



City of Westminster

Cabinet Member Report

Decision Maker:	Cabinet Member for Built Environment Cabinet Member for Sustainability and Parking Cabinet Member for City Management and Customer Services
Date:	20th December 2016
Classification:	For general release
Title:	77 South Audley Street Public Realm Improvements
Wards Affected:	West End
City for All Summary:	This decision contributes to the City for All initiative through significant enhancement to the visual amenity of the public realm for Deanery Mews, Deanery Street and South Audley Street, including the installation of new high quality paving materials and improved drainage.
Key Decision:	No
Financial Summary:	The estimated cost for the design and implementation of the public realm improvements identified in this report is £330,000 including risks and contingencies and will be fully funded by the developer of no. 77 South Audley Street under the terms of an Agreement under section 278 of the Highways Act 1980.
Report of:	Executive Director for City Management and Communities
Report Author:	Rakesh Vaghela, Asset & Infrastructure Manager (Highways)

1. Executive Summary

- 1.1 This report presents proposals to improve the highway and public realm on South Audley Street, Deanery Street and Deanery Mews, and seeks approval to:
- Design and implement the public realm improvements identified in this report, which will be fully funded by the developer of no. 77 South Audley Street;
 - Commit capital expenditure necessary to implement the proposals; and
 - Delegate authority to the Executive Director for Growth Planning and Housing to approve minor modifications to the scheme in consultation with the Cabinet Member for Built Environment, Cabinet Member for Sustainability and Parking and the Cabinet Member for City Management and Communities.
 - Enter into an agreement pursuant to section 278 of the Highways Act 1980 to secure funding for the scheme.
- 1.2 Consultation with affected frontages, key stakeholders and ward councillors took place from the 26 June – 13 July 2016, with no objections received. Two Ward Councillors provided comments, details of these comments and responses are included in Appendix D.
- 1.3 Subject to approval of this report changes to waiting and loading kerbside controls will be consulted upon by way of a section 6 statutory Traffic Order consultation.

2. Recommendations

- 2.1 That approval be given to complete the design implementation of the proposed public realm improvements shown on the General Arrangement drawings 70018438-03-GA-01(A) and 70018438-03-DM-GA-01(A) included in Appendix B.
- 2.2 That approval be given to capital expenditure necessary to implement the proposals.
- 2.3 That approval be given to enter into an agreement pursuant to section 278 of the Highways Act 1980 to secure funding for the scheme.
- 2.4 That delegated authority be given to the Executive Director for City Management and Communities to approve minor modifications to the approved scheme, in consultation with the Cabinet Member for Built Environment, Cabinet Member for Sustainability and Parking and Cabinet Member for City Management and Customer Services.
- 2.5 That approval be given to modify and make traffic orders under section 6 of the Road Traffic Regulation Act 1984 to facilitate the proposed changes to kerbside waiting and loading controls on South Audley Street and Deanery Mews as described in Appendix C together with the Statement of Reasons.

3. Reasons for Decision

- 3.1 The proposed public realm improvements identified in this report will bring substantial improvements to the quality of the streetscape, pedestrian accessibility and will contribute to the 'City for All' Initiative.
- 3.2 The estimated cost to design and implement the highway and public realm improvements is £330,000 which includes risks and contingencies and Westminster City Council's costs, and will be fully funded by the developer of no. 77 South Audley Street under the terms of a section 278 agreement.
- 3.3 The recommendations submitted to the Cabinet Member for Built Environment, Cabinet Member for Sustainability and Parking and Cabinet Member for City Management and Communities will allow the design of proposals outlined in this report to be completed and implemented.

4. Background, including Policy Context

- 4.1 Improvements to South Audley Street, Deanery Street and Deanery Mews are being fully funded by the developer of no. 77 South Audley Street. The scheme will significantly improve the visual quality of the streetscape through the use of natural stone paving for footways and carriageway areas. The measures will improve the environment for pedestrians and assist vehicles accessing the frontage of 77 South Audley Street.
- 4.2 Planning permission for the redevelopment of Audley Square Car Park has been granted, the proposals in this report for South Audley Street have been designed to co-ordinate with this development.
- 4.3 The City Council's service provider FM Conway Limited was commissioned to carry out the design of the public realm improvements and subject to approval of this report will be commissioned to implement the proposals.
- 4.4 The proposals identified in this report are consistent with the Westminster Way and have been endorsed by the City Council's officer led Public Realm Advisory Group on the 6th June 2016.
- 4.5 The public realm improvements referred to in this report are shown on the General Arrangement drawings 70018438-03-GA-01(A) and 70018438-03-DM-GA-01(A), subject to approval of this report changes to Traffic Order under section 6 of the Road Traffic Regulation Act 1984 to facilitate the proposed changes to kerbside waiting and loading restrictions on South Audley Street and Deanery Mews will be advertised.

