



Cabinet Member Report

Meeting or Decision Maker:	Cllr Davis, Deputy Leader and Cabinet Member for Built Environment; Cllr Caplan, Cabinet Member for City Management and Customer Services; Cllr Heather Acton, Cabinet Member for Sustainability and Parking.
Date:	8 December 2016
Classification:	For General Release
Title:	Jermyn Street Public Realm Improvement Scheme
Wards Affected:	St James's Ward
City for All Summary	This scheme contributes to the City For All Initiative by improving pedestrian facilities along Jermyn Street through new widened footways, a better management of stationary vehicles and their impacts and the improvement of street lighting to modern standards.
Key Decision:	No
Financial Summary:	The Jermyn St Public Realm Improvement scheme is to fully funded by The Crown Estate for both design and works. Approval is being sought in this report for spending approval for the completion of stages 1 to stage 3 of design, including TMO consultations, at a cost of £368,000.
Report of:	Executive Director for City Management and Communities
Report Author:	Mark Allan, Project and Programme Manager

1 Executive Summary

- 1.1. This report presents a proposal to improve the public realm of Jermyn Street in the St James's Ward.
- 1.2. The Council's Service Provider FM Conway Ltd (FMC) has been commissioned by Westminster City Council (WCC) to undertake the design and implementation of the Jermyn Street Public Realm Improvement Scheme. Concept Design proposals developed by Atkins on behalf of The Crown Estate have now been reviewed by FMC and adjustments made, with The Crown Estate agreement, to produce an initial design for the Jermyn Street Public Realm Improvement Scheme. The FMC initial design is fully in line with Westminster City Council's Highway Standards and the requirements of Westminster Way.
- 1.3. The initial design also contains revised parking and loading arrangements that provide a solution that balances both the needs of motorists and businesses while maximising the improvement to the public realm and benefit to the pedestrian users of the street.
- 1.4. The initial design for Jermyn Street Public Realm Improvement Scheme, including the proposed parking and loading arrangements, is set out in Drawing Nos. 70012806-03-GA 01 to 06 with the associated proposed parking changes on King Street shown on Drawing No. 70012806-02-GA-05 Rev B (both Drawings are included in **Appendix B**). The revised parking and loading arrangements and their consequences and mitigations are also detailed in the Parking Review Report (at **Appendix C**) and are summarised in section 5.4 of this report.
- 1.5. In conjunction with The Crown Estate, initial Stakeholder engagement has taken place in February 2016 using public exhibitions and a leaflet drop. Scheme information was also made available via the Westminster City Council's website. Following these sessions a number of smaller engagement sessions were held with businesses and individuals on Jermyn street including, the galleries, restaurants, Fortnum and Mason and the Cavendish Hotel. The drawings submitted to Cabinet Members with this report now includes a number of changes that have increased the length of the loading pads and extended the times of the proposed operational controls that have come about as a result of these stakeholder engagements.
- 1.6. Drawing No. 70012806-03-GA 01 to 04 also shows the widened footway areas along Jermyn Street which can be used for loading and parking purposes at certain times of the day and by pedestrians at other times. These areas are targeted particularly at locations where window shoppers sometimes conflict with pedestrians walking along Jermyn Street. The drawing also indicates the current footway width and that that will be available in the new design both when the pavement is fully available for pedestrian use and at the times that vehicles may be using the shared footway surfaces.

