



Cabinet Member Report

Decision Makers:	Councillor Paul Dimoldenberg, Cabinet Member for City Management and Air Quality
Date:	October 2023
Classification:	For general release
Title:	Shepherd Market public realm improvement scheme
Wards Affected:	West End
Policy context:	This decision contributes to Fairer Westminster in delivering cleaner and safer roads, increased access to green space, encouraging active travel, and supporting local communities.
Key Decision:	No
Financial Summary:	<p>This report seeks approval for capital expenditure of £2,549,591 to cover costs associated with detailed design and implementation of the proposals identified in this report.</p> <p>This scheme is fully contained within the council’s approved capital programme.</p> <p>Funding of £2,900,867 has been secured and is made up of a combination of £1,100,000 WCC Capital funding and £1,800,867 third party contributions including a s278 agreement with Tower Properties Management Ltd (Motcomb Estates), s106 funds, and Neighbourhood CIL contributions.</p>
Report of:	Sarah Hoare – Head of Public Realm, City Highways

1. Executive Summary

- 1.1 This report seeks approval for the detailed design, statutory traffic management order (TMO) consultation and implementation of the proposed highway improvement works for Shepherd Market public realm following a public consultation held in July 2023.
- 1.2 Subject to approval of this report and TMO consultation, works to proceed with implementation of these measures are scheduled to commence in April 2024.

2. Recommendation

- 2.1 The following recommendations are approved by the Cabinet Member for City Management and Air Quality;
- 2.2 That approval is given to proceed with highway stage 3 detailed design, statutory traffic management order (TMO) consultation during stage 3 design, and implementation of the proposed public realm improvements on Shepherd Market and neighbouring streets as set out in section 5 and shown in the Background papers of this report.
- 2.3 That approval is given to commit capital expenditure of £2,549,591 necessary to carry out the detailed design and implementation of the proposals for the Shepherd Market public realm project. All costs are to be funded by the existing budgets allocated to the project, detailed in section 7.
- 2.4 That approval is given for the City Council to enter into a section 278 agreement with Motcomb Estates (Tower Properties Management Ltd) to part-fund the Shepherd Market project stages 3-6 (detailed design, TMO consultation, mobilisation, implementation, project closure).
- 2.5 That delegated authority is given to the Director of City Highways to modify and make traffic regulation orders in accordance with the Road Traffic Regulations Act 1984, necessary to accommodate the new highways improvements for the scheme
- 2.6 That approval is given to the Director of City Highways to approve minor modifications as necessary to the approved scheme, in consultation with the Cabinet Member for City Management and Air Quality.

3. Reasons for Decision

- 3.1 To allow completion of public highway improvement works. The improvements will help to enhance the area, by improving provisions for walking and cycling, enhancing the public realm and facilitate better and safer movement of traffic.

4. Background including Policy Context

- 4.1 Shepherd Market is situated near Hyde Park Corner at the southwest corner of Mayfair, and is designated as a Local Centre in the City Plan 2019-2040. This unique area has an established community with a diverse mixture of local independent retail, galleries, services, pubs and restaurants situated within a small network of roads and pedestrian alleyways. The urban realm is in a tired state and would benefit from investment and a new strategy to revitalise the area.
- 4.2 Highways have developed proposals to improve the street environment around Shepherd Market including neighbouring streets of Shepherd Street, White Horse Street, Carrington Street and connecting junctions with Half Moon Street, Curzon Street and Piccadilly.

In December 2021 a project strategy was devised by majority landowners Motcomb Estates Ltd and community organisation SMARRT (Shepherd Market Association, Residents, Retailers and Traders) to create a new vision for Shepherd Market district with a public realm and traffic management strategy that would improve conditions for walking and cycling, and transform the area with a focus on the central market square. The proposals also encompass the s106 highway extents of development 20/05817/FULL which is a Motcomb-owned building currently under development at 94 Piccadilly, due to reopen as mixed-use hotel and residential. The scheme is also strongly supported by the Mayfair Neighbourhood Forum who have submitted an NCIL bid for £40k to support the greening elements.

