



City of Westminster

Cabinet Member Report

Decision Maker:	Cabinet Member for City Management
Date:	15th April 2021
Classification:	For general release
Title:	Regent Street Enhanced Temporary Highway Improvements
Wards Affected:	West End and St James's Wards
City for All Summary:	This decision involves the temporary widening of footways in low cost materials to support safe social distancing as the West End reopens, the addition of temporary cycle lanes encouraging sustainable travel, installation of new temporary planters including seating to add much needed greenery, improve air quality, biodiversity, provide visual public security protection, and associated surface water drainage alterations
Key Decision:	Yes
Financial Summary:	This report seeks approval for capital expenditure of £2,683,307 to cover costs associated with design and implementation of the proposals identified in this report. This spend will be funded in full by The Crown Estate under the terms of an Agreement pursuant to Section 278 of the Highways Act 1980.
Report of:	Executive Director of Environment and City Management
Report Author:	Chris Bowers - Programme and Contract Manager

1. Executive Summary

- 1.1 The Regent Street Enhanced Temporary Highway Improvements scheme has been developed in partnership with and to be fully funded by The Crown Estate.
- 1.2 The City Council has implemented the works using its Highways service provider FM Conway Limited. The City Council will fully recover all costs from The Crown Estate through an agreement pursuant to section 278 of the Highways Act 1980.
- 1.3 This report presents the plans of the temporary public highway improvements undertaken along the length of Regent Street, which will remain in place for a minimum 18-month period, and seeks approval to:
 - Formally consent the enhanced temporary highway improvements executed, as identified in section 4.2 of this report and shown in Appendix B;
 - Capital expenditure of the detailed design and scheme construction;
 - Enter into an agreement with The Crown Estate pursuant to section 278 of the Highways Act 1980 to recover external funding for the scheme;
 - Modifications of the traffic regulation orders required to accommodate the scheme;

2. Recommendation

That the Cabinet Member for City Management agrees:

- 2.1 That approval is given for the detailed design and scheme implementation of the enhanced temporary highway improvements for a minimum 18-month period, set out in section 4.2 of this report, and as shown on the plan included in Appendix B.
- 2.2 That approval is given to commit the necessary capital expenditure totalling £2,683,307 for the detailed design and scheme implementation of the scheme. All costs are to be recovered in full by The Crown Estate in accordance with the section 278 agreement.
- 2.3 That delegated authority is given to the Executive Director of City Management to enter into an agreement with The Crown Estate under section 278 of the Highways Act 1980 for the delivered Regent Street Enhanced Temporary Highway Improvements scheme.
- 2.4 That delegated authority is given to the Executive Director of City Management for the modification of traffic regulation orders in accordance with the Road Traffic Regulations Act 1984, necessary to accommodate the enhanced temporary highway improvements for a minimum 18-month period.

3. Background and further information

- 3.1 The City Council is committed to working with The Crown Estate to improve the public realm in West End and St James's. The enhanced temporary highway improvements identified in this report have made a significant amenity improvement for the general public and complement the wider area, particularly Oxford Street District, Carnaby/Soho, East Mayfair and St James's, by widening the footways to support safer social distancing as the West End reopens, modifying traffic flows, introducing temporary mandatory cycle lanes to encourage sustainable travel, installation of new temporary planters including seating to add much needed greenery with several new trees improving air quality and biodiversity, and provide visual public security protection for a minimum 18 month period.
- 3.2 A concept design was developed by Transportation consultants NRP on behalf of The Crown Estate, for which the City Council appointed its Highways service provider FM Conway Limited to review the design to ensure compliance with City Council standards.
- 3.3 The estimated cost of the project development, including design and implementation is £2,683,307 which includes the City Council's costs, risks and contingencies and which will be fully reimbursed by The Crown Estate in accordance with the terms of the section 278 agreement.
- 3.4 The City Council appointed its service provider FM Conway Ltd to produce the detailed design and implement the scheme.
- 3.5 The Cabinet Member for City Management is therefore recommended to approve the implemented scheme as outlined in this report and the associated capital expenditure of the works, for a minimum 18-month period.

4. Scheme Design Proposals

- 4.1 The objective of the temporary arrangement is to significantly improve the accessibility, functionality and local amenity of the public realm along the Regent Street corridor for a minimum 18 month period which will entice visitors back to the area supporting the local economy.
- 4.2 The plans are shown in Appendix B and included the following temporary interventions:
 - Widening of the footways with temporary materials creating approximately 5,000 square meters of additional space for pedestrians, to improve visitors' experience, support social distancing and improve accessibility.

- Improved provision for cyclists, including the introduction of cycle lanes and new cycle parking hubs and stands
- Enhancing bus stops with accessible boarding and space for waiting
- Planters with trees and greenery introduced helping to boost biodiversity, improve air quality, and provide visual public security protection, further enhancing Regent's Street's iconic John Nash design.
- New seating installed, creating places for people to pause and rest
- Adjusting surface water drainage across the scheme.

4.3 Significant traffic modelling was carried out to assess the implications of reducing the carriageway widths in both directions. This assessment was approved and signed off by Transport for London on the basis that the modelling does not demonstrate a detrimental impact on the current traffic movements in the area.

4.4 The proposals to realign the kerb lines and widen footways required the reshuffling of permitted kerbside provision in the area, namely taxi ranks and loading bays.

