to link Platforms 5 & 6 via the existing highway subway was made following a review of a number of possible configurations, most of which would have involved new excavation works under Marylebone Road. Having studied the various options, LUL is confident that making use of the existing highway subway structure represents an optimal operational arrangement which minimises interference with third party land, operational and construction disruption, and adverse environmental impact. The Platform 5 & 6 proposals have been discussed with WCC, and have secured in-principle support.

5 KEY IMPACTS

Accessibility and Integration

- 5.1 The central purpose of the Baker Street SFA Project is to create a step-free route through the station from street to platform, thereby making the station more accessible to all potential users. This is seen by the ODA, TfL and LUL as a particularly important improvement ahead of the London 2012 Games.

Crime and Disorder

- 5.2 The scheme project team will seek advice from the TfL Crime and Disorder Partnership Unit and take account of their comments during the next stage of detailed design.

Environmental Considerations

- 5.3 The permanent works at Baker Street will be either below ground or incorporated within the existing station structure, so the long-term environmental impact will be minimal. Construction will involve lorry movements however and is likely to generate additional noise and dust. Consultants are being appointed to undertake an assessment of the likely environmental impact of the works on Platforms 5 & 6 with a view to deciding if a full Environmental Statement (ES) is required for these works or whether it is appropriate for LUL to apply to the Secretary of State for a formal decision that no ES is required. LUL is mindful of the need to put mitigation measures in place in order to avoid, reduce or remedy any potential negative environmental effects that may be identified.

Equality and Inclusion

- 5.4 The Baker Street SFA Project will benefit the numerous local residents, local workers, and visitors who travel to and from the areas around the station by improving their access to platforms providing public transport to the rest of London. Among those who stand to gain a particular benefit are people with impaired mobility and those burdened with heavy luggage or travelling with small children, all of whom are currently discouraged from using certain train services because of a lack of step-free routes.

Human Rights

- 5.5 The Human Rights Act 1998 incorporated the European Convention on Human Rights (the Convention) into UK law. The Convention contains provisions intended to prevent various rights of the individual (including rights to the peaceful enjoyment of possessions and protection of home and family life) being interfered with unless it is in the public interest to do so.

- 5.6 LUL has been conscious of the need to strike a balance between the Convention rights of individuals potentially affected by its proposals, and the interests of the public at large. In the light of the significant public benefit which would arise from the implementation of the Baker Street SFA Project, LUL has concluded that it would be appropriate and justifiable to submit a TWAO application. It does not regard any TWAO that may be made would constitute an unlawful interference with individual Convention rights.
- 5.7 Landowners will be given the opportunity to make representations at any public inquiry which the Secretary of State decides to hold in connection with the TWAO application. Under the Compensation Code, anyone whose property is directly affected by the proposed TWAO will be entitled to compensation proportionate to the loss which they have suffered.

Sustainability

- 5.8 As the project continues, LUL will seek to ensure that sustainability remains an integral part of the design process and that it complies with all relevant policies, industry standards and good practice. Every effort is being made to ensure that energy conservation measures and good materials management are integrated with the design.

Cross Modal Issues

- 5.9 LUL is working with other parts of TfL to ensure that disruption to local bus services and use of Marylebone Road, which forms part of TfL's road network, is minimised. They have been supportive of the scheme and TfL London Streets have been very supportive in agreeing methodologies for undertaking intrusive surveys. TfL London Rail has no presence at Baker Street and is therefore unaffected by the proposed works.
- 5.10 Discussions are being undertaken between LUL Operations, LUL Events & Closures and LUL's Chief Programme Office to identify and agree the closures required to allow construction of the works.

6. PUBLIC CONSULTATION

- 6.1 The statutory public consultation required before making a TWAO application for the Baker Street SFA Project is scheduled to take place from August to October 2008. A project brochure will be provided to station users, local residents and local businesses and station staff will be kept updated regarding the Project's progress so that they can answer questions from station users. If required, presentations and station tours will be arranged for any relevant special interest groups.
- 6.2 A complete consultation report will be prepared and made available as part of the TWAO submission.
- 6.3 After the formal public consultation period has ended, interested parties will still have the opportunity to make further representations to LUL and, ultimately, the Secretary of State, throughout the TWAO application process. LUL will consider any representations that are made before the detail of the TWAO is finalised.