- 4.3 The highway feasibility and initial (stages 1 and 2) designs for the scheme have been taken forward by Westminster under the Highways Term contract, and as of August 2023, the scheme has progressed to end of Stage 2 design.

This project meets the following Fairer Westminster objectives under Fairer Environment:

- *To reduce residents' exposure to air pollution* through reduced motor vehicle movements, and the 5 new street trees will help mitigate effects of urban heat trap through shading.
- *Cleaner and safer streets* and the prioritisation of pedestrian safety at junctions through raised tables, and working with landlords and stakeholders to put in place a management plan for improved waste management. Additionally, Sustainable Urban Drainage Solutions (SUDS) will be pursued at Stage 3 for the management of surface water to tree pits and in-ground attenuation, reducing the risk of local flooding at times of high rainfall.

- *Enabling and encouraging active travel* through an additional contraflow cycle links on Shepherd Street, 9 new cycle parking stands, wider pavements, and pedestrian signage.

The following City Plan 2019-2040 objectives are met by this scheme:

- *Objective 5, to enhance connections by improving options for cycling, walking, whilst prioritising pedestrians and improving the interchange between transport modes.* Met through the new cycling contraflow links provided by the scheme on Shepherd Street providing better local cycling connections.
- *Objective 7, to improve air quality and other polluting impacts* is met by the prioritisation of sustainable transport modes of walking and cycling and the environmental benefits that the 5 new trees will bring to the area.
- *Objective 3, to enhance the West End as a visitor destination,* met by the renewal of the public realm making it a more attractive place to visit and preparing it for future increased pedestrian demands.
- *Objective 8 to promote quality in public spaces,* with a high-quality urban design that is consistent with neighbouring streets and responds to the architectural heritage through use of natural stone materials.

5. Shepherd Market Public Realm design

5.1 The scheme will improve the pedestrian and cycling environment, and better regulate kerbside activities. The proposals are for the following streets in the scheme:

5.2 Shepherd Market

- Create an attractive new pedestrian Shepherd Market square for the community by relocating parking, limiting vehicle access, and repaving the area. Bollards will be installed where necessary to protect pedestrians. Bollards to the Market square will be lockable, with FB14 key access for the fire brigade. Additionally, the Kings Arms pub will require weekly AM access to the square to load via the pub hatch. Access is to be managed by Motcomb under an agreement with the Council.
- Widen and re-pave footways with high-quality natural York stone.
- Introduce shorter step-free crossings to the square to improve pedestrian comfort.
- Update all existing lighting including wall-mounted streetlights in the square.
- 1 new tree
- A public bench
- Explore opportunities for local public art at the southern section of the square.
- Work with landowners and stakeholders to develop and encourage improved waste management to prevent rubbish and waste piling including a review of collection routines, locations and timings.

5.3 **Shepherd Street**

- Widen footways on both sides of Shepherd Street to improve access to increase pedestrian comfort, create shorter crossing distances, and reduce dominance of traffic by relocating 3 pay-by-phone parking spaces.
- Change traffic direction on Shepherd Street to one-way eastbound from Trebeck Street to White Horse Street.
- Create a restricted parking zone (that removes the requirement for yellow lining) on Shepherd Street, to the east of Trebeck Street
- Create an area on the north side of Shepherd Street for loading in the AM between 12 midnight and 12 noon, and pedestrian-only from 12 noon to 12 midnight.
- Improve pedestrian access at the junction of Shepherd Street with Carrington Street and Trebeck Street with a step-free crossing and shorter crossing distances, to increase pedestrian comfort and connections north-south and east-west.
- Introduce pedestrian signage and introduce 1 new tree.

5.4 **Curzon Street**

- Widen footways on the southern side to reduce crossing distance and create more space near the entrance to Shepherd Market passageway.
- Relocate 5 pay-by-phone parking spaces on the south side of Curzon Street.
- Provide up to 9 cycle stands to host up to 18 bikes.
- Introduce pedestrian directional signage and, introduce one new tree and greening and a public bench.

