



City of Westminster

Cabinet Member Report

Decision Makers:	Deputy Leader and Cabinet Member for Business, Culture and Heritage Cabinet Member for City Highways
Date:	24 May 2017
Classification:	General Release
Title:	Baker Street Two Way Project – report on Traffic Order consultation and next stage of implementation
Wards Affected:	Marylebone High Street, Bryanston and Dorset Square, Regent's Park
Key Decision:	Yes
Financial Summary:	The estimated total cost of the scheme is £15.38 million . Previous Cabinet Member reports have approved expenditure of up to £2.34 million This report seeks approval for capital expenditure of £13.04 million to implement the scheme. This will be pre-dominantly funded by Transport for London, The Baker Street Quarter Partnership (BID), The Portman Estate and other private funders.
Report of:	Executive Director, Growth, Planning and Housing and Executive Director, City Management and Communities

1. Executive Summary

- 1.1 Baker Street Two Way project proposes to remove the one-way gyratory system and re-introduce two-way traffic flow on Baker Street and Gloucester Place while improving public realm and conditions for pedestrians, cyclists, and bus users. The project aims to transform Baker Street and Gloucester Place into streets where people can get about easily and safely, relax and spend time. By

reintroducing two way traffic flow along Baker Street and Gloucester Place and complementary improvements to the public realm in the area, the project would make the whole area more pedestrian friendly and accessible and remove the impacts of traffic in creating severance between areas of Marylebone.

Two rounds of public consultation on these proposals have been undertaken, one in summer 2015 for a period of ten weeks and another in February/ March 2016 for four weeks to seek views on these proposed changes. Reports analysing the consultation responses and providing officer's response to general and specific concerns raised have been published along with previous Cabinet Member Reports.

- 1.2 Based on the responses received and engagement with stakeholder groups, changes to the proposed scheme were made. A third and statutory Traffic Management Order (TMO) consultation was then undertaken in November 2016.
- 1.3 This report presents responses to this TMO consultation, along with project team's response, in the Traffic Management Order Objections Report (attached as Appendix C) and seeks approval to proceed with implementation of the proposed scheme.

2. Recommendations

- 2.1 That the Traffic Management Order Objections report be noted along with the project team's response.
- 2.2 That approval be given to proceed with implementation of the proposed scheme as outlined in General Arrangement drawings in Appendix B and to make traffic orders to facilitate this implementation.
- 2.3 That approval be given for capital expenditure of £13.04 million necessary to implement the scheme, which is to be funded by external parties. Previous Cabinet Member reports have approved expenditure of up to £2.34 million. There is currently a funding gap of £0.84 million and elements of the project have been identified that will not be delivered if the funding gap remains. These works are not integral to the two-way working and are programmed towards the end of the project, during which time alternative funding sources will be pursued.
- 2.4 That authority be delegated to the Executive Director of City Management and Communities, in consultation with the Cabinet Member for City Highways, to approve minor modifications to the scheme should they become necessary.
- 2.5 That the Cabinet Member for Business, Culture and Heritage and the Cabinet Member for City Highways agree recommendations 2.1 to 2.4 to the extent that the matters fall within their respective Terms of Reference.

3. Reasons for Decision

- 3.1 The proposed scheme will reduce the dominance of traffic by removing one-way gyratory and re-introducing two-way traffic on Baker Street and Gloucester Place; improve accessibility especially for public transport; improve facilities for pedestrians and cyclists and provide public realm improvements. It will provide an opportunity to rebalance road space and traffic signal time to provide greater benefit to pedestrians and cyclists, while maintaining appropriate traffic capacity and discouraging high speeds.
- 3.2 Two rounds of public consultation and a statutory Traffic Management Order consultation have now been undertaken to seek views on these proposals.
- 3.3 Various concerns raised during these consultations have either been addressed by making changes to the proposed scheme or responses provided in the previous Cabinet Member reports.

4. Background

- 4.1 Baker Street and Gloucester Place, south of Marylebone Road, form part of the Strategic Route Network (SRN) managed by Westminster City Council. North of Marylebone Road, both streets are part of the Transport for London Road Network (TLRN). Both streets are part of a one-way gyratory system and are relatively wide. As a result, traffic generally behaves as if negotiating an urban motorway. Footways, especially on east side of Baker Street are narrow and street clutter further reduces the available space. The pedestrian crossing facilities on most junctions along Baker Street and Gloucester Place and on Marylebone Road are inadequate. There is also a lack of safe cycling facilities on these two roads.
- 4.2 A significant improvement to the street environment on Baker Street and Gloucester Place can be achieved by removing the one-way gyratory system and re-introducing two-way traffic flow. This would greatly increase accessibility for all road users including local traffic and would also provide an opportunity to improve facilities for pedestrians, cyclists and bus passengers. The completion of Cross Rail link is likely to generate a significant increase in pedestrian footfall throughout the area between Marylebone Road and Oxford Street.

