



**Cabinet**  
24 July 2017

**Report from the Strategic Director  
Regeneration and Environment**

Wards affected: Tokyngton and Preston

**Strategic Community Infrastructure Levy contribution:  
proposal for enhancing public realm in Olympic Way  
(associated with Site NW04's Contribution to the Education  
Quarter)**

**1.0 Summary**

- 1.1 The regeneration of the Wembley area is well underway but still in the early stages of creating a reinvigorated area that will become a key part of supporting London's role as a world class city.
- 1.2 An area with national and international kudos is more than just the buildings, and to support the ongoing transformation of Wembley into a thriving, attractive environment there is scope to use some of the strategic Community Infrastructure Levy (CIL) funds raised as a consequence of development in the area, to invest in the public realm along Olympic Way.
- 1.3 Enhancing the public realm here is a key element in a step change of the positive experience the Council is aiming to achieve for residents and visitors, including providing an environment which will encourage people to dwell both before and after events. The enhancement proposals for Olympic Way will create a world class public realm for enjoyment by Brent residents and businesses. It will be the high quality memorable processional route for the millions of visitors to Wembley, but will go significantly beyond this through its ability to at other times be a place to visit in its own right, hosting cultural events and creating revenue streams.
- 1.4 As proposed, the arrangement would also ensure that the space outside the Civic Centre, currently subject to a planning permission which could be implemented, is used to contribute to the proposed educational quarter and provide more of a public square.
- 1.5 The strategic CIL collected as a consequence of new development in Wembley is intended to be spent on infrastructure projects; enhanced public realm falls within this, and it is proposed that a contribution from CIL to the costs of the works is appropriate. Fifteen percent of CIL collected will be allocated to neighbourhood infrastructure projects in the area which generated the income from development.

- 1.6 This would be a joint project with Quintain and the Stadium. This report sets out the planned works to Olympic Way for the improved public realm, including the works undertaken so far.
- 1.7 This report seeks approval for funds of up to £17.8 million to accelerate the delivery of the public realm. This is relation to two zones. One between Wembley Park underground station and the northern edge of Fulton Road (Zone B). The other will be for replacing the Wembley National Stadium 'pedway' with steps including public realm works from the foot of the pedway to the stadium (Zone C) to ensure delivery prior to Euro2020. Public Realm works from Fulton Road to the foot of the Pedway (Zone A) will be entirely funded by Quintain.
- 1.8 A "Statement of Common Ground" exists between the council and Quintain that allows for the application of CIL funds by LBB for the delivery of strategic infrastructure as identified in policy and the Infrastructure and Investment Framework (IIF). The above projects are within the IIF.
- 1.9 This report also provides background on the potential of site NW04 to enhance the role of the Education Quarter as integral part of the Wembley 'offer'. It sets out how the role of the funding being requested for public realm works will be used as a mechanism to help to deliver this enhanced role for NW04.
- 1.10 The report also sets out the scope of future reports to Cabinet on the measures necessary to facilitate the role of Olympic Way in supporting the sense of place and experience of visiting Wembley; as an 'Area of Special Interest'. This will take account of the need for enhanced estate management, licensing and street trading regimes to allow a streamlined process for curating and holding events. This will also address the issue of how revenue funding streams generated through the new commercial opportunities that improvements to the public realm will bring will be shared with Quintain. We anticipate this report to be forthcoming in the next twelve months.

## **2.0 Recommendations**

- 2.1 Cabinet approve a contribution of up to £17.8 million towards the delivery of the Olympic Way Zones B and C.
- 2.2 That such a contribution would be contingent on Quintain:
  - a) Not pursuing development of site NW04 adjacent to the Civic Centre to the extent currently permitted in the parameters plans associated with outline planning permission 10/3032
  - b) Working with the Council to deliver a development that better complements the role and setting of the Civic Centre, in particular creating a significant new square outside the Civic Centre Library
  - c) Agreeing a business plan and heads of terms, between Quintain and the council, for the future sharing and reinvestment of net income generated through assets on Olympic Way
- 2.3 Cabinet note that a future report will be bought to it in relation to designating Olympic Way as an "Area of Special Interest".

### **3.0 Detail**

#### **Background**

- 3.1 Wembley Growth Area, as identified in the Brent Core Strategy and Wembley Area Action Plan is an area that has recently gone through some transformational change primarily initiated out of the redevelopment of the Wembley National Stadium. This transformation is set to continue for at least the next 10 years, and possibly beyond, depending on future Local Plan contents. The area will be predominantly residential but with a significant element of commercial, community facilities, greenspaces including a large park and more recently the likelihood of accommodating an educational quarter. It will be successful in being attractive in its own right, but also in providing a lasting positive experience for those visiting the Stadium or the SSE Arena. It will be a place which will encourage people to dwell both before and after events, helping to retain consumer spending locally and creating employment opportunities.