5. Scheme Design Proposals

- 5.1 The aim of the proposals is to improve public realm for all highway users.
- 5.2 The proposals are shown on the General Arrangement drawings 70018438-03-GA-01(A) and 70018438-03-DM-GA-01(A) in Appendix B and include:

Deanery Mews

- Replacement of the existing asphalt surfacing in Deanery Mews with new granite setts. The paving will create a flush carriageway surface that can be used by both vehicles and pedestrians. This natural stone surfacing will significantly upgrade the visual quality of the public realm.
- The surface of the carriageway will be re-profiled so that surface water drains to the centre of the Mews.
- The junction of Deanery Street and Deanery Mews will be raised to provide a level crossing platform for improved accessibility for pedestrians.
- 'At any time' double yellow line waiting restrictions are proposed in Deanery Mews (replacing the current single yellow line). This will ensure that the carriageway is free from obstruction, thereby assisting access to the vehicle garages located in the Mews, particularly during the evening and on Sundays when the existing single yellow line is not operational.

South Audley Street and Deanery Street

- A 1m wide vehicle drop off area is proposed near the main building entrance to assist vehicles temporarily accessing the frontage of 77 South Audley Street. This facility will create additional carriageway width by allowing vehicles partly pull off the main carriageway on approach to the junction. The drop off area will be at footway level, and can be used as footway by pedestrians when not occupied by a vehicle.
- A minimum unobstructed footway width of 1.8m will be maintained adjacent to the vehicle drop off area to ensure pedestrian flow is not compromised.
- The traffic signal stop line position will be revised to create additional room for vehicles past the lay-by area.
- The footway area adjacent to the building frontage on both South Audley Street and Deanery Street is to be paved yorkstone, which will significantly improve the visual quality of the streetscape and is consistent with the proposals being developed outside the former Audley Square Car Park.

- 'At any time' loading controls will be introduced along the western kerblines of South Audley Street, including the drop off area, to prevent vehicles stopping for the purpose of loading / unloading. The existing "at any time" waiting restrictions will also be extended by approximately 80 metres. This will ensure that the southern side of the Deanery Street / South Audley Street junction is free from obstruction.

6. Programme

- 6.1 Subject to approval of this report the proposed public realm improvement works are currently programmed to commence in March 2017 with an anticipated duration of 4 months.

7. Financial Implications

- 7.1 All costs of implementing the highway improvements are being funded by the developer under the terms of an agreement pursuant to section 278 of the Highways Act 1980.
- 7.2 The estimated cost to implement the public realm improvements is £330,000 which includes an allowance for risk and contingencies and Westminster costs. This cost will be fully funded by the developer prior to works commencing on site.

8. Maintenance Implications

- 8.1 The highway surfacing in Deanery Mews is in a fairly poor condition and is reaching the end of its life expectancy. The proposals in this report will resurface all of Deanery Mews thus removing the need for the council to undertake maintenance work on this street and making a saving to maintenance budgets.
- 8.2 It is proposed to replace the asphalt surfacing of Deanery Mews with granite setts which have a longer life expectancy than asphalt so should result in long term maintenance savings to the Council.

9. Outstanding Issues

- 9.1 The Executive Director for City Management and Communities will ask Tri-Borough Legal Services to draft and enter into a section 278 agreement to secure funding for the scheme.
- 9.2 Subject to approval of this report, Traffic Order consultation for the proposed changes identified in this report will be progressed. The Executive Director of City Management and Communities will use his delegated powers to consider any objections received in consultation with the Cabinet Member for Sustainability and Parking.

10. Legal Implications

- 10.1 The proposed works set out in this report are being carried out by the Council in its capacity as the Local Highway Authority for Westminster.

- 10.2 The Highways Act 1980 authorises the Local Highway Authority to carry out works to repair, maintain or replace highways, which under highways law includes the footway or pavement.
- 10.3 Section 278 of the Highways Act 1980 enables a Local Authority, acting in its capacity as “Highway Authority” to enter into agreements with developers (in order to facilitate development) for the developer to either pay for, or make alterations or improvements to the highway at the developers own cost and expense.
- 10.4 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.
- 10.5 The Director of Law has read the report and is satisfied that the highway elements of the proposed public realm works fall within the ambit of Section 278 of the Highways Act 1980.
- 10.6 The Council confirms that, in formulating the proposals set out in this report, it has had regard to its public sector equality duty contained in Section 149 of the Equality Act 2010.

11. Consultation

- 11.1 A consultation exercise was carried from 26 June – 13 July 2016 involving Ward Councillors, local amenity groups, section 6 consultees and affected frontages.
- 11.2 No objections were received. No responses were received from the frontages or key stakeholders consulted. Two responses were received from Ward Councillors. A summary of the response is included along with a list of consultees as **Appendix D**.

If you have any queries about this report or wish to inspect any of the Background Papers please contact: Rakesh Vaghela on 020 7641 1827, or email pvaghela@westminster.gov.uk.

Background Papers:

1. Section 106 agreement dated 9 October 2014
2. Planning Permission dated 9 October 2014

For completion by the **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, 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 **77 South Audley Street Public Realm Improvements** and reject any alternative options which are referred to but not recommended.

Signed

Councillor Robert Davis MBE, DL, 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, Strategic Director Finance and Performance and, if there are resources implications, the Strategic Director of Resources (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

77 South Audley Street Public Realm Improvements and reject any alternative options which are referred to but not recommended.