5. Traffic Management Order (TMO) Consultation response

- 5.1 A Traffic Order consultation was undertaken in November 2016 which involved the publication of notices and distribution of letters, statement of reasons and

notice of proposals to stakeholders, residents and businesses in the consultation area. Emails were also sent out to all statutory stakeholders and those who have registered for an update on this project. All related documents were available on the project website and paper copies provided on request.

5.2 Over 200 responses were received during this TMO consultation. All these responses along with project team's comments are included in the TMO Objections Report which is attached as Appendix C. All names and addresses have been redacted from this document.

5.3 **Concerns raised previously** – Most of the concerns raised during this TMO consultation have been raised previously in the last two consultations. Detailed response to all these concerns has been provided in the TMO Objections Report in Appendix C. Main concerns are listed below –

- Proposed two-way working on Baker Street and Gloucester Place will cause **traffic congestion, increase in air pollution and noise pollution** – officers' response to these concerns has been provided in previous reports.
- Presence of **northbound coaches on Gloucester Place** and a **coach stop on Dorset Square** – officers' response to these concerns have been provided in previous reports. The current proposal of keeping northbound coaches on Gloucester Place is not expected to cause congestion nor impact the air and noise quality adversely. A detailed response on this concern has been provided in the Traffic Order Objections Report.
- Proposed **restriction on general northbound traffic on Baker Street**, north of York Street, will lead to increase in traffic on Gloucester Place and increase in noise and pollution – traffic modelling has been undertaken that includes the restriction for northbound general traffic on Baker Street. The result of this traffic modelling shows that there will be no noticeable change in traffic flow on Gloucester Place. A table showing changes in traffic flow on all streets in the area has been made available during previous consultations. Air quality impact assessment and noise quality assessment has been undertaken that includes this restriction in its analysis. The reports were published as part of the previous consultations.
- Increase in **rat-run in Dorset Square area** – this concern was raised during previous consultations and it was agreed that this area will be monitored after implementation and mitigation measures will be implemented if there is an unacceptable increase in traffic. This concern has been raised again during this consultation. It has now been agreed to ban the right turn from Gloucester Place into Ivor Place for southbound traffic. The area will be part of the post implementation monitoring strategy.
- Proposed **right turn from Park Road onto Rossmore Road** will increase traffic on Harewood Avenue and Church Street area – traffic modelling shows no noticeable increase in traffic on Harewood Avenue as a result of this proposed right turn as there is no time saving in using this route except for local access.

However, considering residents' concern, both Harewood Avenue and Lisson Grove are included in the post implementation monitoring strategy.

5.4 **New concerns** - Some new concerns have been raised during this TMO consultation. These have been responded to individually in the Objections Report. Some of these are listed below -

- **Park Street motorcycle bays** – it was proposed to move motorcycle bays from Portman Square to Park Street. Objections have been received from residents on Park Street that this would cause problems with their deliveries. It is therefore proposed to reduce the length of proposed motorcycle bays on Park Street, provide loading facility and find an alternative location for the remaining bays.
- **Porter Street** - residents of Porter Street have requested that this street be made one-way to reduce pollution and traffic and increase road safety. The design team has looked into this request and considers that there is insufficient evidence both in terms of traffic and road safety to require a change. This road is included in the post implementation monitoring strategy and if any issues occur then appropriate mitigation measures will be undertaken.
- **Taxi ranks** – objections have been received to the proposed changes to taxi ranks. Site meeting has been organised to discuss the concerns and any possible mitigation measures.

6. Proposed changes to Scheme Details

6.1 **Proposed changes** - Based on the consultation responses received during the TMO consultation, the following main changes are proposed to the design that was consulted upon in November 2016.

- **Ivor Place/ A41 Gloucester Place junction** – It is proposed to ban the right turn from Gloucester Place into Ivor Place for southbound traffic.
- **Park Street** – It is proposed to reduce the length of motorcycle bays on Park Street and find an alternative location.

7. Programme and next steps

7.1 Approval has now been received for the project from Transport for London's Surface Board confirming their funding commitment.

7.2 Subject to Cabinet Members' approval, it is proposed to start implementation in July 2017. The works are programmed for 18 months.

7.3 Work is also being undertaken to coordinate these works with other major projects in Central London during this period to ensure network resilience.

8. Financial Implications

Capital costs

8.1 The total expected project cost is £15.38 million including £1.7 million of risk and contingencies; this is supported by cost estimates from FM Conway. Previous Cabinet Member reports have approved expenditure of up to £2.34 million.

8.2 This project forms part of the West End Partnership programme of work, and is included within the City Council's current approved 5-year capital programme.

