

ABERDEEN CITY COUNCIL

COMMITTEE: Policy & Strategy Committee DATE: 9th June 2009

CORPORATE DIRECTOR: Dr Abigail Tierney

TITLE OF REPORT: Union Terrace Gardens and Denburn Valley
Feasibility Study and next steps

1. PURPOSE OF REPORT

The ACSEF (Aberdeen City and Shire Economic Future) Board meeting on 22nd May considered the results of the Union Terrace Gardens and Denburn Valley feasibility study undertaken by Halliday Fraser Munro (HFM). This study was undertaken on behalf of Scottish Enterprise following the announcement of Sir Ian Wood's outline proposals for Union Terrace Gardens in November 2008.

Based on the outcome of the study, the ACSEF Board are unanimously recommending to the ACSEF partners that the project is progressed to the next development stage. This stage will focus on public engagement and further work to determine the feasibility of the project, in particular infrastructure elements relating to transport and potential funding models.

This report also provides an update on the "Northern Light" (Peacock Visual Arts Centre) project and presents a request for continued funding to Peacock Visual Arts to 31st December 2009 pending the final outcome of the next stages in the ACSEF Union Terrace Gardens and Denburn Valley project.

2. RECOMMENDATION(S)

- (a) That Committee notes the outcome of the Union Terrace Gardens feasibility study and agrees that the project should proceed to Phase 2.¹ This is without prejudice to the determination of any future planning application; and
- (b) That this report be remitted to the Resources Management Committee for the approval of £1,520 per month revenue spend for campaign team costs over 9 months, plus a one-off capital payment of £1,584 for the Northern Light Project, which will ensure this project is secured until December 2009

3. FINANCIAL IMPLICATIONS

As detailed elsewhere within this report, there is currently £50million available from Sir Ian Wood for the Union Terrace Gardens/Denburn Valley scheme proposals. Based on the interim findings of the appraisal, this means a further £100million needs to be secured. In this initial feasibility stage Aberdeen City Council has stated that to contribute funding through conventional routes would

¹ Please see page 8 of this report for details of what Phase 2 of the project would entail.

be challenging given the financial constraints incumbent upon it and other Scottish local authorities. Nevertheless this does not preclude the Council from exploring mechanisms that would enable it to leverage assets as a contribution to the project, including the gardens and a number of the buildings around the site. Furthermore, depending on the commercial viability of the project, there may be funding models that would enable the Council to contribute capital funding, and these would be fully explored and assessed as part of the next stage in project development. This would be subject to the necessary consents and approval from Scottish Ministers and/or DG-Competition of the European Commission as appropriate.

It is also recognised that State Aid implications will be relevant in specific circumstances which will vary and are dependent upon the final proposal and delivery model, which have not been established at this stage. Consequently, the Scottish Government State Aid Unit will continue to be consulted as any arrangements for Aberdeen City Council's involvement in the project delivery are finalised to ensure that Article 87(1) of European Treaty (which contains a general prohibition on State Aid) is not contravened at any point.

There is £40,000 in the Council's current revenue budget that is allocated and will be sufficient contribution for Phase 2 of the fuller ACSEF project (detailed in section 6.4).

Resources Management Committee on the 30 September 2008 (Article 37) confirmed that the Council would contribute a maximum of £3million capital funding to the Peacock Visual Arts 'Northern Light' Project. The Full Council, in December 2008, agreed that up to £166,642 in capital funding could be drawn down by Peacock Visual Arts to use for advanced design stage and procurement fees for the Northern Light Project. This report seeks the draw down of a further £1520.00 per month for campaign team costs and a one off draw down of £1584.00 for ecological and topographical surveys.

4. SERVICE & COMMUNITY IMPACT

The Aberdeen City and Shire Economic Future Action Plan aims that by 2025, for Aberdeen City and Shire be recognised as one of the most robust and resilient economies in Europe with a reputation for opportunity, enterprise and inventiveness that will attract and retain world-class talent of all ages. Specific strategic priorities relevant to this outcome include the delivery of city centre re-development which aligns to SOA National Outcome 1 "We live in a Scotland that is the most attractive place for doing business in Europe".

The Vibrant, Dynamic & Forward Looking policy document states that the Council will "continue to drive regeneration and take advantage of regeneration opportunities city wide as they present themselves..." and to "ensure the sustainability of the successful economy of Aberdeen City and Shire".

The project helps recognise that cultural organisations have a key role "in promoting the area as a tourist destination". This project aims to make the City a more attractive destination for visitors, and will enable work of international and

national artists to be supported. It will also help ensure the delivery of the City's Cultural Strategy.

