

Committee(s)	Dated:
Streets & Walkways Sub-committee	26 September 2023
Subject: Widegate Street Barrier & Operation S278	Public
Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?	1, 9, 12
Does this proposal require extra revenue and/or capital spending?	Y
If so, how much?	£30,150
What is the source of Funding?	External/s278 agreement
Has this Funding Source been agreed with the Chamberlain's Department?	N/A
Report of: Interim Executive Director Environment	For Decision
Report author: Sam Lee – Policy & Projects, City Operations	

Summary

Widegate Street has been closed to traffic between 11.30am and 9pm each day since June 2022, initially through an ETO but then, since August 2023, by a permanent Traffic Order. The closure is enforced through the use of traffic signs only.

Marugame Udon, a restaurant located on Widegate Street has asked the City to install a physical barrier on Widegate Street, primarily to enable them to meet the requirements needed for a pavement licence. They have made an advance payment to cover the City's initial design and evaluation costs, as well as an undertaking to pay our legal fees for negotiating and drafting the legal agreement. Marugame is aware that any pavement licence application is still subject to separate assessments and considerations.

Officers have now completed the design and evaluation for the installation of a barrier, using bollards, and have concluded that they would improve the compliance of the existing access restriction as well as improve safety, with no additional implications. The bollards may also meet the requirements needed for pavement licenses and therefore assist businesses located in Widegate Street and their customers and help to enliven the street environment. Overall, it is considered that this would be of public benefit.

The proposals set out in this report are very minor and low risk. Approval of these proposals are delegated to Chief Officer. However, approval from your Sub-Committee is sought for authority to enter into a S278 agreement with Marugame.

Recommendations

Members are asked to:

1. Note the proposals as detailed in this report.
2. Authorise the Comptroller to enter into the s278 agreement under the Highways Act 1980, with Marugame Udon, to fund the proposals as detailed in this report, operate the removable bollards, pay for maintenance when required and the removal of the measures should they no longer be needed.

Main Report

Background

1. Widegate Street previously had a temporary access restriction (implemented under an 'events' order) covering the full length of the street. This prohibited traffic between the hours of 11.30am and 9pm each day from June 2021 to the end of October 2021. This restriction was introduced to allow local businesses to use the outdoor space for tables and chairs to support the recovery from the Covid-19 pandemic. It was very well received by local users.
2. In February 2022, the Street & Walkways Sub-Committee agreed to promote an Experimental Traffic Order (ETO) to restrict traffic from entering Widegate Street covering the same times as those originally implemented under the Events Order. This was to provide additional space for people walking, improve accessibility, remove safety risks, and preserve and enliven the character of the street environment. This time period was selected because it represented the busiest period when most people used Widegate Street.
3. The ETO was implemented on 21st June 2022 and following consultation and analysis of traffic data, which showed good levels of compliance and limited impact, the ETO was made permanent on 31 August 2023.
4. Since the temporary access restrictions were lifted in November 2021, local businesses have applied for pavement licences to place tables and chairs on Widegate Street but due the lack of vehicle restraint, these applications were rejected.

Current Position

5. To overcome the lack of physical vehicular restraint, Marugame Udon, a restaurant located on Widegate Street has asked the City to install measures to physically restrict vehicles from accessing the street.
6. Officers consider that a physical barrier on Widegate Street would be beneficial to the general public as it would improve the performance of the existing timed

access restriction. Marugame is aware that any pavement licence application is still subject to separate assessments and considerations, but they are still content to proceed. They have made an advance payment to cover the City's design and evaluation costs as well as an undertaking to meet our legal fees.

7. Officers have now completed the design and evaluation to install a vehicle barrier using bollards on Widegate Street and an agreement requiring Marugame to fund, maintain, operate the barrier, and cover costs of any removal has been drafted.

Proposal

8. A plan of the proposals is shown in Appendix 1 but is summarised below:
 - Three removable and lockable bollards positioned on the carriageway. When Widegate Street is open to traffic (as prescribed by the traffic order), the bollards will be lifted out and repositioned in sockets located on the edge of the footway. These bollards are a bespoke design to reduce their weight so that they can be more easily handled.
 - Fixed bollards positioned on the Middlesex Street footway, either side of Widegate Street to deter vehicles from mounting the pavement and to bypass the carriageway bollards.
 - Alterations to street furniture including signs, bollards and a planter.
9. Under the s278 agreement, Marugame will be acting as our agent to operate the removable bollards. This will be done in strict adherence to the existing traffic order.
10. Officers have considered a gate as an alternative to the bollards as this would be easier to operate. However, due to the narrowness of Widegate Street, this was considered unsuitable as it would take up most of the space and significantly obstruct people walking.

Corporate & Strategic Implications

Strategic Implications

11. The proposals set out in this report aligns with Corporate Plan Outcome 1: People are safe and feel safe, 9: We are digitally and physically well-connected and responsive and, 12: Our spaces are secure, resilient, and well-maintained; the Transport Strategy; Climate Action Strategy, Air Quality Strategy and Destination City (by making our streets more welcoming and safer).

Financial Implications

12. All costs will be met by Marugame through a s278 agreement. Marugame has already paid an upfront cost of £7,000 to cover the City's initial costs and their solicitors have provided an undertaking to meet the City's legal fees incurred in negotiating and drafting the s278 Agreement. They will also be required to fund the delivery of the

proposals which has been estimated to cost £18,150, undertake the ongoing barrier operation, pay for maintenance and removal.

Legal Implications

13. The operation of the bollards will match the provisions of the existing traffic order, so no additional traffic orders or amendments to the existing order will be required.
14. This proposal is subject to an agreement under Section 278 of the Highways Act 1980. The agreement has been drafted where Marugame will be required to fund the full cost of the proposals including the works, their operation, maintenance, and eventual removal. The City is satisfied that the proposals will be of public benefit.

Risk Implications

15. The cost to implement the proposals may be impacted by underground conditions. This may increase costs but under the draft s278 agreement, Marugame would be required to meet any excess payment.
16. In the event of a breach of the barrier agreement, the City can undertake this function and recover the cost from Marugame. However, in the event that Marugame wish to terminate the agreement, the barriers can be removed (also at their cost), or the City can continue to operate the barriers but at the City's expense.

Equalities Implications

17. None envisaged. The bollards will reinforce the existing access restrictions which are considered acceptable in terms of accessibility.

Climate Implications

18. None envisaged.

Security Implications

19. The bollards would improve the compliance of the existing traffic order. It would also provide a deterrent against vehicle-borne attacks. However, any security considerations needed for pavement licenses are subject to independent and separate assessments.

Conclusion

20. Widegate Street has been closed to traffic between the 11.30am to 9pm every day since June 2022, initially through an ETO and by a permanent order in August 2023.
21. The assessment of the closure during the ETO period showed good levels of compliance and limited implications to the surrounding streets. The proposal to install removable bollards, which would be managed to match the existing

closure would improve compliance levels further but with no additional implications envisaged.

22. Although the fixed bollards located on the eastern side of Middlesex Street, either side of Widegate Street will reduce the available footway space for people walking, they will provide protection against vehicles mounting the pavement or to bypass the carriageway bollards and therefore improve safety.
23. The physical barrier may also meet the requirements needed for pavement licenses (but subject to separate assessments) and therefore assist businesses located in Widegate Street, their customers and enliven the street environment.

Appendices

- Appendix 1: Proposals

Sam Lee

Head of Street Space Planning, Environment Department

E: sam.lee@cityoflondon.gov.uk