



City of Westminster

Licensing Committee Report

Item No:	
Date:	08 th July 2020
Title of Report:	Tachbrook Street Market Electrical Upgrade and Pitch Realignment Proposal
Report of:	Director of Public Protection and Licensing/ Director of Economic Development
Wards involved:	Tachbrook, Warwick and St James's
Policy context:	City of Westminster Statement of Street Trading Policy 2013 and Strategy for Westminster City Council's markets 2019-2022
Financial summary:	None
Report Author:	Ben Carlton Senior Support Officer to the Director for Economy and Regeneration
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1. SUMMARY OF THIS REPORT

- 1.1 This report sets out the proposed electrical infrastructure upgrade and subsequent pitch realignment for Tachbrook Street Market. This includes the rationale to realign the current market layout, a background to the electrical upgrade and the benefits these changes will deliver, to ensure the market thrives and fulfils the Council's vision for the area, as set out in the Markets Strategy.
- 1.2 The proposals have been designed to implement the necessary improvements to trader's electricity access, in line with commitments made in the Council's Markets Strategy, whilst improving health and safety and wayfinding at the market. The aim is to create a modern destination market, where vendors can trade safely, and visitors navigate more easily. The council wants to move away from independent sources of energy which are also unsafe and environmentally impactful and provide a robust solution for safe and efficient energy supply to traders. Without implementing a new layout, the electrical upgrade will not be able to take place. This electrical implementation is vital to ensure the future of the market and encourages new traders with up to date infrastructure.
- 1.3 The plans are part of a wider holistic vision for the future of the market, which includes the introduction of pay as you go electricity charging for market traders, a reprofiling of the storage space to both benefit traders and reduce vehicle congestion in the area, consistent and visible market branding, a transformation of the existing toilet facilities into refurbished toilets and kitchen space for traders, and free WiFi on the market.
- 1.4 These changes aim to address some of the main challenges facing the market, as identified in the Council's Markets Strategy. These included the lack of branding and signage in the areas immediately surrounding the market, a poor market layout which is not conducive to customers moving around the market easily, the lack of Wi-Fi and the need for improved electricity and toilet facilities, all of which were highlighted by residents and traders in their response to the 2018 Markets Consultation.
- 1.5 Market traders and key stakeholders have been invited to take part in two formal consultations regarding these proposals, with the first taking place in December 2019 and the most recent taking place from 27 January to 14 February 2020. Following advice from the London Fire Brigade, there has been a reduction of one stall for the new market layout, to meet fire access recommendations.
- 1.6 Relevant Cabinet Members and Ward Councillors have been briefed and consulted on the proposed changes.

2. RECOMMENDATIONS

- 2.1 The Committee is requested to consider the proposals and asked to approve, if appropriate, the proposed new layout of the market including the reduction in the overall number of pitches from 33 to 23.

3. Background

- 3.1 The Council's Market Strategy identifies the need for improvements in infrastructure and re-design within the local plan for Tachbrook Market. The aim is to create a modern destination market, where vendors can trade safely, and visitors navigate more easily.
- 3.2 The current electrical assets are near the end of their lifespan and some are already unusable. Replacing the existing electric system is imperative. The current below ground power bollard solution has historically struggled with water ingress, making it prone to frequent fault.
- 3.3 In the 2018 Markets Consultation, feedback from traders stated the need for an urgent electrical upgrade, with the need for a more sophisticated power supply system that allocates one bollard per pitch.
- 3.4 The proposed new scheme will also remove ground level street cabling which currently is a hazard to both customers and traders.
- 3.5 The current layout of Tachbrook Market provides space for 33 pitches. Due to the nature of the traders most do not have a 1 meter gap between hot food stalls, which is suggested for fire safety grounds. The situation is exacerbated as there are different pitch sizes on different days of the week causing overcrowding. The lack of clear pitch demarcations and numbering also represents challenges for City Inspectors, making day to day management more difficult.
- 3.6 The proposed pitch standardisation will reduce the overall number of pitches to 23 stalls and ensure all comply with health and safety recommendations. All these stalls will have access to safe and sufficient power to run their business operations. These changes have also been approved by London Fire Brigade following close engagement throughout this process.
- 3.7 A further consideration fed back through the Markets Consultation, from both traders and the community, was the need for seating on the Market. The traders felt seating would encourage visitors to stay longer, with the possibly of encouraging a higher spend. In response, the Markets Development team acquired five sets of tables and benches from the ward members that are erected daily at the market, this has been well received by traders and the community. However, the proposed improvements to the market layout, which will be more conducive to customer flow, will enable traders to receive the full benefits of this new seating.