5. OTHER IMPLICATIONS

The ACSEF Board are recommending, based on the outcome of the Technical Feasibility Study, that the Union Terrace Gardens project proceeds to the next stage of development. The City Council's contribution would be £40,000, already allocated from the revenue budget for 09/10. Personnel contribution will be ongoing input at Chief Officer level as part of the ACSEF Sub Group, as well as three days per week project management resource, which can be provided from the Major Projects Team within current staffing resource. There will also be input from the Council's external funding team into the funding appraisal which will be a key element for Phase 2 of the project.

There are also transportation implications for each of the options being considered. These implications impact both locally and regionally in terms of accessibility, connectivity, pedestrian movement, public transport, cycling, vehicular movement, servicing, impact on the immediate and surrounding road and path network, and car parking. All of these require to be investigated to the appropriate level of detail to fully understand the implications and opportunities that may be afforded by each option. This will include the need to ensure accordance with the policies contained within both the Local and Regional Transport Strategies.

6. REPORT

6.1 Background

6.1.1 As outlined in a report to Council of 17th December 2008 by the Corporate Director for Strategic Leadership, Sir Ian Wood made public on 11th November 2008 his offer of up to £50m towards a transformational city centre project to create a new heart in Aberdeen City Centre. The proposal is to redevelop a strategically located area of the city centre – Union Terrace Gardens and the Denburn Valley, incorporating the adjacent railway line and Denburn dual carriageway.

6.1.2 The vision is to create an accessible space that will integrate the Union Street retail and business thoroughfare with the cultural heart of His Majesty's Theatre and the existing Art Gallery whilst providing the context for a new [Peacocks Visual Arts] Contemporary Arts Centre. It could also connect Union Street at street level to Union Terrace, Denburn Viaduct and Belmont Street.

6.1.3 In response to Sir Ian Wood's announcement, Scottish Enterprise, acting on behalf of ACSEF, published a tender – won by a consortium led by Halliday Fraser Munro – to undertake a technical feasibility study of the proposals from Sir Ian Wood covering three options: Option 1 Full Level Platform to provide five acres of civic space; Option 2 Partial Level Platform providing partial covering of the Denburn; and Option 3 Enhancement focused on improved landscaping of the Gardens.

6.1.4 All three options can incorporate a contemporary arts centre, as well as opportunities for other civic and potentially commercial development on the site. There is also an interest in exploring how to utilise the space below any platform to facilitate public transport provision (for example by providing a pedestrian link to the existing train station) which is being considered in greater detail within the second stage of development.

6.2 Main Considerations

6.2.1 Technical Feasibility Study

6.2.2 The technical feasibility study of the three options under consideration (Option 1 Full Level Platform; Option 2 Partial Level Platform; and Option 3 Enhancement) examines feasibility against three main criteria of technical deliverability, planning and environmental and economic impact.

6.2.3 The feasibility study concludes that, despite significant challenges, the Union Terrace Gardens and Denburn Valley site offers an opportunity to create a new space combining 21st Century design with inspiring landscape architecture that truly matches up to Aberdeen's success, its international status, and aspirations.

6.2.4 Such an ambitious vision, the report states, will not be achieved through consideration of Option 3 – Enhancement which confines any improvement of public space to within the existing boundaries of the Union Terrace Gardens/Denburn Valley site. The option does not provide connectivity with adjacent retail/cultural/arts or historical areas of Aberdeen City Centre or any additional civic space. It will also not attract the £50m of funding which is being offered by Sir Ian Wood to develop the fuller scheme.

6.2.5 Accordingly the feasibility report recommends both Options 1 (Full Level Platform) and 2 (Partial Level Platform) for further consideration as both options offer opportunities to link a (partially or fully) raised Union Terrace Gardens with surrounding streets and areas. For example, Union Street, Belmont Street, Union Terrace and Denburn Viaduct are all identified within the report as potential beneficiaries of a new raised civic space on the Union Terrace Gardens/Denburn Valley site.

6.2.6 The feasibility report also highlights the potential opportunity for a (partially or fully) raised Union Terrace Gardens to act as a central pedestrian hub radiating outwards from the site to various city centre attractions, existing public transport infrastructure centres or green spaces. The site could also host major leisure, cultural or commercial spaces – both indoor and outdoor – which could act as a 'counterbalance' to the Bon Accord shopping centre and, potentially, Union Square.

6.3 Business Case – Value and Cost

6.3.1 The technical appraisal includes an estimate of the overall cost for the three design options described in 6.2.1. The figures below are based on benchmarked costs rather than full quantitative estimates and also exclude VAT. Elected Members are asked to note that these figures are indicative given that the cost estimates may be subject to change as the (yet to be appointed) Design Team develop key aspects such as the structure, services diversion, landscaping and Network Rail requirements.

6.3.2 The Executive Cost Summary for the three options for the re-development of Union Terrace Gardens and Denburn Valley are as follows:

SCHEME	TOTAL
Option 1 – Full Platform	£110-150m
Option 2 – Partial Platform	£90-128m
Option 3 – Enhancement	£21m

The ranges reflect options regarding what would be put into the final scheme.