7 BUSINESS CASE EVALUATION

- 7.1 The benefits of LUL's SFA programme are assessed through the variety of journey opportunities created by a wider step-free network rather than on an individual station by station basis. Based on current scheme costings, providing SFA on the initial lines/stations in LUL's planned core network of fully accessible stations (which includes the Metropolitan, Circle and Hammersmith & City Lines at Baker Street) has a business case benefit:cost ratio of 1:1. This ratio is expected to rise to 1.06:1 once SFA has been provided to the second tranche of lines/stations; to 1.1:1 on completion of SFA works at the third tranche of lines/stations; and 1.61:1 on completion of the final tranche of lines/stations making up the core network.

8 COST, PROCUREMENT AND FUNDING

- 8.1 LUL's investment plans have a budget of £75m allocated for the Baker Street SFA Project. This figure is consistent with cost forecasts developed at the current stage of design. Independent consultants are being commissioned to undertake a thorough review of the costs for the Detailed Design, the implementation works, and other cost elements identified by LUL.
- 8.2 The preferred procurement route for the detailed design and implementation phases of the Baker Street SFA Project is to appoint TWC. A Design and Build Management Contract will be procured in two stages, with the contract for implementation being negotiated and agreed by the end of RIBA Design Stage E for the Baker Street SFA Project.

9 RISKS

- 9.1 As has been noted, implementing the Baker Street SFA Project is contingent on securing a number of consents. While it is hoped that all agreements necessary to undertake the works can be reached voluntarily, LUL has no power to compel third parties to agree so there is no guarantee that negotiations would be successful or concluded in a timely manner. In the absence of TWAO powers, which would authorise the compulsory acquisition of required land interests, provide for all necessary utility equipment and highway diversions, and deal with any outstanding planning or listed building consent issues, there would be a real risk that the Baker Street SFA Project might not be completed in time for the London 2012 Games.
- 9.2 Baker Street's status as a listed building situated in a conservation area is likely to heighten scrutiny of LUL's SFA proposals at the station. LUL is looking to obtain all planning and listed building consents necessary for the Baker Street SFA Project from WCC in the usual way, but it may be necessary to have any unresolved planning issues dealt with by a TWAO.

10 OVERALL PROGRAMME

10.1 The current key milestones for the Baker Street station subsurface platform SFA proposals are as follows:-

Submission of TWA Order	22 Dec 2008
Detailed design of Platforms 1 to 6 completed (this is already underway)	5 May 2009
Site works at Platforms 1 to 4 commenced (assuming no TWAO powers are required these works)	27 July 2009
Lifts to Platforms 1 to 4 delivered into use (assuming works commenced as above)	Dec 2010
Public Inquiry held (assumed)	Sep 2009
TWAO made (assumed)	May 2010
Site works at Platforms 5 & 6 commenced	July 2010
Lifts to Platforms 5 & 6 delivered into use	Sept 2011

11 RECOMMENDATIONS

11.1 The Board is asked to:

- a) APPROVE the submission of an application for a TWAO that provides all of the powers required to implement the Baker Street SFA Project;
- b) DELEGATE authority to the Managing Director LUL (and, in his absence, General Counsel) to:
 - i) agree the final terms of the application (including the land and interests to be subject to compulsory purchase) for any TWAO required in relation to the Baker Street SFA Project;
 - ii) do everything else necessary, including signing and/or sealing any documents, agreements or notices required in connection with the submission of any TWAO application related to the Baker Street SFA Project; and
 - iii) do everything else necessary to promote the making of a TWAO for the Baker Street SFA Project, including responding to any objections to the scheme, dealing with any public inquiry that may be held in relation the proposals, and entering into any voluntary agreements with interested parties which result from negotiations undertaken in parallel with the TWAO process.

Plan of proposed Baker Street scheme - Baker Street Ticket Hall Level