- 1.7. The estimated cost of the scheme is **£6,355,000** which includes all design, project management, client and works costs and appropriate levels of risk and contingency and will be fully funded by The Crown Estate. The estimate of cost has been determined using the contract rates set out in the contract with FMC effective from 1st April 2014 with forward allowances contract price increases over the project lifespan.
- 1.8. The Crown Estate has provided a purchase order covering the funding for the project and there will be agreed milestone payments. Administration of these arrangements will take place through the delivery partnership's (WCC/TfL/The Crown Estate) Piccadilly and St James's Project Board. The City Council will also enter into an agreement with The Crown Estate under section 278 of the Highways Act 1980 to confirm that the funding will be fully provided.
- 1.9. This report seeks approval:
- a) Of the design of the proposed public realm improvement works on Jermyn Street and for a spending approval for the completion of the stage 1 to stage 3 design processes at a cost of **£368,000** which will be funded by The Crown Estate.
 - b) To continue to consult on the scheme and to commence the advertisement of the Traffic Regulation Orders necessary for scheme introduction.
 - c) That a further report is to be submitted to Cabinet Members later this year on the results of the Traffic Regulation Order consultation. Within this next report the intention will be, subject to members view on this consultation, to confirm a commitment of capital expenditure of up to **£6,355,000** for the project **and** to seek approval to commence works in spring 2017 in line with a planned phased works delivery which will be submitted for approval in the next report.

2 Recommendations

It is recommended that:

- 2.1 Approval be given to the initial design of the Jermyn street Public Realm Scheme as shown on Drawing No. 70012806-03-GA 01 to 04 as shown in **Appendix B** and to complete the detailed design work on Jermyn Street with a spending approval of **£368,000** for Stages 1 to 3.
- 2.2 Approval be granted to continue to consult local residents, businesses and interest groups on the proposed scheme;
- 2.3 Approval is given to advertise the Traffic Regulation Orders for the changes to the parking and loading arrangements needed to implement the scheme as shown on Drawing No.70012806-03-GA 01 to 04 and Drawing No.70012806-02-GA-05 Rev B

included in **Appendix B** and that are detailed in the parking review report attached at **Appendix C**;

- 2.4 A further report be provided to Cabinet Members presenting the results of consultation and of the advertisement of the Traffic Regulation Orders. Within this report the intention will be, subject to members views on the Traffic Regulation Order consultation, to confirm a commitment of capital expenditure of up to **£6,355,000** and to seek approval to commence works in early 2017 in line with a planned phased works delivery which will be submitted for approval in the next report;
- 2.5 Delegated authority is given to the Executive Director for City Management and Communities to act on behalf of the Council to enter into an agreement with The Crown Estate under section 278 of the Highways Act 1980 to confirm the funding being made available for the scheme.

3 Reasons for Decision

3.1 The Jermyn Street Public Realm Improvement Scheme as shown on Drawing No. 70012806-03-GA 01 to 04 and on Drawing No. 70012806-02-GA-05 Rev B will:

- a) improve the visual and physical quality of the frontages and footways;
- b) increase the usable footway available for pedestrians;
- c) de-clutter street furniture and signage;
- d) provide new street lighting to modern standards;
- e) reduce the impact of kerb-side activity and vehicular traffic; and
- f) reduce the domination of parked and loading vehicles on Jermyn Street.
- g) Attract more visitors and improve commercial viabilities.

4 Background, including Policy Context

- 4.1 The original scheme concept was developed by The Crown Estate (TCE) following Ward walking visits that took place with Peter Bourne (TCE), Councillor Heather Acton and Councillor Robert Rigby. The concept design was developed by TCE's consultant Atkins and aimed to improve pedestrian environment and rationalise the provision of loading and parking

along the length of Jermyn Street. Councillor Robert Davis has been briefed directly by The Crown Estate on the scheme concepts.

- 4.2 FMC has been appointed by the City Council to carry out a design review of the concept design and to produce an initial design ensuring that the scheme is in line with Westminster City Council's Highway Standards.
- 4.3 The proposals identified in this report are consistent with the Westminster Way and have been endorsed by the City Council's Public Realm Advisory Group (PRAG).
- 4.4 The initial design details of the public realm improvements referred to in this report are shown in general arrangement Drawing Nos. 70012806-03-GA 01 to 04 included in **Appendix B**.
- 4.5 The changes to the parking and loading arrangements are also shown drawings 70012806-03-GA 01 to 04 and on Drawing No. 70012806-02-GA-05 Rev B and are detailed in the technical report at **Appendix C**.
- 4.6 Other implications for the scheme which are relevant to the Council are set out in **Appendix A**