6.3.3 The Cost Breakdown in Appendix 1 provides further detail on the Executive Cost Summary above. It should be noted that the cost estimates below assume completion by December 2012 and include notional allowances of approximately 15% for professional fees and 5% surveys and miscellaneous items contained within construction costs. Figures in **bold** represent the Gross Internal Area (GIA) surveying measurement of each option design.

6.4 Project Phases and Project Plan

6.4.1 The completion of the technical appraisal and feasibility study represents the conclusion of the first phase of this project. Should the Council agree to support Phase 2 of the project, the second phase would continue development on the fuller scheme through to the end of December 2009. This would take the project to the next key decision point, which would be to decide if the project is feasible in terms of public support and funding models, and therefore whether it should be progressed to detailed design.

6.4.2 The workstreams for Phase 2 of the project would be as follows:

- a) Technical clarification/follow on from the feasibility study
- b) Detailed Public Engagement and Consultation
- c) Stakeholder Engagement and Communication
- d) Analysis/pledges of potential sources of funding
- e) Analysis and recommendation of delivery vehicle(s)
- f) Assessment of the Economic Development Impact of the project
- g) Analysis of the Transport issues associated with the project

Each of these workstreams is expanded below:

a) Technical clarification/follow on from the feasibility study

Whilst the initial outline design will not be materially progressed whilst public consultation is underway, there invariably will be issues arising from the final feasibility report which will need clarification and/or further work in Phase 2 to keep them on the critical path.

Already apparent, for example, is the need to carry out a full development appraisal to examine sustainable commercial viability. This will be required to drill down into potential occupiers, rents, service and management costs etc.

Another example of further work required is the examination of the ownerships and acquisition potential in Belmont Street, which will be critical to the success of the project. This role obviously intimately involves Aberdeen City Council as a material Belmont Street landowner.

b) Detailed Public Engagement and Consultation

Given that one of the requirements for the project is to have public acceptance and ownership, effective public engagement is a crucial part of achieving a successful outcome for any proposal for Union Terrace Gardens and Denburn Valley.

It is, therefore, important that people are introduced to it in a way that allows a level of public input into the design process that builds confidence, whilst recognising the distinctiveness of this engagement process from the statutory development management and planning application process should this project proceed to that stage.

A strategy for public engagement is therefore under development, utilising The Lighthouse (Scotland's Centre for Architecture, Design and the City). The Lighthouse is Scotland's leading body for the promotion of architecture, design and the creative industries, locally, nationally and internationally through a proven methodology engaging people of all ages through a creative exhibition, education and business programmes.

The Lighthouse have brought forward a proposal for a programme of public and community engagement in the wider Aberdeen area that will inform local stakeholders of the plans for the future of Union Terrace Gardens and the Denburn Valley. The process will also highlight any issues that local people identify, engage local people and stakeholders to be involved in the design of an important and significant site, and ultimately create community ownership of the development, both in production and once completed.

The Lighthouse programme does not address any strategies for informing the public through press, media or advertising, which is a separate workstream being taken forward through development of a dedicated Communication Strategy for this project.

c) Stakeholder Engagement and Communication

As stated above, whilst the public consultation on the project will be undertaken by the Lighthouse, ACSEF will take a lead on communicating with all stakeholders, which would involve:

- Stakeholder Mapping: this is the process of identifying all the stakeholders from statutory consultees, relevant bodies, MPs, MSPs, Councillors, business organisations, retailers and city centre businesses, community councils and local groups, local residents, media and the wider community as well as potential protest groups.

- Stakeholder Prioritisation: This is the process of grouping the identified stakeholders and prioritising them to make sure that the right communication tactics are allocated to each group, depending on their importance to the project

- Stakeholder Communication: The aim of communicating with the stakeholder groups is to increase awareness and understanding of the facts to create informed opinion; involve stakeholders in the process and gain their feedback; recruit key stakeholders to act as ambassadors and be able to build a bank of third party endorsements for the project.

d) Analysis/pledges of potential sources of funding

As outlined by Sir Ian Wood in his public statement of 11th November 2008, a figure of £50M is available as a personal contribution towards the creation of a new civic heart for Aberdeen City. This leaves a balance of, at least, £90M to be realised to achieve the fullest extent of the options under consideration.

In this initial feasibility stage Aberdeen City Council has stated that to contribute funding through conventional routes would be challenging given the financial constraints incumbent upon it and other Scottish local authorities. Nevertheless this does not preclude the Council from exploring mechanisms that would enable it to leverage assets as a contribution to the project, including the gardens and a number of the buildings around the site. This would be subject to the necessary consents and approval from Scottish Ministers and/or DG-Competition of the European Commission as appropriate.