5.5 **Carrington Street**

- Widen footways at the entrance to Carrington Street to improve access, increase pedestrian comfort, create shorter crossing distances, and clear sight lines.
- Raise the existing carriageway to be level with the footways to improve pedestrian comfort and create an easier crossing environment.
- Install bollards where necessary to transition to the new pedestrian space created by other bollards to the south.
- Where possible, plant 2 new trees.

5.6 **White Horse Street**

- Widen the footways on the west side of White Horse Street to improve access and increase pedestrian comfort (installing bollards where necessary and feasible).
- Raise the carriageway to be level with the footways to increase pedestrian comfort and make crossing easier.
- Whole street within the 'restricted parking zone' removing the need for yellow lines
- Update existing lighting with wall-mounted streetlights.
- Improve pedestrian access at the south entrance of the street with a raised table on the Piccadilly footway crossing.

5.7 **Piccadilly**

- De-clutter the space by removing unnecessary objects and repaving footways consistent with White Horse Street and Half Moon Street.
- Improve pedestrian access along the street with raised tables on the footway crossovers at the entrance and exit to the Cambridge House forecourt, to increase pedestrian comfort and connections.
- Improve pedestrian signage.

5.8 **Half Moon Street**

- At the south end of the street, widen footways and create a raised table carriageway level with footways to increase pedestrian comfort and create an easier pedestrian crossing.

A general arrangement drawing is included in **Background Paper A**.

6. **Consultation – 3rd July to 23rd July 2023**

- 6.1 A three-week consultation was launched on the proposals from 3rd to 23rd July 2023 (it did not include a statutory traffic order consultation (TMO) as this will be done at Stage 3 design).
- 6.2 Extensive consultation activities included a scheme webpage with plans and visualisations and a survey to capture feedback. The consultation was promoted through a postcard delivered to addresses in the area of the scheme, lamp column 'wraps' with the website address/QR code, an email to statutory bodies and stakeholders, and social media posts. A public drop-in session was held on 7th July at 6 Shepherd Street attended by 9 people.

- 6.4 The website contained a link to a survey that sought people’s views on the proposals, including a question whether people supported, did not support, or were not sure about the proposals, with an option to comment.
- 6.5 101 responses were received to the consultation, as detailed in **Background Paper B**. The overall results were:

Support	82	82%
Oppose	8	8%
Neither support nor oppose	5	5%

The majority of respondents, 52% (57 of 101 respondents) were responding as local residents. ‘Local Worker’ was the second most common response (15%, 17 of 101) and ‘Visitor to the area’ was the third most common response (14%, 15 of 101).

6.6 Themes of Support and Objection

Five additional closed questions received the following response:

- Trees and planting – 90% support
- Public seating – 85% support
- Pedestrian friendly changes - 81% support
- Reduced vehicle dominance - 79% support
- Public Art – 72% support

Questions 10 and 11 also gave respondents the opportunity to provide comment. A total of 72 respondents provided comments. The themes within comments generally fall into the following main categories:

Theme	No of mentions	Percentage (%)
Support for the scheme as a needed improvement to the local area	31	22%
Support for traffic proposals reducing the dominance of vehicles / improving pedestrian access	11	8%

Opposition to relocating parking and loading	8	6%
Suggestion for different or extended times for parking and loading	8	6%
Concern about the impact to residents, especially noise and loss of parking	7	5%

Additional comments were also made about areas outside the scope of the current project, within Shepherd Market footpaths covering the Cherry Tree courtyard and pedestrian only areas around the restaurant. Also Trebeck Street, Hertford Street and Shepherd Street (West) at the junction of Hertford Street would benefit from improved junction design and public realm enhancements. The initial project scope included these areas but were removed for budgetary reasons. The long-term intention is that these streets are considered for a Phase 2 of the project and from the consultation response this would be supported by local stakeholders who asked for additional improvements to surrounding streets in the Shepherd Market area.

Additional cycle contraflows on Shepherd Street will be considered in Stage 3 design following internal discussion with officers and Deputy Cabinet Member for City Management and Air Quality and Cycle Champion.