#### **Wembley Wide Infrastructure**

- 3.2 In association with the Wembley Growth Area there have and will be extensive investment in local infrastructure to facilitate growth and overcome existing capacity issues. This includes, but is not limited to:
- a) Olympic Way improvements
  - b) Engineers Way traffic calming Empire Way Wembley High Road Corridor
  - c) Fulton Road Empire Way Junction reconfiguration
  - d) Wembley Triangle reconfiguration
  - e) Two way traffic flow First Way Fourth Way South Way
  - f) A406 junction improvements
  - g) Chiltern Line Crossing
  - h) Jubilee Line, metropolitan line crossings to Chalk Hill Estate
  - i) St Raphaels Estate accessibility
  - j) South Way Enterprise Centre/Spaces
  - k) Education Quarter and Knowledge Hub
  - l) Bridge Road North End Road Connection
  - m) Arts and Culture infrastructure
  - n) Community Sports Facility
  - o) Primary School

#### **Public Realm Improvements**

- 3.3 To assist in achieving the vision for Wembley, a significant element in terms of place making is the provision of new and substantial steps to the stadium to replace the pedestrian way ('pedway') and works to the public realm between Wembley Park underground station and the National Stadium Wembley: Olympic Way. This will enhance the area, both from an aesthetic and functional requirement.
- 3.4 Olympic Way as a piece of public realm is showing its age. It does not present the type of quality considered consistent with the environment necessary for a world renowned iconic venue and the wider Wembley Park development. In the context of other pressing infrastructure needs and other Council revenue spending requirements, a response might be that a significant Council funding contribution

towards these changes should be a low priority. Nevertheless, this would be a simplistic and does not take account of all factors, including limitations associated with funding streams generated from development. CIL funding attained by the Council is specifically related to infrastructure and is not available to support Council general revenue spending. In addition this proposed change in public realm should be seen as part of a wider picture about what will be achieved in Wembley which will have far reaching positive impacts for Brent and its prospects.

- 3.5 Improved public realm has a key role in place-making. Such changes in their own right have the potential to totally transform the perception and function of an area. It can lead to enhanced social and economic value benefits that far outweigh the initial investment. Notable examples of the impacts of such transformational public realm changes are Regent's Street, Granary Square at Kings Cross, Birmingham, Manchester, Sheffield and Liverpool city centres. Empirical evidence set out in valuing the Benefits of Regeneration published by CLG 2010 indicates a benefit cost ratio of 1.4 for public realm work. Specific evidence associated with Sheffield indicated that the £9.5 million invested in the Peace Gardens has generated £4.5 million visitor shopping/leisure spend per annum that otherwise would not have occurred. In addition it attracted commercial property investment and occupiers that otherwise would not have come, improving investment yields with the associated economic benefits of providing access to future investor funding.
- 3.6 The transformational change of Wembley has and will continue to require strong partnership working between the Council, developers and key stakeholders. As part of providing certainty and support for investment, the Council has previously identified that it will use contributions generated by Quintain's developments to support the new infrastructure. Key elements relate to where these contributions will be prioritised relate to the provision of new jobs and homes and improvements to the environment and public realm. As part of the shared vision for Wembley, the Council has worked closely with Quintain in identifying the quality of public space that both organisations consider is necessary to enhance the Wembley offer.
- 3.7 Following a design competition, in which the council participated, Dixon Jones were selected as Architects and Gross Max as Landscape Architects for Olympic Way. Designs have been developed over a number of months that when implemented will:
- Provide new hard and soft landscaping throughout
  - New coordinated crossing at Fulton Road
  - New Lighting columns with large banners and future digital screens
  - New Trees
  - Built in services to allow pop up and cultural events
  - Fast Wifi throughout
  - Containment for future digital screens
  - Wayfinding
  - Create a significant square outside Civic Centre
  - Remove of the Pedway and new substantial steps
  - Enhanced entrance to the stadium
  - New Retail / meeting point below new stadium steps
  - Removal of surplus ramps and steps adjacent to 1 Olympic Way
  - Cycle parking at Wembley Park station
  - Treatment to Bobby Moore Bridge

- Long term management arrangements through potential for designation as a 'Area of special interest'

3.8 This work has been split into 3 Zones: A-C. Exploratory work is also being done around the creation of a new public square to the east of the Civic Centre and the re-orientation of plot NW04.