Another model worthy of consideration is Tax Increment Financing (TIF), which is being explored by City of Edinburgh Council to support its regeneration of the Granton Waterfront Area. A TIF is an area designated to benefit from enhanced investment that is intended to promote economic development. The model relies upon the notion that investment is secured for a TIF site based upon the hypothecated repayment of future tax revenue arising out of the economic development. For example, a local authority may borrow, via its prudential borrowing powers, in order to invest in promoting local economic development. This investment would be repaid via future business rates or, depending on the TIF model employed, future increases in value.

There have also been a number of high level discussions with Scottish Enterprise, who have demonstrated support for a major infrastructure project through their recent contribution of £33million to Dundee's Waterfront. There are also a number of other sources of Public Sector funding, such as the Lottery which, should the project progress, will have to be examined in further detail.

A third potential source of funding would be from the private sector, and a number of key organisations have indicated they would consider supporting a transformational project of this nature. An alternative mechanism currently under exploration is a Business Improvement District (BID) that extends to businesses outwith the City Centre footprint, whereby (dependent upon a successful ballot of those businesses affected) an additional levy on top of existing business rates would be levied and hypothecated towards the costs of the project/development.²

e) Analysis and recommendation of delivery vehicle(s)

A key to successful delivery will be devising an appropriate delivery vehicle which meets the needs of both the public and private sector investors in the project, providing appropriate levels of governance for an investment of this scale, and indeed hopefully proving to be an exemplar for other ACSEF projects. Aberdeen City Council are in the process of assessing the feasibility of a "city development company". In Phase 2, special purpose vehicles will be examined which could sit under the umbrella of a city development company, or be stand alone entities under ACSEF, in the event that the city development company concept is unsuitable or unavailable when required to enter Phase 3.

f) Assessment of the Economic Development Impact for the project

Assessing the Economic Development Impact of a project such as this is a complex matter. It requires the calibration and quantification of Aberdeen City Centre's performance and will relate the competitiveness of the city centre with the region's ability to attract new inward investment and strengthen 2nd and 3rd generation investment by those companies already here.

Given that the UTG project is currently unlikely to create substantial new office/technology space targeted at industry sector growth, a much wider piece of work will be required which looks at Union Street, Market Street et al, (effectively the BID area) from a commercial perspective rather than a public realm perspective - i.e. what the investment opportunities are. This is something Edinburgh, Glasgow and some city councils in England have done over the past few years to successfully secure institutional investor interest.

g) Analysis of the transport issues associated with the project

At this point a number of key issues can be identified, including:

- Policy issues affected by the proposal

² A business improvement district (BID) is a public-private partnership in which businesses in a defined area elect to pay an additional tax in order to fund improvements to the district's public realm and trading environment. Full Council approved the establishment of an arms-length company to develop a BID for Aberdeen City Centre on 13th August 2008.

- Questions for Nestrans and Aberdeen City Council regarding what funding may (already) be available to resolve any transport needs
- Early discussions with Transport Scotland and Network Rail regarding the Project and options for a high quality pedestrian link to Aberdeen Railway Station
- Questions for Transport Scotland and Network Rail regarding any constraints and likely timescales that might affect the design and construction programme
- Discussions with Aberdeen City Council regarding principle of parking provision within the development. This will have to be set against current and any future parking policy and whether there is a general need for additional city centre parking that may or may not be provided as part of the development.
- Discussion with Nestrans, Aberdeen City Council and the major bus companies regarding opportunities for bus access.
- Discussion with Aberdeen City Council and other stakeholders regarding pedestrian access to and around the site and, almost as critically, to other major hubs in the City Centre.

6.5 Project Resourcing

6.5.1 Phase 1 of this project, which has just concluded, has been led by ACSEF utilising internal and partner organisation resources. For the project to proceed into Phase 2, Aberdeen City Council's contribution would be £40,000 already allocated from the revenue budget for 09/10. Personnel contribution will be ongoing input at Chief Officer level as part of the ACSEF Sub Group, as well as three days per week project management resource, which can be provided from the Major Projects Team within current staffing resource. Support from other ACSEF partners is also being sought.

6.6 Peacock Visual Arts Ltd – The 'Northern Light' Contemporary Arts Centre

6.6.1 Full Council of 17th December 2008 (Article 24) approved the release of £166,642 of the capped £3m capital funding commitment from the Council to Peacock Visual Arts (PVA) Ltd previously approved by Resources Management Committee of 30th September 2008 (Article 37) for the Northern Light contemporary arts centre project at Union Terrace Gardens.

6.6.2 This limited drawdown of funds, matched by similar commitments from PVA Ltd's co-funders of Scottish Enterprise and the Scottish Arts Council, has enabled PVA Ltd to continue with the advanced design stage of the Northern Light project including architectural design, engineering and quantity surveying work pending the outcome of the technical appraisal and feasibility study of Sir Ian Wood's proposals.