6.7 Conclusion

- 6.7.1 The plans were very strongly supported by local residents and businesses, with 82% support overall.
- 6.7.2 Some concern was raised about the provision of loading space for businesses which will be met by managed access into the pedestrianised square for the pubs and via a 38 metre long loading bay on Shepherd Street. Parking has been reallocated to the side streets with no loss of bays.
- 6.7.3 During detailed design, further liaison will be done with businesses affected by the scheme to communicate the methodology of loading and vehicle access.
- 6.8 As well as public consultations, internal key stage review was undertaken in July 2023 with various teams within the council including Policy, Planning, Waste, Parking, Parks . The review provided an opportunity for the design to be discussed and reviewed and invited any comments from the various teams. All comments received during the review were carefully assessed and incorporated within the design where

appropriate. Following advice from the police on the risk to the piazza area from hostile vehicle attacks, additional consideration will be given to hostile vehicle mitigation during stage 3.

7. Financial Implications

- 7.1 The full project costs is estimated at £2,900,867, including £430,020 of risk and contingency. This report seeks approval of £2,549,591 as a previous amount of £354,057 has been approved under delegated authority report.
- 7.2 The full scheme budget of £2,990,867 is secured. Funding is made up of a Westminster Capital Allocation (allocated in 2022/23) of £1,100,000 and private sector allocations of £1,680,331 from Tower Properties Management Ltd (Motcomb Estates). To date Motcomb have contributed £324,796. The remaining amount of £1,355,535 will be formalised under a s278 agreement with Motcomb following approval of this report. Additionally there is £80,536 of section 106 funding and £40,000 Neighbourhood CIL funding available from the Mayfair Neighbourhood Forum (if required)

Funding

WCC Capital	£1,100,000
Motcomb	£1,680,331
s106	£80,536
NCIL (tbc)	£40,000
Total	£2,990,867

- 7.3 This scheme was submitted as part of the capital budget process for 22/23 onwards, with the budget built into the 23/24 capital programme onwards.
- 7.4 An additional £100k budget has been allocated to the project from the SuDS (Sustainable Urban Drainage System) Programme to explore opportunities for SuDS to be added to the scheme. The fund will cover design and any implementation of proposed measures to be developed at Stage 3. These will be focused on existing greening and tree locations, to capture surface water run-off and help reduce the risk of localised flooding.
- 7.5 Maintenance of SuDS engineered drainage will be covered by existing highways drainage revenue budgets, and a commuted sum will be provided to Parks to fund the maintenance of the ground cover planted area on Curzon Street. This is captured in the Project Cost Summary under 3rd Party costs.

7.6. The project budget includes Carrington Street to be paved in asphalt. The ultimate ambition is for Carrington Street carriageway paved in granite setts to achieve the best quality for the scheme, which would add an additional £138,000 to the Stage 5 implementation costs but is not currently funded. At the end of Stage 3 design, the 3rd Party Costs and Risk and Contingency will be reevaluated to determine if there is sufficient budget within the £2,990,867 budget envelope to include Carrington Street setts in the scheme. However, if additional funding is still required at end of Stage 3 and external funding does not come forward, the scheme will implement an asphalt surface.

8. Legal Implications

8.1 The proposed public realm works set out in this report are being carried out by the Council in its capacity as the Local Highway Authority (LHA) for Westminster under the Highways Act 1980, which authorises the LHA to carry out works to repair, maintain or replace highways, which includes the footway and the pavement.

8.2 Section 278 Highways Act 1980 allows the Council to enter into a legal agreement with developers for the purposes of securing alterations and improvements to the public highway.

8.3 The Road Traffic Regulation Act 1984 provides the Council with powers to regulate or restrict traffic on roads within the Borough, in the interest of safety, including the making of Traffic Regulation Orders.

8.4 The proposed changes to parking locations and designation as part of this scheme will require a formal Traffic Order consultation to be undertaken and Traffic Orders to be made under section 6 of the Road Traffic Regulation Act 1984. Any representations the City Council receives during the Traffic Order making process should be delegated for consideration to the Director of City Highways (or such other authorised officer) in line with the current Traffic Order making process.

8.5 Legal Services (ref Isaac Carter) has reviewed this report and is satisfied that the proposed works and orders fall within the statutory powers as detailed in paragraphs 7.1 and 7.2 above.