Capital funding

8.3 There is estimated funding of £14.54 million for the project, this is from Transport for London, The Portman Estate, Baker Street Quarter Partnership and other private funders. The City Council will enter into Section 278 agreements to secure the external non-TfL funding. The breakdown of funding sources is as follows:

Transport for London LIP Major Projects - £5.0 million

Transport for London TLRN Capital Renewal - £4.59 million

Portman Estate - £3.0 million

Baker Street Quarter Partnership - £1.05 million

Other private funders - £0.9 million

Funding gap and options to address it

8.4 There is currently a funding gap of £0.84 million. The project team will continue to work with funders to ensure this is a fully funded scheme either through increased funding or value engineering of the scheme. Elements from the project have been identified that will not be undertaken if this extra funding is not available. These elements include carriageway resurfacing on Baker Street and Gloucester Place, both on the WCC and TLRN section. The total cost for this work is currently estimated to be £1.06 million. These works are programmed to be undertaken towards the end of the project and are not integral to the two-way working.

Officers are also looking at alternative options to bridge this funding gap, these options include:

- Continue to seek funding from third parties

- Seeking / bidding for additional capital as part of the council's capital budget setting process in 2018/19 or utilising any underspends on existing projects
- As risks are managed, reduce the risk and contingency budget allocations and transfer for these unfunded costs

As and when the funding gap closes, the carriageway resurfacing works can be incorporated back into the project.

- 8.5 This report seeks approval for capital expenditure of £13.04 million for undertaking implementation of these works on site.

Revenue implications

- 8.6 There are no expected revenue implications as a result of this report.

9. Legal Implications

- 9.1 The City Council will enter into Section 278 agreements with The Portman Estate, Baker Street Quarter BID and other private funders to secure their funding for this project.
- 9.2 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.
- 9.3 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.
- 9.4 The highway elements of the proposed public realm scheme fall within the ambit of Section 278 of the Highways Act 1980.
- 9.5 The City Council will enter into an Agreement under Section 8 of the Highways Act with Transport for London (TfL) to undertake highway improvement works on TLRN (Transport for London Road Network) roads as part of this project.
- 9.6 The proposed Baker Street Two Way Scheme will require a Traffic Order to be made under section 6 of the Road Traffic Regulation Act 1984. .

9.7 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

10. Consultation

10.1 Two rounds of public consultation have been undertaken. The results of the first consultation were published in November 2015. The results of the second consultation were published in September 2016. Subsequently, Traffic Management Order (TMO) consultation was undertaken in November 2016, the results of which are attached to this report as Appendix C.

11. Conclusion

11.1 Following the two rounds of consultation and design changes to meet comments raised and a further Traffic Management Order consultation, the revised scheme as set out in Appendix B is recommended for implementation on site.

If you have any queries about this Report or wish to inspect any of the Background Papers please contact:

**Anju Banga, Programme and Contract Manager
at 02076412666 or abanga@westminster.gov.uk**

Background papers

1. Cabinet Member Report – Baker Street Two Way Feasibility Study – 16 Oct 2013
2. Cabinet Member Report – Baker Street Two Way Initial design – 20 Oct 2014
<http://westminster.moderngov.co.uk/mglIssueHistoryHome.aspx?IId=921&Opt=0>
3. Policy & Scrutiny Committee report – Result of first consultation – 9 Nov 2015
4. Cabinet Member Report – Baker Street Two Way Result of second consultation and Detailed design – 20 Sept 2016
<http://www.bakerstreettwo-way.co.uk/pdfs/Cabinet-Member-Report-Baker-Street-Two-Way-second-consultation-detailed-design.pdf>

For completion by the **Cabinet Member** for *Business, Culture and Heritage*

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

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
Baker Street Two Way Project – report on Traffic Order consultation and next stage of implementation.

Signed

Cabinet Member for *Business, Culture and Heritage*

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, 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 City Highways

Declaration of Interest

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

Signed: _____ Date: _____

NAME: Councillor Danny Chalkley

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 Baker Street Two Way Project – report on Traffic Order consultation and next stage of implementation.

Signed

Cabinet Member for City Highways

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.

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Appendix A

Other Implications

1. **Resources Implications** – no implication
2. **Business Plan Implications** – no implication, the scheme is wholly externally funded
3. **Risk Management Implications** – no implication
4. **Health and Wellbeing Impact Assessment including Health and Safety Implications** – see point 6 below
5. **Crime and Disorder Implications** – no implication
6. **Impact on the Environment** – The air quality impact assessment of the proposed scheme was undertaken and the report was published as part of the second consultation. Existing conditions within the study area show poor air quality and the site lies within an Air Quality Management Area. The proposed scheme will improve air quality in some locations but worsen it in others. The number of receptors where benefits are predicted is almost twenty times the number where adverse impacts are predicted. With specific regard to *residential properties*, a substantially greater number of properties (up to 190 times more) will experience benefits than dis-benefits as a result of the proposed scheme. Overall, the proposed scheme is not expected to have any detriment impact on environment.
7. **Equalities Implications** – no implication
8. **Staffing Implications** – no implication
9. **Human Rights Implications** – no implication
10. **Energy Measure Implications** – no implication
11. **Communications Implications** – no implication

Note to report authors: If there are particularly significant implications in any of the above categories these should be moved to the main body of the report.

Appendix B

- **General Arrangement drawings**

Appendix C

- **Traffic Management Order Objections Report**