Signed

Councillor Heather Acton, Cabinet Member for Sustainability and Parking

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:

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.....

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, Strategic Director Finance and Performance and, if there are resources implications, the Strategic Director of Resources (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.

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For completion by the **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: _____

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

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

77 South Audley Street Public Realm Improvements and reject any alternative options which are referred to but not recommended.

Signed

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

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:

.....
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Other Implications

1. Resources Implications

All costs associated with the scheme will be recovered from the developer of no. 77 South Audley Street.

2. Business Plan Implications

No implications.

3. Risk Management Implications

No implications.

4. Health and Wellbeing Impact Assessment including Health and Safety Implications

Introduction of 'at any time' waiting and loading controls at the Deanery Street / South Audley Street junction will remove obstructive, indiscriminate parking, thereby improving safety and crossing conditions for pedestrians. The introduction of natural stone paving in footways and carriageway of Deanery Mews will significantly enhance the visual amenity of the streetscape, thereby making the area more attractive for pedestrians. Providing cycle friendly gully covers will provide a safer environment for cyclists.

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 and upgraded parking restrictions to remove indiscriminate parking at road junctions.

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.

Appendix B

General Arrangement drawings

70018438-03-GA-01(A)

70018438-03-DM-GA-01(A)

Traffic Management Orders

Proposed waiting and loading controls are illustrated on drawings 70018438-03-GA-01(A) and 70018438-03-DM-GA-01(A) in Appendix B and are summarised as follows:

AGGREGATE CHANGES			
Type of parking	Existing	Proposed	Difference
Double yellow lines	72 metres	148.8 metres	+ 76.8 metres
Single yellow lines (Mon – Sat, 8.30am – 6.30pm)	76.2 metres	0 metres	- 76.2 metres
Loading restrictions ("at any time")	19.8 metres	39.5 metres	+ 19.7 metres
Loading restrictions (Mon – Sat, 8.30am – 6.30pm)	12.1 metres	0 metres	- 12.1 metres

Statement of Reasons

The introduction of double yellow line 'at any time' waiting restrictions in Deanery Mews is to ensure that access is maintained at all times to the vehicle garages on the northern and southern sides of the carriageway. Due to the width of the carriageway, if a vehicle parks on the existing single yellow line when not operational (in the evening and on Sundays) then access to both garage facilities would be obstructed. This also has potential safety implications for emergency services.

The introduction of 'at any time' loading restrictions and the extension of the existing "at any time" waiting restrictions along the western kerbline of South Audley Street (covering the proposed vehicle drop-off pad) are required to ensure that vehicles do not wait or stop to load/unload in close proximity to the junction. The restrictions will ensure that the pad area is only utilised by vehicles to pick up / drop off passengers.

Appendix D

Section 6 Consultation Response Summary

West End Ward Members Responses

Councillor	Comments	Executive Director's Response
Glenys Roberts	Thank you for this information, which is very useful.	N/a
Jonathan Glanz	<p>Many thanks for your email and details of the proposed upgrade works. Whilst it is always welcome to see an upgrade in public realm of this kind, I am concerned to ensure that it has lasting benefit.</p> <p>Please can you confirm that you and the team have been working with those who are proposing to undertake major works to the Hilton Hotel over the next few years to ensure that the newly-laid finishes are not damaged or compromised?</p>	<p>I confirm that the Deanery Mews site and footway renewal areas on South Audley Street and Deanery Street will be unaffected by the proposed works at the Hilton Hotel.</p> <p>Deanery Mews is an access road to garage facilities (and has no through traffic). The footway areas of South Audley Street and Deanery Street, adjacent to the 77 South Audley Street development will also be unaffected and will not be subject to vehicle overrun.</p> <p>It is anticipated that all construction traffic would access the Hilton site via Park Lane and not traverse local streets in the area.</p>
Paul Church	No response	N/a

Key Stakeholder Responses

No responses received.

Section 6 Stakeholders' who did not respond

Organisation	Organisation	Organisation
British Medical Association	NOKIA	Cab Shelter Fund
British Telecom National Noticing Centre	Network Rail (South East Territory)	Westminster Property Association
C/O Atkins Telecom	Taxi & Private Hire	Unite the Union (Cab Section)
Confederation of Passenger Transport UK	Thames Water Utilities	Licensed Private Hire Car Association
EDF Energy plc	The British Motorcyclists' Federation	Royal Mail
Energis	The Licensed Taxi Drivers' Association	Crown Estate Paving Commission
Freight Transport Assoc. Ltd.	The London Fire Brigade	Residents' Society of Mayfair and St. James's
Westminster Living Streets Group	The Road Haulage Assoc. Ltd.	London Buses
Westminster Living Streets Group	Transport for London	

London Chamber of Commerce	Transport for London Surface Transport Communications	
London Cycling Campaign	Transport for London, Surface Transport	
London TravelWatch	Westminster Ambulance Station	
Metropolitan Police Service	RMT London Taxi Drivers' Branch	
National Grid	London Cab Drivers Club	