3.9 In summary the works will replace all surfacing between Wembley Park station and the Stadium with higher quality materials, improve the crossing at Fulton Way, remove a myriad of steps and ramps, including the Pedway, created over time and replace them with a consistent a planned approach to assist pedestrian movement. In addition it will provide sufficient space and facilities to allow for additional commercial and non-commercial activities associated with place-shaping and enhancing the visitor experience of Wembley.

3.10 As such it will result in:

- a) Significantly enhancing Olympic Way reflecting its importance as the arrival point and processional route for millions of visitors and its place making role for new residents, students and businesses occupying the developments in Wembley Park Regeneration;
- b) Create an attractive and desirable route that is itself a destination, leaving lasting memories to its visitors, active throughout the day, every day to encourage visitors to stay longer before and after events, capturing the economic benefit and activity of visitors to help deliver wider regeneration aims;
- c) Improve public safety for the many users of Olympic Way through the installation of well designed Hostile Vehicle Mitigation barriers and;
- d) Create new opportunities to generate income from the assets on Olympic Way, which could be used for enhanced management of Olympic Way and revenue stream to partners in the long term.

3.11 The Wembley Area Action Plan and masterplan also identified that ideally the pedway leading up to the stadium would be removed. This ambition is shared by Quintain and the Council and has support from the Stadium. Commercial discussions between Quintain and the Stadium have not concluded. The two organisations are working to conclude the discussions quickly so all works can be completed by Euro2020. The works to Zone A and B on Olympic Way are not predicated on the removal of the pedway occurring.

3.12 The replacement of the pedway with steps will free up a significant amount of space north of Engineers' Way which can be used to create additional flexible usage of public realm, incorporating a new square, linked to site NW04 on which further detail on plans for this site are set out later in this report. Due to the importance of the structure of the 'pedway' in providing access, its replacement process is likely to require closure of the Stadium for major events for approximately 3 months.

3.13 Without Council intervention to facilitate improvements to all sections of Olympic Way and earlier delivery, provision of all of these improvements because of their scale, will remain at risk. In the event other funding is found, it will take a very long time to complete and certainly not before Euro 2020. A non-accelerated delivery results in several disadvantages. It will:

- a) Increase the likelihood of disruption over a long period to the users of the space;
- b) Create additional cost due to not being able to take advantage of economies of scale of a larger project;
- c) Delay completion of the works to post Euro2020 when the eyes of the world would be on Wembley and therefore present the area in a less positive light than would otherwise be possible;
- d) Impact on the place-making element and reduce the commercial opportunities available both with Euro2020 and other event days, but also the regeneration of the Growth Area; and
- e) Any income generated from Olympic Way will not benefit the Council.

3.14 Overall the improvements to the Zone A-C public realm in Olympic Way are estimated to be £35 million. The Council has received Quintain's quantity surveyor budget costings to ensure that the specification is appropriate and value for money has been attained for the works tendered to date. In terms of commissioning and managing the public realm works, this will be the responsibility of Quintain. The Council's role would be to make a contribution to facilitate works to Zone B and Zone C; more specifically replacement of the existing surfaces and provision of trees, lighting columns, street furniture and the substantial steps in place of the pedway.

3.15 Quintain are funding £5.6m and delivering the Zone A improvements, in accordance with a planning obligation associated with the Wembley masterplan development (15/5550) of £4.1 million for public realm works. They have already invested £1.8m and have commenced part of these improvements. A further £3.8m is contracted. The design approach will be used for all sections of Olympic Way. A general layout plan of the extent of the proposed works for Zones A-C is shown in Appendix 1.

3.16 Funding for the following works is not included in the Council's contribution sought for Zone B as either the responsibility falls to Quintain or other parties and/or agreement to undertake the works has not been reached with the landowner or in the case of digital screens the assets may be leased:

- a) Removal of ramps and steps in front of 1 Olympic Way;
- b) Cycle storage outside the station
- c) Refurbishment works outside the station
- d) Works to Bobby Moore Bridge
- e) Demolition of the toilet block
- f) Digital screens on new lamp posts

3.17 This will tie into work Quintain will also be doing to remove the toilet block and gaining landlord consent in removing and the existing steps and ramps outside 1 Olympic Way, plus other improvements to Bobby Moore bridge and Olympic Square outside Wembley Park station. At the moment it is anticipated that the Council's contribution would be up to £5.7 million for Zone B. It is anticipated that a contribution will be sought from Quintain for the works associated with the ramps. This however forms part of the assumed costs for Zone 3 which incorporates other shared costs works. Improvements to Fulton Road crossing have previously been subject to Cabinet approval (February 2016) for £120K of S106 funding, which will be used in addition to the sum requested in this report.