5 Scheme Proposals

- 5.1 The aim of the proposals is to improve the highway and public realm for all highway users and attract more people to Jermyn St and encourage its use as an attractive walking route between St James and Mayfair.
- 5.2 The extent of the scheme is as follows:
 - a) Jermyn Street between St James's Street and Regent Street St James's;
 - b) St James's Street between Piccadilly and Ryder Street;
 - c) Bury Street (tie-in only);
 - d) Duke Street St James's;
 - e) Duke of York Street;
 - f) Babmaes Street (tie-in only); and
 - g) King Street (parking bay relocations only)

Improvement of The Public Realm

- 5.3 The proposals are shown on drawing 70012806-03-GA 01 to 04 in **Appendix B** and involve:
 - a) adjusting the northern kerb line to widen the footway;

- b) installing raised and inset loading and parking bays such that they act as footway at the busier times of the day;
- c) replacing and re-profiling the carriageway with areas at junctions using raised tables some of which will be built in granite setts;
- d) replacing existing street lighting with heritage style columns and wall mounted units to provide modern standards of street illumination;
- e) de-cluttering signage and reducing unnecessary street furniture;
- f) footways will be widened in most circumstances as dimensioned on the drawing 70012806-03-GA 01 to 04. The exception to this widening is at the bay just to the west of Duke of York Street where the footpath is 4cm narrower. However as there are no shop frontages and the adjacent bay is at the same level we do not feel this will impinge on user experience;
- g) all surface materials will be renewed using York stone flags for footway paving, granite kerbs, granite setts in some of the raised carriageway areas and for the loading bays.

Changes to Parking and Loading

5.4 Drawing No. 70012806-03-GA 01 to 04 and Drawing No. 70012806-02-GA-05 Rev B also detail the proposed changes to the loading and parking arrangements on Jermyn Street that will form a part of, and which will facilitate, the introduction of the public realm arrangements proposed for Jermyn street, and will provide (*from the St James's Street end*):

On the north side

- a) A footway level "pad" area to the west of Piccadilly Arcade providing loading between 8.30 am and 6.30 pm for servicing businesses nearby restaurants and the galleries; unrestricted parking / loading from 6.30 pm to 8.30 am to serve diners, early morning workers and loading vehicles that wish to undertake early deliveries. These arrangements have been discussed with local businesses and they best suit their local requirements and they are supportive of them.
- b) A pad area to the east of Piccadilly Arcade that provides loading from 8.30 am to midday, pay by phone parking midday to 6.30 pm for shoppers and unrestricted parking / loading from 6.30 pm to 8.30 am to serve diners, early morning workers and loading vehicles that wish to undertake early deliveries.
- c) A pad area adjacent to Fortnum and Masons provides a pay by phone parking space operating from 8.30am to 6.30pm for customer shopping/ goods pickups at the F&M service point. This space becomes a taxi rank from 6.30 pm to 8.30 am to support night time activity and local night clubs. The remainder of this area provides loading on a 24 hr basis to support nearby businesses, some of which have significant goods in and goods out throughout a 24 hour operating period at the commercially important times of the year.
- d) A pad area to the west of the church that provides loading from 8.30 am to midday, pay by phone parking midday to 6.30 pm for shoppers and unrestricted parking / loading from 6.30 pm to 8.30 am to serve diners, early morning workers and loading vehicles that wish to undertake early deliveries. One bay is marked for disabled badge holders Monday to Friday 8.30 am to 6.30 pm. By agreement, the doctor bay will be moved to Duke of York Street.

- e) A pad area to the east of the church / Church Place that will provide loading between 8.30 am and midday, pedestrian use between midday and 6.30 pm and unrestricted parking / loading from 6.30 pm to 8.30 am to serve diners, early morning workers and loading vehicles that wish to undertake early deliveries

On the south side

- f) A partially inset carriageway level stopping bay adjacent to Tesco that will provide pay by phone parking between 8.30 am and 6.30 pm at the western end and a disabled badge holder bay at the eastern end (also useful for access to Regent Street St. James's). Between 6.30 pm and 8.30 am these areas will provide parking for diners, early morning workers, etc. A loading area in between the marked parking areas will serve Tesco and other business demands on Jermyn Street and on Regent Street St James on a 24hr basis.