4. Electrical Upgrade

- 4.1 The electrical upgrade will involve installing 23 new electricity bollards in line with existing street furniture along the market frontages and will allow:

- the provision of a safer and more sophisticated power supply system which allocates one 16amp bollard per pitch and one smart cable per bollard. The height of the bollards is 1005mm from the ground and the technology has recently been trialled at Berwick Street market.
- increased safety, with a new monitoring system within the feeder pillars which cuts out if a fault is found or if power overloads.
- a reduction of the number of maintenance callouts and loss of trader business due to water ingress, burnt out sockets and tripped fuses.
- The electricity supply remains the same as the existing power supply to the market. The project changes the points at which the traders plug in and the mechanism to recover the cost of electricity directly from the traders. Over time it is expected to encourage the traders who currently use gas to convert to using the electricity supply to reduce overall emissions.
- the Council to recover the cost of trader power consumption. To date the Council has not charged traders for their electricity consumption as the technology was not available to do so. However, with the emergence of Electric Vehicle Charging technology, there is a model now to monitor and charge electricity to each individual trader. The new technology includes meters that will ensure traders are only charged for the power they use individually at a set cost per kWatt.

5. Pitch realignment

5.1 The proposed pitch realignment will ensure the market is safer by eliminating the risk of fire spreading between hot food stalls. This will involve introducing a 1 metre gap between hot food traders (several hot food and non-hot food traders operate from a double pitch, this has been taking into consideration with a mix of double and single pitches – see attached diagram below) and will:

- Standardise pitch sizes to 3m x 3m to improve the markets image
- Reorganise the market layout to improve wayfinding and market appearance
- Create clear pitch markings with pitch number locations to avoid confusion
- Ensure equal pedestrian circulation from either end of the market by aligning traders along the retail frontages.
- Traders will be able to trade outwards or inwards depending on the nature of their stall, given the natural breaks between stalls, customers can easily navigate and access all stalls.

5.2 Our current approach to ensure traders can operate safely during this pandemic is to only allow traders to have 1 pitch to ensure all traders who want to trade are

able to do so safely as of June 2020. We have amended where pitches are located to ensure there is at least 2m gap between stalls. Currently we are supported by the fact that there is a significant reduction in the number of traders operating at Tachbrook.

All traders are following public health England guidelines and have appropriate sanitisation in place with face masks and gloves. In some locations we have imposed road closures to allow more space to accommodate traders however at Tachbrook this is difficult to achieve this. Traders are encouraged where possible to have sides on their gazebo to safely contain their stall. Traders are trading from different sides of the gazebos so if there are queues these can be safely managed. It is likely that the 2m ruling will be reduced to 1m however we will be guided by government announcements on this.

6. Implications for trader licences

- 6.1 Street trading in Westminster is governed by the City of Westminster Act 1999. In the case of Tachbrook Market, the street is designated and there is an approved layout. A change in layout must be approved by the Licensing Committee.
- 6.2 The proposed layout changes have been designed to minimise impact on the traders whilst, at the same time, allowing each pitch access to electricity. Only traders that use electricity will be charged and only according to their individual usage. The contract for the supply of electricity has yet to be awarded, however the rate will be competitive with other electricity rates provided on the highway. There was a clear consensus amongst traders at a recent meeting to discuss these changes that the proposed charges were fair and proportionate (See Appendix 5).
- 6.3 The new proposed layout has enough pitches to accommodate all the previously licensed traders, as of June 2020.
- 6.4 Market traders have been invited to take part in two formal consultations regarding the electrical upgrade proposal and market improvements more widely, with the first taking place in December 2019 and the most recent taking place from 27 January to 14 February 2020.
- 6.5 Currently there is only one permanent trader on Tachbrook Market. All the other traders are trading on temporary licences. Following the public realm work for the electrical upgrade and approval by The Committee of the proposed new layout traders will be invited to apply for permanent licences. It is anticipated that this application window would be between January and March 2021 and the applications would be shortlisted in April and May 2021, with a start date of 1 July 2021.
- 6.6 Only one objection was submitted in response to the first consultation in December 2019 and three trader comments, of which two were objections, were received in response to the second consultation in January/February 2020. Below is an

overview of the objection points received from the traders for both consultations. See Appendix 3 and Appendix 4.

7.0 Next steps and timeline

- 7.1 Subject to the Committees approval of this proposal, officers would recommend and plan for an implementation of the electrical upgrade in January 2021.
- 7.2 Detailed analysis has taken place to ensure that work interventions are minimal and managed properly. It is likely the works will be undertaken over an estimated two-month period. As a result, the market will be relocated during this time in the local area.