- 3.18 Digital screens on new lamps has potential for revenue generation through advertising. Much as is the case with street furniture located within the highway throughout the borough, these could also provide an opportunity for public service messages to support the Council's policies and programmes. Currently Quintain is proceeding on the basis of pursuing discussions with the Stadium around capital costs/revenue sharing, but this might be a mechanism that Cabinet wish Council officers to pursue with Quintain with a view to bringing a report to Cabinet if such discussions proceed to a point where investment by the Council can be shown to be best value.
- 3.19 A planning application for the Zone B public realm scheme will be submitted to the Council within the next two months. It is anticipated that if Cabinet gives its approval for the funding request for Zone B that the public realm works will start in the fourth quarter of 2017 be completed in late 2019. This gives sufficient contingency to cater for delays due to any unforeseen events.
- 3.20 The commercial discussions between the Stadium and Quintain are on-going but are expected to conclude within the next 6 months. It is anticipated these works will not be fully financed by Quintain and the Stadium and a further call for Council funding will be made to complete the section from the foot of the Pedway to the Stadium entrance (Zone C), including removal of the Pedway and installation of stairs.
- 3.21 At this moment it is not clear what sum the negotiation between Quintain and the Stadium will generate in terms of contribution towards the steps and consequently the extent of Council contribution anticipated towards Zone C. Depending on these discussions, it is anticipated that the Council will be requested to contribute a minimum of a 1/3<sup>rd</sup> of the cost and possibly up to 50%. Every attempt will be made to minimise the Council's contribution.
- 3.22 The contribution to Zone C includes not only the steps but also a share of amendments to ramps, cycle storage and the Olympic Square refurbishment forming part of the wider works from Wembley Park underground station to the Stadium. This part of the contribution will be split equally between Quintain and the Council. The total Zone C calculation was based on cost estimates from the quantity surveyor for Zone B and scaling them up. It has been adjusted to remove any spend on the potential retail element of the scheme should this occur under the proposed steps. Taking this into account the Council's total contribution to Zone C is estimated to be:

Council's Contribution:	33%	50%
	£'000's	£'000's
Zone C	7,119	10,678
Ramps, Cycle Storage, Olympic Square		
Refurb (50/50 with Quintain)	317	317
	<u>8,036</u>	<u>10,995</u>
10% Contingency	804	1,100
Total	<u>8,840</u>	<u>12,095</u>

- 3.23 Officers will use best endeavours in negotiations to ensure that the Council's contribution is minimised. Cabinet approval is also sought for an additional sum to

contribute towards delivery of Zone C. Taken together, approval for a maximum sum of £17.8 million (£5.7m – Zone B + £12.1m – Zone C) in total.

### **Education Quarter and the Civic Centre**

- 3.24 The Council has been working with the College of North West London on developing proposals for an 'Education Quarter' within Wembley Park. The Council is actively seeking to attract a Higher Education partner to invest, with a view to delivery of new buildings/campuses that accommodate these institutions. The provision of an education quarter will meet a number of objectives consistent with Borough Plan and Brent 2020. In particular it will:
- a) improve the attractiveness of Wembley in terms of placemaking through increasing the diversity of uses and vitality of the area;
  - b) encourage increased demand for residential and commercial properties in the area, thus accelerating the pace of delivery,
  - c) improve educational and skills attainment within the Borough; and
  - d) attract and retain higher educational achievers within Brent with the benefits this will bring for the local economy.
- 3.25 As part of the delivery of the Education Quarter a number of potential sites have been identified. NW04 adjacent to the Civic Centre, which has an extant outline planning permission 10/3032 for residential and commercial uses, is one of those sites which the Council is particularly keen to incorporate.
- 3.26 Taking account of how the existing Civic Centre, Wembley Library and the Orchard Square public realm between the building and the pedway work in terms of user/visitor experience, 10/3032 granted before the Civic Centre opened is now not considered by the Council to be the optimum solution for NW04. The Council regards NW04 as having a significant role to play in delivery of the Educational Quarter and in particular linking to and consolidating the role of Wembley Library as central shared 'Knowledge Hub' for the Council's library services, a Higher Education institution, College of North West London and potentially the University College for Football Business. There is also the potential for the development of NW04 to complement the Civic Centre's role as a conference venue. This would address the Council's long held desire to create greater provision of conference facilities in Wembley to bring people and income into the area.
- 3.27 The Council has been working closely with Quintain in sharing and seeking to work up solutions to deliver these aspirations. The desire to create a more generous space around the setting of the Civic Centre and entrance to Wembley library will reduce the maximum footprint of any building currently allowed within the parameters of planning permission 10/3032. Whilst the opportunity to make up floorspace might be possible through additional height in an alternative, this might well detract from the Civic Centre presence as a feature building related to the status and importance of its use. As such it is likely that there will be a reduction in floorspace that will be developed on NW04 and therefore there is likely to be an opportunity cost to Quintain in terms of lost profit. There might well be the potential for Quintain to off-set this in other development sites, or through the enhanced value that the place-making elements associated with the educational quarter will bring. Nevertheless at this stage this is not certain.
- 3.28 Whilst the Olympic Way public realm section of the report highlights the considerable benefits of its accelerated delivery to Wembley and Brent overall, it is