6 Programme

- 6.1 Subject to Traffic Regulation Order consultation and further Cabinet Member approvals, the target programme indicates that mobilisation for the works will start in spring 2017.
- 6.2 Subject to final confirmation from FM Conway Ltd, the implementation programme is due to last for 15 months, excluding a break in construction over the Christmas and New Year break 2017.

7 Outstanding Issues

- 7.1 None

8 Financial Implications

- 8.1 A spending approval for the completion of the stage 1 to stage 3 design processes (including the consultation of Traffic Regulation Orders) for the Bond Street project at a cost of **£368,000** is being sought in this report.
- 8.2 The estimated cost of design, project management, client and the highway works is **£6,355,000** including an allowance of £1.8m risk and contingencies. All costs involved in the delivery of the Jermyn Street Public Realm Scheme will be fully met and funded by The Crown Estate.
- 8.3 The project funding will be provided by a purchase order provided by The Crown Estate with agreed milestone payments. Administration of these arrangements will take place through the delivery partnership's (WCC/TfL/The Crown Estate) Piccadilly and St

James's Project Board. It is also proposed that the City Council enters into an agreement with The Crown Estate under section 278 of the Highways Act 1980 to confirm the funding being made available.

9 Legal Implications

- 9.1 Section 278 of the Highways Act 1980 enables a Local Authority, acting in its capacity as "Highway Authority" to enter into agreements with third parties for the third party to either pay for, or make alterations or improvements to the highway at that party's own cost and expense.
- 9.2 The pre-conditions for an agreement under section 278 are firstly that the Local Authority should be satisfied that it will be of benefit to the public to enter into the agreement for the execution of the works by the authority and secondly that the works must be such that the Local Authority are authorised to execute, i.e. they must fall within the highway authorities powers of road building, improvement or maintenance.
- 9.3 The highway elements of the proposed public realm scheme in this report fall within the gambit of section 278 of the Highways Act 1980.
- 9.4 Prior to the commencement of the Highway Works the Crown Estate will be required to enter into a section 278 Agreement with the City Council to give effect to the above. The Crown Estate will also be required to pay the City Council's professional costs in connection with the negotiation, preparation and completion of the Agreement.

10 Consultation

- 10.1 In conjunction with The Crown Estate, initial Stakeholder engagements supported by the Council have taken place with stakeholder engagements sessions taking place in February 2016 involving public exhibitions and a leaflet drop. Ward members were sent a copy of the consultation leaflet and were consulted by the The Crown Estate when their initial design was being promoted. Scheme information was also made available via the Westminster City Council's website. Following these sessions a number of smaller engagement sessions were held with businesses, groups and individuals on Jermyn Street including art galleries, a number of restaurants, Fortnum and Mason and the Cavendish Hotel. The scheme design submitted to Cabinet Members with this report includes a number of changes that have increased the length of the loading pads and extended the times of the proposed operational controls that have come about as a result of these stakeholder engagements.
- 10.2 This report now seeks approval for the Council to commence the advertisement of the associated Traffic Regulation Orders for the changes to the parking and loading restrictions detailed in this report that will be necessary to deliver the Jermyn Street Public Realm scheme as shown on drawing No. 70012806-03-GA 01 to 04 and Drawing No. 70012806-02-GA-05 RevB.

10.3 The results of consultation and the advertisement of the Traffic Regulation Orders will be the subject of a further report to Members in January 2017.

If you have any queries about this Report please contact:

Mark Allan on: 0207641 1154,

email mallan@westminster.gov.uk.

Background Papers:

None..