8.0 Staffing Implications

- 8.1 There are no staffing implications as a result of this report

9. Appendices

Appendix 1	Current layout of Tachbrook Street Market
Appendix 2	Proposed layout of Tachbrook Street Market
Appendix 3	Comments received by the council following its first consultation in December 2019
Appendix 4	Comments received by the council following its second consultation in January/February 2020
Appendix 5	Minutes from Tachbrook Street Traders meeting – 27.1.2020

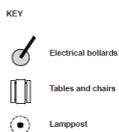
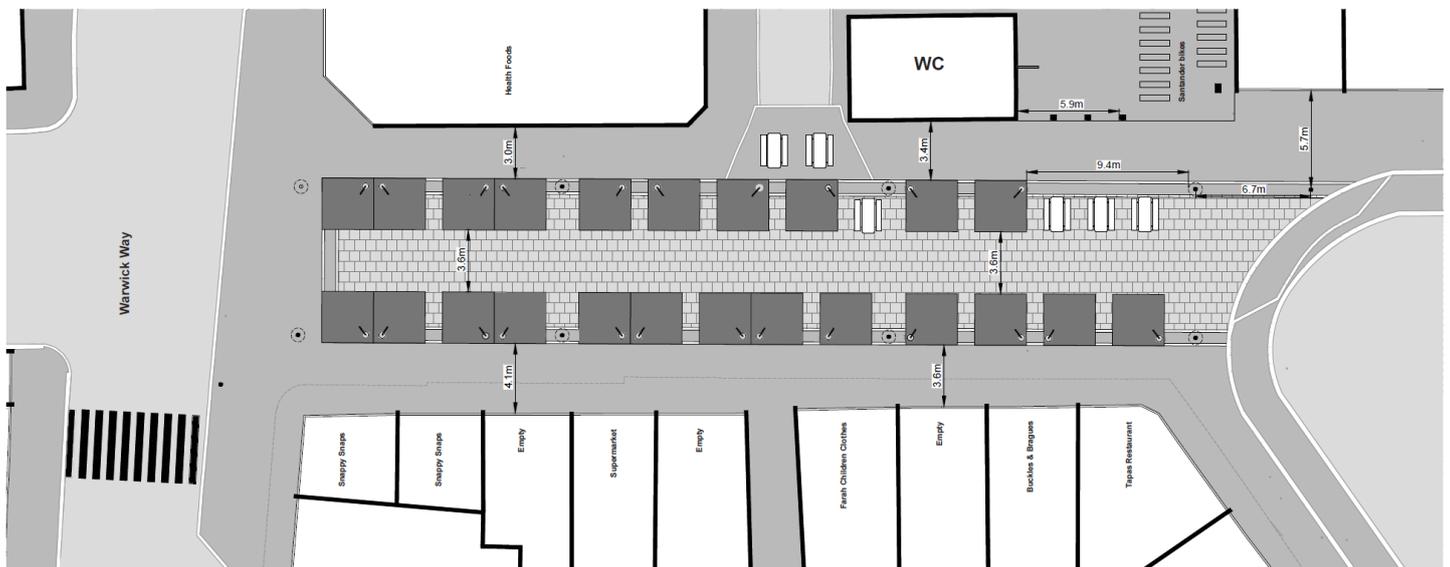
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If you have any queries about this report or wish to inspect one of the background papers please contact the report author.

Background Documents – Local Government (Access to Information) Act 1972

1	City of Westminster Act 1999	N/A
2	City of Westminster Statement of Street Trading Policy 2013	N/A

3	Strategy for Westminster City Council's Market 2019-2022	N/A
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Tachbrook market electrical upgrade
Version 06 / 30 December 2019 draft to be approved by City Highways

Responses from first consultation (December 2019)

Appendix 3

The below comments were received from one trader following the consultation with the traders on the proposed electrical upgrade.

1. Implementing one metre gaps between stalls would cause a risk to stall security as currently traders on neighbouring pitches watch over each other's stalls.
2. By isolating stalls, gazebos and trader infrastructure is likely to be damaged by high winds.
3. The centre of the market square is currently not used as much by pedestrians when compared with the pavement. It is important to note as there is no clear thoroughfare in the market, pedestrians walk in many different directions through the market square.
4. As stalls are currently next to each other, customers can browse other stalls whilst shopping.

5. By turning the pitches to face inwards, stalls will miss passing trade from pedestrians on the streets running parallel to the market square. on the streets nearby.