clear it will also create some value for Quintain, which is also to their benefit. To encourage the continued co-operation of Quintain in the development of NW04 more in line with Council aspirations, it is recommended to Cabinet that the Council's contribution be tied to securing an agreement with Quintain. This would be for NW04 as permitted not to be pursued by Quintain. It would also seek its development to support the 'Educational Quarter' and facilitating the other Council aspirations set out in relation to the Civic Centre.

### **Commercial Opportunities of the Improved Public Realm**

- 3.29 The improved public realm along Olympic Way will be designed to better take advantage of the commercial opportunities to enhance the visitor experience. The ownership of Olympic Way is currently unresolved between Quintain and the Council. Quintain however, actively manage the asset and as such commercial activities currently engaged in on this space generates income for them. If the Council makes its contribution to the public realm works, Quintain has agreed with the Council, that the ownership matter will not be pursued by both parties for the long term, possibly up to 25 years. It has also agreed in principle to share the net income generated through future commercial activities once the public realm works are completed.
- 3.30 Currently two options are being considered. The first a profit and loss account approach where income is shared by the partners with an understanding that there is an element of reinvestment in events and maintenance of Olympic Way; the second being a guaranteed income from Quintain with a similar understanding in relation to reinvestment. Quintain's current preference is for the second option. The investment could generate a long term income stream for the Council. There will however be a gap between investment and the income being generated due to the implementation timescales, so net income is likely to arise a few years after the initial investment.
- 3.31 In order to facilitate and maximise these commercial opportunities, but also safeguard the quality of maintenance and upkeep of an enhanced Olympic Way, a change to Council service delivery for Olympic Way will be required. A future paper will be brought to Cabinet to consider the potential for Olympic Way to be identified as an 'Area of Special Interest'. This will take account of the need for enhanced estate management, licensing and street trading regimes to allow a streamlined process for curating and holding events.

### **Community Infrastructure Levy**

- 3.32 The Wembley Growth Area will generate a significant amount of Community Infrastructure Levy. To date the Tokyngton ward has generated £10.4 million in Strategic CIL receipts received. A further £5.5 million triggered by starts on site is due to be received in phases. A further £24 million (which could be subject to requests for relief) and is dependent on starts on site has not yet been triggered.
- 3.33 Comparable information for the borough as a whole is that a total of £21.5 million in Strategic CIL has been received, a further £17 million has been triggered, whilst a further £71 million has not yet been triggered.

- 3.34 However clearly if the CIL is used for this project then it will not be available to support other forms of infrastructure. None of the strategic CIL has yet been allocated to projects.