6.6.3 As mentioned previously, all three options appraised by the Halliday Fraser Munro consultancy team included options to accommodate the PVA Ltd's proposed contemporary arts centre on the Union Terrace

Gardens site. However, only Option 3 (Enhancement) would allow the arts centre to be constructed in its current design and location.

- 6.6.4 The project is now at an advanced design stage. Support for £9.3million of the total £13.5million funding for the entire project has been confirmed by the Scottish Arts Council, Scottish Enterprise and Aberdeen City Council. While PVA Ltd has positively engaged with the technical appraisal and feasibility study, their position remains fundamentally as that reported to Council of 17th December 2008. Namely, that PVA need to ensure that funding commitments from Scottish Enterprise and Scottish Arts Council are not lost alongside a requirement to retain existing fundraising and design team staff while appraisals of ACSEF's scheme continues. If restarted later, this could result in additional costs and obstacles for fundraising as a result of lack of confidence in the Northern Light project.
- 6.6.5 The feasibility study report states that PVA Ltd had no preference for a location within the Union Terrace Gardens re-development area and could see benefits at either the Union Street or Denburn ends. This notwithstanding, they wish to be distinct from any other commercial or retail space that may be built into any finalised design or option.
- 6.6.6 The PVA campaign team have worked for almost two years to raise political, media, cultural, corporate and individual support and have a database of over 3,000 supporters and 400 top funding prospects which it is hoping will help bridge the anticipated funding gap. In order to ensure that this momentum is not lost, PVA have developed a proposal which would see minimum campaign team activity over the forthcoming months, to ensure that the benefits of the works carried out to date are not lost. It is understood that any fundraising would contribute to a contemporary arts centre, regardless as to the final preferred option which is identified through the full feasibility study.
- 6.6.7 PVA have indicated that they are happy to work with ACSEF's project team, to ensure that public messages are consistent and all synergies can be maximized.
- 6.6.8 The full PVA campaign activity proposal is included at appendix A, and funding from Aberdeen City Council, Scottish Enterprise and Scottish Arts Council would allow the Campaign Director, supported by a part time project assistant, to continue to:
- Raise high-level political, media, cultural and corporate support behind the vision of a new cultural centre for Aberdeen
 - Engage with current stakeholders, prospects and donors
 - Work with the major grant giving Trusts and Foundations to establish relationships and support for a new cultural centre in Aberdeen
 - Make early applications to the above Trusts where support would be transferable to a larger scheme
 - Develop the operational set-up which will enable the fundraising plan to be implemented once there is clarity on the scheme
 - Develop corporate engagement

- Explore commercial opportunities
- Research and identify potential donors, supporters, trusts and foundations and additional funding opportunities
- Carry out prospect research to identify and profile potential donors

6.6.9 The monthly costs for the above activity would be £4,558 per month between April and December 2009 inclusive (£41,022 total cost). The committee is recommended to agree to fund one third of these costs (£1,520 per month, £13,680 in total), on the condition that Scottish Enterprise and Scottish Arts Council also fund an equivalent amount, and that the PVA Campaign team work closely with the communications team for the overall feasibility study. An appropriate revenue budget has been identified for this cost.

6.6.10 Peacock Visual Arts have also identified the following additional pieces of work that they have asked for Council financial support to progress:

- Building Warrant - £30,000 – progressing the application for a building warrant at this time, would ensure that if any changes in building regulations were to occur, then the design would not have to be redone, and therefore additional costs incurred. Officers have taken advice on this matter from Building Control, who advise that the risk of building regulations changing in the next couple of years is minimal and given the PVA scheme in its current form may not progress, officers do not recommend that the Council fund a building warrant application at this stage.
- Borehole Surveys - £6,765 – as these works would only be relevant for the current design, officers do not recommend that the Council provides funding for these works at the current time.
- Ecological and Topographical Surveys - £4,750 – these surveys could potentially be useful regardless of which scheme was to progress, and therefore monies would not be wasted. Therefore it is recommended that the Council provide partnership funding of one third of the cost (£1,584) for these surveys from the Non-Housing Capital budget. A committee report and business case supporting this will be presented to Resources Management Committee on 16th June in line with the approach agreed for deferred capital projects identified by Council on 20th May 2009.

6.7 Next Steps

- 6.7.1 Should the Council agree to support Phase 2 of the project, the elements laid out in 6.4.2. would be progressed. The findings and conclusions from this phase of the project would be brought back to Committee for consideration in December 2009.
- 6.7.2 Should the Council not agree to support Phase 2 of the project, this decision will be referred back to the ACSEF Board to consider the implications and agree next steps.