For completion by the **Deputy Leader and Cabinet Member for Built Environment**

Declaration of Interest

I have <no interest to declare / to declare an interest> in respect of this report

Signed: _____ Date: _____

NAME: **Councillor Robert Davis MBE, DL, Deputy Leader and Cabinet Member for Built Environment**

State nature of interest if any

.....
(N.B: If you have an interest you should seek advice as to whether it is appropriate to make a decision in relation to this matter)

For the reasons set out above, I agree the recommendation(s) in the report entitled **Jermyn Street Public Realm Improvement Scheme.**

Signed

Councillor Robert Davis MBE, DL, Deputy Leader and Cabinet Member for Built Environment

Date

If you have any additional comment which you would want actioned in connection with your decision you should discuss this with the report author and then set out your comment below before the report and this pro-forma is returned to the Secretariat for processing.

Additional comment:
.....
.....

If you do not wish to approve the recommendations, or wish to make an alternative decision, it is important that you consult the report author, the Director of Law, City Treasurer and, if there are resources implications, the Director of People Services (or their representatives) so that (1) you can be made aware of any further relevant considerations that you should take into account before making the decision and (2) your reasons for the decision can be properly identified and recorded, as required by law.

Note to Cabinet Member: Your decision will now be published and copied to the Members of the relevant Policy & Scrutiny Committee. If the decision falls within the criteria for call-in, it will not be implemented until five working

days have elapsed from publication to allow the Policy and Scrutiny Committee to decide whether it wishes to call the matter in.

For completion by the **Cabinet Member for Sustainability and Parking**

Declaration of Interest

I have <no interest to declare / to declare an interest> in respect of this report

Signed: _____ Date: _____

NAME: **Councillor Heather Acton, Cabinet Member for Sustainability and Parking**

State nature of interest if any

.....
(N.B: If you have an interest you should seek advice as to whether it is appropriate to make a decision in relation to this matter)

For the reasons set out above, I agree the recommendation(s) in the report entitled **Jermyn Street Public Realm Improvement Scheme.**

Signed

Councillor Heather Acton, Cabinet Member for Sustainability and Parking

Date

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For completion by **and Cabinet Member for City Management and Customer Services**

Declaration of Interest

I have <no interest to declare / to declare an interest> in respect of this report

Signed: _____ Date: _____

Councillor Melvyn Caplan, Cabinet Member for City Management and Customer Services

NAME: _____

State nature of interest if any

.....
(N.B: If you have an interest you should seek advice as to whether it is appropriate to make a decision in relation to this matter)

For the reasons set out above, I agree the recommendation(s) in the report entitled **Jermyn Street Public Realm Improvement Scheme.**

Signed

Councillor Melvyn Caplan, Cabinet Member for City Management and Customer Services

Date

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Jermyn Street Public Realm Improvement Scheme

Other Implications

1 Resources Implications

All costs associated with the scheme will be recovered from The Crown Estate.

2 Business Plan Implications

No implications.

3 Risk Management Implications

No implications.

4 Health and Wellbeing Impact Assessment including Health and Safety Implications

The scheme will have a beneficial impact on health and wellbeing over the current layout:

- Widening the footway, reducing street clutter gives greater ability to pedestrians to carry out their desired movements around Jermyn Street.
- Reducing road width and installing raised carriageway and junctions will reduce vehicle speeds.

Disruption during works will be carefully managed to minimise negative impacts such as dust and noise.

5 Crime and Disorder Implications

The measures in this report are not expected to have any implications under the Crime and Disorder Act 1998.

6 Impact on the Environment

Wherever possible existing materials that are taken up will be recycled.

7. Equalities Implications

The scheme will improve the accessibility of the streets for persons with mobility difficulties through the installation of flush kerbs at pedestrian crossings.

8. Staffing Implications

No implications.

9. Human Rights Implications

No implications.

10. Energy Measure Implications

No implications.

11. Communications Implication

Residents and business will be notified of the works through a letter drop in advance of the works. Contact details will be displayed on site notice boards and scheme details and progress available on the City Council's website.

Jermyn Street Public Realm Improvement Scheme:

- 1. General Arrangement - Drawing 70012806-03-GA 01 to 04**
- 2. Additional Parking Changes on King Street - Drawing No. 70012806-02-GA-05 RevB**

Jermyn Street Public Realm Improvement Scheme

- **Parking Review Report**