## Conclusions

- 3.35 The enhancement of the public realm along Olympic Way will have a number of significant benefits for Wembley and also Brent. Nevertheless, such benefits could be greatly enhanced through the accelerated delivery of these public realm works, particularly in advance of Euro2020. The Council considers that development of NW04 if implemented in accordance with outline planning permission 10/3032 for a number of reasons now would not create an optimum solution for the benefit of Wembley. A reduction of NW04's footprint and the incorporation of functions to support the Educational Quarter is likely to create a superior outcome. The reduction and changes in floorspace that this is likely to bring will have an adverse impact on the site's development value for Quintain, its owners.
- 3.36 The Council's funding of the Olympic Way public realm works would however have significant financial benefits for Quintain. As such it is proposed that the provision of such funding by the Council is tied to Quintain working with the Council to deliver an outcome for NW04 more in tune with the Council's objectives for this site.
- 3.37 In addition to the benefits associated with the Borough Plan and Brent 2020 brought through the acceleration of the public realm works and the change of NW04, there is the potential for a long term income stream to come to the Council from its investment in the public realm works. To facilitate maximising the opportunities for this income stream, it is proposed to bring a future paper to Cabinet to consider the potential for Olympic Way to be identified as an 'Area of Special Interest'. This will take account of the need for enhanced estate management, licensing and street trading regimes to allow a streamlined process for curating and holding events.
- 3.38 Taking account of these factors Cabinet is recommended to agree to the provision of up to £17.8 million towards public realm works, specifically accelerating its delivery.
- 3.39 To reflect the financial benefits that this will bring to Quintain, it is recommended that tying this funding to Quintain working with the Council to deliver an alternative to NW04 than that which has planning permission, facilitating part of the Educational Quarter and other Council objectives for this site. This reflects the fact that Quintain is likely to get reduced development values/profits. To maximise the place-making and commercial outputs of the changes to the Olympic Way public realm, it is recommended that Cabinet note the need for a future report setting out the potential change in status of Olympic Way to an 'Area of Special Interest', with the associated need for enhanced estate management, licensing and street trading regimes to allow a streamlined process for curating and holding events.

## 4.0 Financial Implications

- 4.1 The cost of the Council's share for Zone B is estimated to be up to £5.2m +10% contingency (total £5.7m). This calculation was based on cost estimates from the quantity surveyor for Zone B works. Similar quantity surveyor work has been used to estimate the costs of Zone C. Depending on the split between the Council, Quintain and the stadium the contribution to Zone C will range from £8m+10%

contingency (total £8.8m) to £11m+10% contingency (total £12.1m). This totals a maximum contribution of £17.8m.

- 4.2 The works undertaken will be commissioned by Quintain as part of a wider contract. The Council's final contribution will be based on quantity surveyor validated assessment of costs of works associated with the public realm elements of the contract within Zone B that the Council has agreed to fund and any future agreement in relation to Zone C.

## **5.0 Legal Implications**

- 5.1 The upgrade of the Zone B and C public realm will be part of a wider procurement process that has been undertaken by Quintain which has gone through a rigorous competitive tender process, supported and challenged by Quintain's quantity surveyor advisors. The Council funding the works through this process is considered appropriate in terms value for money associated with the economies of scale associated with a larger contract and also timing of delivery. Volker Fitzpatrick will be undertaking the works.
- 5.2 A memorandum of understanding will be agreed between the Council and Quintain to tie the funding to Quintain not pursuing the current plans for NW04. Agreements between the Council and Quintain will need to be concluded regarding sharing of income related to public realm improvements of Olympic Way, but this is likely to be clarified in the proposed Cabinet paper on Olympic Way being designated as an 'Area of 'Special Interest'.
- 5.3 Part VII of the Highways Act 1980 provides the Council with powers to undertake works which includes the ability to enhance the pedestrian walkway. Olympic Way is deemed a highway but it is not a highway maintained at the public expense.
- 5.4 Section 115E of the Highways Act 1980 provides powers to the Council to provide permission to persons other than the Council to undertake anything a Council could do in under or over a highway.
- 5.5 The powers above are subject to the obtaining of necessary consents from anybody who is an occupier of the building adjacent to the walkway as well as the owner of the land under over or above which the walkway subsists.

## **6.0 Diversity Implications**

- 6.1 The Equality Act 2010 introduced a new public sector equality duty under section 149. It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Council must, in exercising its functions, have "due regard" to the need to:
1. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
  2. Advance equality of opportunity between people who share a protected characteristic and those who do not.

3. Foster good relations between people who share a protected characteristic and those who do not.

6.2 Statutory public consultation has been carried out in the determination of the planning application for the works to Olympic Way which have taken account of the impacts with regards to disabilities and pregnancy/maternity through inclusive and accessible design consistent with policy and guidance. This includes issues such as gradients/obstructions, appropriate spacing of seating/resting points for mobility issues, use of contrasting colours/tones for materials, tactile surfaces and lighting for visibility impairment. However an Equalities Analysis Assessment screening opinion has been undertaken which confirms that the impacts on those with a disability and those with a pregnancy/maternity protected characteristics will not be adversely affected by changes to Olympic Way.

## **7.0 Staffing/Accommodation Implications (if appropriate)**

7.1 None arising specifically from this report.

### **Background Papers**

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