The Council's response to the points raised by the trader

1. **Implementing one metre gaps between stalls would cause a risk to stall security as currently traders on neighbouring pitches watch over each other's stalls.**

Fire safety officers have recommended a 1metre gap between stalls in order to ensure the safety of those in the market in case of a fire on a stall. The 1metre gap significantly reduces the likelihood of fire spreading. Officers have also assessed this risk for non-hot food traders and recommend that a 1 metre is not substantial enough to cause serious risk to the security of the stall. This also future proofs the market so each stall could either be a hot food or non-hot food stall in the future – giving the market additional opportunity for new products.

2. **By isolating stalls, gazebos and trader infrastructure is likely to be damaged by high winds.**

All traders need to have their own weights to secure their infrastructure in all types of weather conditions. Additional weights should be used in cases of high winds as opposed to relying on neighbouring stalls to tie them down. The trader from which this objection was raised from does not currently have any neighbouring stalls from Monday – Wednesday.

3. **The centre of the market square is currently not used as much by pedestrians when compared with the pavement. It is important to note as there is no clear thoroughfare in the market, pedestrians walk in many different directions through the market square.**

The new layout will introduce a clear pathway through the market, directing customers down the centre enabling each stall to be seen. The seating is also placed in the middle of the square to encourage those to remain in the market square with the middle providing a clear and direct walkway.

4. **As stalls are currently next to each other, customers can browse other stalls whilst shopping.**

One metre does not seem a substantial enough distance to cause a significant change to this. In addition, the proposed layout will allow customers to view the market in its entirety, rather than only a few stalls at one time, hopefully actually enhancing the shopping experience as opposed to disrupting it. Once again, this future proofs the market so each stall can be a hot food or non-hot food stall in the future.

5. **By turning the pitches to face inwards, stalls will miss passing trade from pedestrians on the streets running parallel to the market square.**

Regardless of which direction the pitches face, the market will still be visible to those walking on the streets nearby. Additional market signage is currently going through planning to really raise visibility of this market and we are also introducing a much greater level of PR and marketing than currently exists.

Response from second consultation (January/February 2020) Appendix 4

The below comments were received from three traders following the second consultation with the traders on the proposed electrical upgrade.

- 1) Is it possible for traders to attend the Licensing Committee meeting on 31 March?
- 2) I am concerned about the proposal for one socket for each pitch, as I need at least two with 16amp each.
- 3) There is a need to ensure that there will be enough space for vans to go in and out from the market.
- 4) Traders should be allowed to pick up their equipment from the market earlier, at least 3pm, as I finish earlier but I am currently waiting around until 4pm every day to collect my equipment.
- 5) Please can you confirm the measurements for the new electricity bollard. I am concerned that this will force me to trade inwards rather than outwards. These bollards should be located in the gaps between the stalls instead.

The Council's response to the points raised by the traders

- 1) Is it possible for traders to attend the Licensing Committee meeting on 31 March?**

It will be possible for traders to attend the Licensing Committee meeting on 31st March and we will circulate further details to all traders nearer the time.

- 2) I am concerned about the proposal for one socket for each pitch, as I need at least two with 16amp each.**

We will ensure your comments are put forward in the Licensing Committee report. The Highways team, who are leading on the electrical project, were in Tachbrook Street market last week, conducting further electrical tests to ascertain the amount of power and these results will be shared with traders.

- 3) There is a need to ensure that there will be enough space for vans to go in and out from the market.**

Comment noted and fed back into the Licensing Committee report.

- 4) Traders should be allowed to pick up their equipment from the market earlier, at least 3pm, as I finish earlier but I am currently waiting around until 4pm every day to collect my equipment.**

Comment noted and fed back into the Licensing Committee report.

- 5) Please can you confirm the measurements for the new electricity bollard. I am concerned that this will force me to trade inwards rather than outwards. These bollards should be located in the gaps between the stalls instead.**

The height of the bollard is 1005mm from the ground and we will try to get a bollard to bring down to the market. This information was also circulated to all traders.



City of Westminster

Minutes

Tachbrook Street Traders Meeting

Date: 27 January 2020

Time: 3.30-5pm

Location: CITY HALL

WCC Attendees:

Catherine Brice – Programme Director – Westminster Markets

Sarah Hoare – Business Improvement and Development Manager - City Highways

Hiren Patel – WSP

Steph Murphy – Markets Development Officer

Ben Carlton – Senior Support Officer to the Economy Team

Background

The Council's Market Strategy identifies the need for improvements in infrastructure and re-design within the local plan for Tachbrook Market. The aim is to create a modern destination market, where vendors can trade safely, and visitors navigate more easily.

The current electrical assets are near the end of their lifespan and some are already unusable. Replacing the existing electric system is imperative. The current below ground power bollard solution has historically struggled with water ingress, making it prone to frequent fault. In the 2018 Markets Consultation, feedback from traders emphatically stated the need for an urgent electrical upgrade, with the need for a more sophisticated power supply system that allocates one bollard per pitch.