9. Carbon Impact Assessment

9.1 A cost-based Carbon Impact Assessment has been completed and the results are that the scheme will contribute 922 tonnes CO₂e of Greenhouse Gas Emissions as detailed in Appendix C. Measures taken to reduce the carbon impact on this scheme include:

- Re-use of existing kerbstones along the scheme, where they will be lifted, cleaned and put back if in good condition.
- Procurement of natural stone from the EU and UK sources
- Use of thinner natural stone slabs, agreed with WCC Highways Maintenance
Reduced width of carriageway paving materials to 100mm width in carriageway and 50mm width in footway

9.2 Additionally, new tree planting, greening and SUDS (if achievable) will not only add to the visually amenity of the streetscape, but will have a positive effect on urban heat trap and local air quality. Increased cycle parking provision will also encourage people to use a sustainable means of transport to access the local shopping parade and places of work.

10. Equalities Implications

10.1 The City Council has had regard to its Public Sector Equality Duty under Section 149 of the Equality Act 2010.

10.2 An equalities impact assessment has been undertaken on the design at Stage 2.

10.3 Specifically, the scheme will improve the accessibility of the streets for persons with mobility difficulties through the provision of more pedestrian footway and the installation of flush kerbs at pedestrian crossings.

10.4 The amendments to cycle stand locations undertaken after the EQIA does not have any significant impact in terms of the City Council's public sector equality duty.

11. Programme

11.1 Works to proceed with implementation of these measures are scheduled to commence in March 2024, following detailed design and mobilisation. The works programme will require two separate phases of construction owing to the ongoing construction works at Cambridge House at the junction of White Horse Street and Piccadilly. The City Council will implement the works using its service provider FM Conway Limited.

11.2 The 11 month hiatus between Phase 1 and 2 is to allow the completion of the building development at Cambridge House (estimated to be Spring 2025) before the highways Term Highways Contractor will return to complete the highways works on White Horse Street.

Activity	Dates
Stage 3 design	October 2023 – January 2024
Mobilisation	February 2024
Implementation -Phase 1	March 2024 – August 2024
Completion of development	April 2025
Implementation -Phase 2	April – May 2025

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

Simon Morgan – Programme Assurance Manager – City Highways
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APPENDIX PAPERS

- A - General Arrangement drawing outlining scheme proposals
- B - Project cost summary for the proposals
- C – Carbon Impact Assessment

BACKGROUND PAPERS - restricted

- A - Shepherd Market Consultation report 2022

For completion by the **Cabinet Member for City Management and Air Quality**

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
Shepherd Market public realm improvement scheme

Signed

Councillor Paul Dimoldenberg, Cabinet Member for City Management and Air Quality

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.

Other Implications

12. Resources Implications

All costs associated with this project will be incurred as Council costs under WCC's capital programme.

13. Business Plan Implications

No implications.

14. Risk Management Implications

No implications.

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

The proposals align Fairer Westminster in supporting improvements in air quality, cleaner and safer roads, increased access to green space, encouraging active travel, and supporting local communities.

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

A road safety audit has been completed on the design, and a follow-up audit will be undertaken post implementation to check for problems when the scheme is operating.

16. Crime and Disorder Implications

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

17. Staffing Implications

No implications.

18. Human Rights Implications

No implications.

19. Energy Measure Implications

No implications.

20. 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 project's website.

A public liaison officer will be available one day a week whilst works are ongoing to coordinate any access requirements for businesses and residents, and to help provide on the ground communications support.

21. Counter Terrorism and Security Implications

The Shepherd Market Square area is protected by a line of bollards and vertical street furniture, and the area is not considered to be a high risk for terrorist vehicle attacks. However, the police have assessed the risk to pedestrians in the piazza being targeted by 'vehicle as a weapon' attacks via White Horse Street and have recommended upgrading the bollards that protect the square to a security rated standard. During stage 3 design additional consideration will be given to assessing this risk and working with PPL Operational Contest Lead officer on any additional mitigation measures that may be considered appropriate.