6.8 Conclusion

- 6.8.1 The ASCEF Board decided unanimously to recommend this project to Aberdeen City Council, without prejudice to the determination of any future planning application. Despite the challenges in bringing forward such an ambitious proposal, the Union Terrace Gardens site potentially offers the largest and most radical re-design and re-structure of Aberdeen city centre since the construction of Union Bridge (1801) and the Denburn Viaduct (1886).

7. AUTHORISED SIGNATURE



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8. REPORT AUTHOR DETAILS

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9. BACKGROUND PAPERS

Halliday Fraser Munro [Interim] Technical Appraisal & Feasibility Study report to Scottish Enterprise & ACSEF.

Appendix 1

Cost Summary - Full Raised Level

Option 1 Elements	Full Platform Option	
	Total (£)	GIA m2
Enabling & Civils Works	13,820,000	N/A
Car Parking & Loading Bay	11,700,000	18,215
Civic Space & Link Beneath Union Bridge	10,200,000	7,425
Provision of Arts Centre	8,200,000	3,865
Platform works	38,480,000	N/A
Surface Works & Landscaping	18,300,000	27,000
Sustainability & Renewable Technologies	5,000,000	N/A
Contingency	10,300,000	N/A
Inflation (Start Dec'10 to Dec'12)	0	0
TOTAL CONSTRUCTION COSTS	116,000,000	29,505
Professional Fees	17,400,000	-
Survey's & Miscellaneous items	6,600,000	-
SUB TOTAL	140,000,000	29,505
Estimated Property Acquisition Costs (CBRE)	10,000,000	
TOTAL PROJECT COST	150,000,000	

Cost Summary - Partial Raised Level

Option 2 Elements	Partial Platform Option	
	Total (£)	GIA m2
Enabling & Civils Works	13,820,000	N/A
Car Parking & Loading Bay	11,700,000	18,215
Civic Space & Link Beneath Union Bridge	10,200,000	7,425
Provision of Arts Centre	8,200,000	3,865
Platform works	27,990,000	N/A
Surface Works & Landscaping	15,060,000	22,976
Sustainability & Renewable Technologies	4,300,000	N/A
Contingency	9,030,000	N/A
Inflation (Start Dec'10 to Dec'12)	0	0
TOTAL CONSTRUCTION COSTS	100,300,000	29,505
Professional Fees	15,000,000	-
Survey's & Miscellaneous items	5,700,000	-
SUB TOTAL	121,000,000	29,505
Estimated Property Acquisition Costs (CBRE)	7,000,000	
TOTAL PROJECT COST	128,000,000	

Cost Summary - Enhancement Scheme

Option 3 Elements	Redesign Of Site	
	Total (£)	GIA m2
Enabling & Civils Works	1,100,000	N/A
Car Parking & Loading Bay	-	0
Civic Space & Link Beneath Union Bridge	-	0
Provision of Arts Centre	8,200,000	3,865
Platform works	-	0
Surface Works & Landscaping	5,680,000	14,500
Sustainability & Renewable Technologies	750,000	N/A
Contingency	1,650,000	N/A
Inflation (Start Dec'10 to Dec'12)	-	0
TOTAL CONSTRUCTION COSTS	17,380,000	3,865
Professional Fees	2,610,000	-
Survey's & Miscellaneous items	1,010,000	-
TOTAL PROJECT COSTS	21,000,000	3,865

Key Exclusions

- VAT
- Contributions to Network Rail for disruption, signal alterations, safety costs and costs arising from a BAPA agreement.
- Phasing of the works beyond current assumed programme.
- Client finance costs and insurances.
- Commercial fit-out / contributions excluded assume constructed to shell & core apart from Car Park which is fitted out.
- Assumed there is no capital cost to project of Aberdeen City Council land required.

Cost Options

- | | |
|---|---------------|
| • Omit Car Park and associated excavation & enabling works | (£20,000,000) |
| • Omit Car Park & civic space including excavation & enabling works | (£35,000,000) |

Equality and Human Rights Impact Assessment - the Form

Eight steps to an equality and human rights impact
assessment



There are separate guidance notes to accompany this form – “Equality and Human Rights Impact Assessment – the Guide.” Please use these guidance notes as you complete this form.

STEP 1: Identify essential information (To complete this section please use the notes on page 8 of the guide to the Equality and Human Rights Impact Assessment.)

1. Name of function, policy or procedure

Union Terrace Gardens and Denburn Valley Feasibility Study and Next Steps

2. Is this function, policy or procedure New Reviewed

3. Officers completing this form

Name	Designation	Service	Directorate
Alun Williams	Senior (Strategic Programmes)	Strategic Leadership	Planning & Infrastructure

4. Date of Impact Assessment

5. Lead council service(s) involved in the delivery of this function, policy, procedure

Strategic Leadership

6. Who else is involved in the delivery of this function, policy or procedure? (for example other Council services or partner agencies)
(if none go to question 8)

Aberdeen City and Shire Economic Future (ACSEF) incorporating Scottish Enterprise amongst other partner agencies.