The proposed new scheme will also reduce ground level street cabling which currently is a hazard to both customers and traders. The proposed pitch standardisation will reduce the overall number of pitches to 23 stalls, to reduce overcrowding, create gaps between hot food stalls as recommended for fire safety reasons, and ensure all comply with health and safety recommendations. All these stalls will have access to safe and sufficient power to run their business operations.

Item	Topic	Lead
1	WELCOMES, INTRODUCTIONS & APOLOGIES	ALL
2	<p>LAYOUT</p> <ul style="list-style-type: none"> • The question of the seating was raised and how this will be managed. As this is Westminster seating, once the new storage unit is reprofiled Westminster will be responsible for ensuring this seating is put out on a daily basis, elevating any current concerns. • The question was asked whether rising bollards could be implemented and dropped kerbs to improve pedestrian safety. This would be similar to Strutton Ground. Cat stated that we would speak to Highways colleagues regarding the Warwick Way junction and explore this further. • Anchor points were raised, due to the high winds traders would like to have anchor points in the ground. Cat explained that there aren't anchor points planned to be in scheme and traders would be required to use portable weights instead, as we want to future proof the layout. Anchor points would be very prescriptive and would only fit certain gazebos. A trader pointed out that Lambeth have sand sacks with ropes to weigh down the middle of the gazebo. Cat stated that we will look again in this as a potential option and report back. • The question was raised as to whether we can split the market into an area for hot food and other traders. Cat explained that this wouldn't be possible as we want to future proof the market and this would be too restrictive. • One trader asked if the gaps were designed for vans to fit in between pitches. Cat explained that wasn't the case. Vans can also park in the sections with the removal seating. The gaps have been implemented for fire breaks. • A trader asked if there would be pitch markings and numbers drawn on the road. Sarah explained that we are looking to use studs to mark the pitches, along with number plaques. • A number of traders asked whether they will be guaranteed the same spot on the market. Cat explained that no decision has been taken and each trader will need to apply for a permanent licence once a final layout has gone to committee and received approval. • The drains were raised as a potential concern. Cat confirmed that the drains were flushed last week. 	CB/S H

3	<p>ELECTRICS</p> <ul style="list-style-type: none"> • A trader asked whether you would be able to log onto the electricity app if there are problems with the WiFi. Sarah explained that you only need WiFi in order to turn on the bollard and then after that you don't require an internet connection. Cat also explained that the Council will be rolling out free WiFi across the market. • A number of traders raised concerns that they would be forced to turn their stalls around due to the height of the bollard. Traders asked whether the bollards could be placed in the gaps between stalls instead. Cat promised to send the specific dimensions to the traders (the height from ground is 1005mm) and will aim to bring a sample bollard to Tachbrook Street, so the traders can measure against their stalls. Traders can also visit Berwick Street to see a pilot programme with a number of the bollards in action. • A number of traders raised concerns about the proposed restrictions of one 16amp socket per pitch and two sockets for double pitches. Sarah and Hiren explained that WSP undertook comprehensive electricity testing at Tachbrook Street at three peak points across the day but the majority of traders were using the maximum 16amps or 32amps for double pitches, which is enough to power a whole house. They also stressed that the power supply at present is unreliable so it is difficult to compare the current situation with the proposed system. But Hiren will visit the traders again to discuss any concerns regarding power supply and share his electricity testing analysis. • There was a consensus amongst the traders that the proposed pay as you go system for electricity charging is fair. • A number of traders asked how long the proposed improvement works will take. However, Sarah was unable to provide a definitive date as she is awaiting an update from the contractors and confirmation of the layout. • The traders provided a number of different viewpoints with regards to the best time to undertake these works, with three stating that January to March would be the best time, with two opting for October to December and one stating that there would never be a good time that wouldn't damage his business. • There was a consensus that however long the planned closure was, the market should relocate to Upper Tachbrook Street to avoid minimise disruption to the traders and a loss of business. A majority of traders stated that they would be happy to use generators or gas as an interim solution during this period. Cat and Sarah 	CB/S H/HP
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	stressed the need to ascertain the length of the proposed works before making a decision about relocation. Further discussions will take place on this.	
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KEY ACTIONS

- **Send an email to all traders with an electronic copy of the proposed layout. Steph sent on 27/1/2020**
- **Share minutes from the meeting – Sent on 30/1/2020**
- **Hiren to visit the market and discuss traders' concerns about electricity supply**
- **Someone from team will speak to Sven about drainage concerns**