5. Programme

5.1 The scheme implementation was undertaken at pace to ensure the construction works were completed before the lifting of National lockdown restrictions, and West End businesses reopening for visitors to return from mid-April 2021.

5.2 Works co-ordination was undertaken with other planned Streetworks to be carried out on the surrounding road network during the same time, to ensure disruption to frontages and traffic movements was kept to a minimum.

5.3 The proposals seamlessly tie in and compliment the Oxford Street District Showcase enhancements nearing completion.

6. Outstanding Issues

6.1 Subject to approval of this report, the Executive Director for City Management will instruct Legal services to enter into a drafted agreement pursuant to section 278 of the Highways Act 1980 with The Crown Estate to recover the funding for this scheme.

6.2 Subject to approval of this report, the Executive Director for City Management will initiate procedures to further modify and make traffic regulation orders to accommodate any further changes deemed necessary during the scheme review period to the traffic restrictions and parking provisions.

7. Financial Implications

7.1 All costs incurred for the design and implementation of the enhanced temporary highways improvements, are being funded by The Crown Estate and will be recovered under the terms of a section 278 agreement.

7.2 The overall cost of this scheme including all design, implementation, third party costs, and a risk and contingency allowance totals £2,683,307.

8. Legal Implications

8.1 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 to undertake alterations or improvements to the public highway at the developers own cost and expense.

8.2 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.

8.3 The proposed changes to parking locations and designation as part of this scheme will require a Traffic Order to be made under section 14 of the Road Traffic Regulation Act 1984. Any objections the City Council receives during the Traffic Order making process should be delegated to the Executive Director of City Management (or such other authorised officer) in line with the current Traffic Order making process.

8.4 The City Council has a General Power of Competence under Part 1 of the Localism Act 2011 to improve the well-being of its area the former power being under section 2 of the Local Government Act 2000.

9. Consultation

- 9.1 Informal engagement was carried out by The Crown Estate with local frontages and key stakeholders, along with several media releases via a variety of platforms.
- 9.2 Ward Councillors were duly notified and responded favourably.
- 9.3 Support group 'Access Able' were appointed to undertake an accessibility audit, to ensure the mobility and visually impaired were best accommodated for during the development of the scheme design.
- 9.4 A Temporary Traffic Regulation Order (referred as TTRO) has been published to enable implementation of the enhanced temporary highways changes. In April 2020, the Department of Transport (DfT) introduced emergency changes to the way Local Authorities consult and implement schemes on their Highway through the Traffic Regulation Orders (TROs) process, of which the City Council refer to as Traffic Management Orders (TMOs). The emergency changes were brought in to ensure that Local Authorities can at haste implement temporary pedestrian spacing, cycle routes, etc in response to the rapidly changing needs on the COVID pandemic. This legislation has been applied to schemes, where pre-consultation is limited to that of the emergency services, Transport for London (as London's Strategic Transport Authority) and other key stakeholders, which permits a fast-tracked approach to execute schemes at speed to meet urgent demands.
- 9.5 Upon full completion of the temporary scheme, a monitoring exercise will be undertaken that will carefully scrutinise various aspects of the scheme, such as the impact on bus journey times and traffic movement, and where necessary modifications can be made to the scheme to address any adverse effects.

If you have any queries about this report please contact: Chris Bowers on email cbowers@westminster.gov.uk.

For completion by the **Cabinet Member for City Management**

Declaration of Interest

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

Signed: _____ Date: _____

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 Regent Street Enhanced Temporary Highways Improvements

Signed

Councillor Melvyn Caplan, Cabinet Member for City Management

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 staffing implications, the Director of Human 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.

Appendix A

Other Implications

1. Resources Implications

All costs associated with the scheme design and implementation will be recovered by The Crown Estate via a section 278 agreement

2. Business Plan Implications

There are no known Business Plan implications arising from this report

3. Risk Management Implications

Project risks are managed by the Highways Service provider and documented on the Project Risk Register.

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

- 4.1 Health and Safety issues have been identified and addressed in accordance with the Construction, Design and Management Regulations 2015.
- 4.2 The scheme will have a beneficial impact on health and well-being by improving accessibility and safety. The scheme has improved provision for pedestrians and cyclists and will encourage more people to travel actively.
- 4.3 Disruption during works were carefully managed to minimise negative impacts such as dust and noise.

5. Crime and Disorder Implications

- 5.1 The introduction of planters will provide visual public security protection to deter 'vehicle as a weapon' attacks.
- 5.2 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 were taken up were recycled. New tree and shrub planting provide much needed greenery, improving air quality and introduced biodiversity, Enhancing the streetscape has added to the visually amenity of the district. Wider footways, new cycle lanes and cycle parking provision are encouraging more people to use a sustainable means of transport to access the local high street and places of work.

7. Equalities Implications

The scheme has positively impacted those with mobility difficulties, wider footways and DDA compliant cycle lanes have improve the accessibility of the street.

8. Staffing Implications

There are no staffing implications arising from this report.

9. Human Rights Implications

There are no human rights implications arising from this report.

10. Energy Measure Implications

There are no energy measure implications arising from this report.

11. Communications Implication

Communication with Ward Councillors, and other key stakeholders continued throughout the development and delivery of the scheme. Contact details were displayed on site notice boards.

Scheme Plan