7. How have they been involved in the equality and human rights impact assessment process?

A draft copy of this document was provided to ACSEF for consultation, comments and analysis prior to finalisation and submission.

STEP 2: Outline the aims of the function, policy or procedure (To complete this section please use the notes on pages 9 -10 of the guide to the Equality and Human Rights Impact Assessment.)

8. What are the main aims of the function, policy or procedure? Please list

The main aim of this proposed policy decision is to achieve Elected Member support for the next stage of the Union Terrace Gardens and Denburn Valley feasibility study. In particular this stage, to 31st December 2009, will focus on public and stakeholder engagement in addition to further investigation of transport and infrastructure elements and potential funding models.

9. Who are the main beneficiaries of the function, policy or procedure? Please list

The main beneficiaries of the potential opportunity for a partially or fully raised level decked Union Terrace Gardens are the citizens of Aberdeen, incorporating specific communities of interest identified at question 13, who would benefit (should the project's vision be achieved) from a proposed central pedestrian hub radiating outwards with the capacity to host major leisure, cultural or commercial spaces.

10. Is the function, policy or procedure intended to increase equality of opportunity by permitting positive action or action to redress disadvantage?

Yes

No

Give details

Equality of access and Disability Discrimination Act legislative requirements will be integrated into any proposed design arising out of public/stakeholder engagement process; The proposed redesign of Union Terrace Gardens would provide access for wheel chair users and parents with prams, which are not currently able to access the Gardens due to the steep steps.

11. What impact will the function, policy or procedure have on promoting good relations and wider community cohesion?

It is anticipated that the proposed project could have a positive effect upon the promotion of good relations and wider community cohesion through the provision of a civic infrastructure facility with the potential for inclusion of leisure, cultural or commercial facilities.

STEP 3: Gather and consider evidence (To complete this section please use the notes on pages 11 - 12 of the guide to the equality and human rights impact assessment)

12. What evidence is there to identify any potential positive or negative impacts?

Evidence	Details
Consultation	An extensive programme of consultation will be carried out in the next phase of this project. This will include both the general public, public and private sector stakeholders and identified equalities communities of interest (p. 12 EHRIA Guide). This process shall be led by The Lighthouse which is the leading body for the promotion of architecture, design and the city.
Research	Background research on this proposal has been undertaken by Halliday Fraser Munro (HFM) commissioned by Scottish Enterprise on behalf of Aberdeen City and Shire Economic Futures. This research can be evidenced by reference to the HFM Technical Appraisal and Feasibility Study Report.
Officer knowledge and experience (including feedback from frontline staff)	A comprehensive knowledge review and analysis of previous officer experience and outputs was undertaken in Autumn 2008 to inform the Scottish Enterprise Invitation to Tender (on behalf of ACSEF) for lead consultants to produce a technical appraisal and feasibility study for the Union Terrace Gardens and Denburn Valley proposals.
Equality monitoring data	No equality monitoring data is available at this stage.
User feedback (including complaints)	User feedback shall be sought through the public engagement process and through consultation with specific equalities communities of interest.
Other	N/A.

STEP 4: Assess likely impacts on equality strands (To complete this section please use the notes on pages 13 –14 of the guide to the Equality and Human Rights Impact Assessment)

13. Which, if any, equality target groups and others could be affected by this function policy or procedure? Place the symbol in the relevant box.

Equality Target Group	Positive Impact(+)	Neutral Impact (0)	Negative Impact(-)
Race*	✓		
Disability	✓		
Gender **	✓		
LGB***	✓		
Belief		✓	
Younger	✓		
Older	✓		
Others		✓	

* Race include Gypsies/Travellers

** Gender includes Transgender

*** LGB: Lesbian, Gay and Bisexual

14. From the groups you have highlighted above, what positive and negative impacts do you think the function, policy or procedure might have?

Detail the impacts and describe the groups affected.

<p>Positive impacts (describe groups affected)</p> <ul style="list-style-type: none"> • Race – potential creation of an inclusive civic facility thereby promoting community cohesion and integration between races; • Disability – Equality of access and Disability Discrimination Act legislative requirements will be integrated into any proposed design arising out of public/stakeholder engagement process. Improved facilities will reduce the fear of crime for vulnerable groups; • Gender – As a potential civic facility with open community access, the potential project with its civic facilities aim has the potential to reduce barriers. The proposed improvement to this area will help reduce the fear of crime for women and young men, in particular; • LGB – As above for gender as a potential civic facility with open community access, the potential project with its civic facilities aim has the potential to reduce barriers and 	<p>Negative Impacts (describe groups affected)</p>
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<p>encourage interaction within and with LGB communities of interest;</p> <ul style="list-style-type: none">• Younger – The potential project could provide facilities that would be of benefit/interest to younger people in addition to the provision of a place for social interaction and anti-social behaviour diversionary activities;• Older – While the design and structure of any proposed full or partial level Union Terrace Gardens has yet to emerge, the project’s vision of a new civic square in the centre of Aberdeen could provide new facilities or a structure of benefit to older people. . As there is a higher incidence of disability amongst older people, the probability is that improved disabled access will benefit older people too, and that the improved facilities will reduce fear of crime amongst vulnerable groups.	
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STEP 5: Apply the three key assessment tests for compliance assurance (To complete this section please use the notes on pages 15 – 17 of the guide to the Equality and Human Rights Impact Assessment.)

15. Does this policy/procedure have the potential to interfere with an individual's rights as set out in the Human Rights Act 1998? State which rights might be affected by ticking the appropriate box(es) and how. **If you answer "no", go to question 19.**

- Article 3 – Right not to be subjected to torture, inhumane or degrading treatment or punishment
- Article 6 – Right to a fair and public hearing
- Article 8 – Right to respect for private and family life, home and correspondence
- Article 10 – freedom of expression
- Other article not listed above

How?

No.

Legality

16. Where there is a potential negative impact is there a legal basis in the relevant domestic law?

Legitimate aim

17. Is the aim of the policy a legitimate aim being served in terms of the relevant equality legislation or the Human Rights Act?

Proportionality

18. Is the impact of the policy proportionate to the legitimate aim being pursued? Is it the minimum necessary interference to achieve the legitimate aim?

STEP 6: Monitor and review (To complete this section please use the notes on page 18 of the guide to the Equality and Human Rights Impact Assessment).

19. How will you monitor the implementation of the function, policy or procedure? (For example, customer satisfaction questionnaires)

Monitoring reporting will be undertaken through reports to Elected Members of Aberdeen City Council and ACSEF as appropriate. This will be evidenced through analysis of the results of the public and stakeholder engagement in addition to feedback gained from specific communities and groups of interest such as the Disability Advisory Group, the Ethnic Minority Forum, Older People's Working Group, Aberdeen City Youth Council, Aberdeen Women's Alliance and the LGBT community.

20. How will the results be used to develop the function policy or procedure?

The results will inform the development of the potential Union Terrace Gardens and Denburn Valley feasibility study and specific outcomes thereof.

21. When is the function, policy or procedure due for review?

31st December 2009.

STEP 7: Report results and summary of EHRIA to the public (To complete this section please use the notes on page 19 of the guide to the Equality and Human Rights Impact Assessment).

22. Where will you publish the results of the Equality and Human Rights Impact Assessment?

Please indicate as follows by ticking the appropriate box(es).

Summary of EHRIA will be published in committee report under section “Equality Impact Assessment”

Full EHRIA will be attached to the committee report as an appendix

Summary of EHRIA to be published on council website within relevant service pages

Other, please state where:

23. Please summarise the results of the Equality and Human Rights Impact Assessment and give an overview of whether the policy, procedure or function will meet the Council’s responsibilities in relation to equality and human rights. This summary needs to include any practical actions you intend to take / have taken to reduce, justify or remove any adverse negative impacts.

An Equalities and Human Rights Impact Assessment report was carried out on Union Terrace Gardens and Denburn Valley Feasibility Study and Next Steps. It has highlighted the extensive nature of the consultation programme envisaged for the potential project for the full or partial raising of Union Terrace Gardens to create a new civic facility in Aberdeen centre.

The proposals, as currently understood at this interim phase, also have the potential to offer positive benefits to identified equalities groups such as people with disabilities, people from ethnic minorities, people from the LGB community, and younger people amongst others. The potential civic facility will promote community cohesion and integration among races. The proposed improvement to this area will help reduce the fear of crime among vulnerable groups. The improved disabled access will benefit older people as there is a higher incidence of disability amongst older people.

Regular monitoring and the incorporation of feedback and user suggestions from the public and communities or groups of interest will be used to inform project design and outcome as appropriate.

STEP 8 SIGN OFF (To complete this section please use the notes on page 20 of the guide to the Equality and Human Rights Impact Assessment)

The final stage of the EHRIA is to formally sign off the document as being a complete, rigorous and robust assessment.

Person completing the impact assessment

Name	Date	Signature
Alun Williams	26 th May 2009	

Quality check: document has been checked by

Name	Date	Signature
Shimei Wang	27 th May 2009	

Head of Service (Sign-off)

Name	Date	Signature
Abigail Tierney	27 th May 2009	

Now –

Please send a copy of your completed EHRIA form together with the Policy/Strategy/Procedure to:

Head of Service
Community Planning and Regeneration,
Strategic Leadership
Aberdeen City Council
St. Nicholas House
Broad Street
Aberdeen
AB10 1GZ