

**Decision Maker:** RENEWAL AND RECREATION POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

**Date:** Tuesday 22 November 2016

**Decision Type:** Non-Urgent                      Non-Executive                      Non-Key

**Title:** BROMLEY TOWN CENTRE POTENTIAL PUBLIC REALM IMPROVEMENTS UPDATE REPORT

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**Chief Officer:** Executive Director of Environment & Community Services

**Ward:** Bromley Town;

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1. Reason for report

The Executive Committee on 2nd December 2015 endorsed the concept designs for the next phase of the Bromley Town Centre Public Realm improvements and approved funding for the detailed design phase. The original scheme designers Studio Egret West (SEW) have been working with the Council's Highway Engineering term contractor FM Conway to progress the detailed engineering design, provide full scheme costings and develop an implementation plan. In parallel officers have been assessing options for the future development of the street market in Bromley Town Centre. Members of the Renewal and Recreation PDS Committee have asked to be kept informed of progress on these linked projects and the content of this report provides a summary of progress to date and timescales for future delivery of the proposed changes.

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2. **RECOMMENDATION(S)**

**Members of the Renewal and Recreation PDS Committee are asked to note and provide comments upon the proposed Public Realm changes in Bromley Town Centre and the potential re-configuration and future management of the Town Centre Market.**

## Impact on Vulnerable Adults and Children

1. Summary of Impact: None
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## Corporate Policy

1. Policy Status: Existing Policy:
  2. BBB Priority: I Quality Environment Safer Bromley Vibrant, Thriving Town Centres:
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## Financial

1. Cost of proposal: N/A. Current estimate for capital scheme is £5m
  2. Ongoing costs: Non-Recurring Cost:
  3. Budget head/performance centre: Renewal
  4. Total current budget for this head: £287k
  5. Source of funding: Investment Fund
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## Personnel

1. Number of staff (current and additional):5
  2. If from existing staff resources, number of staff hours:
- 

## Legal

1. Legal Requirement: Non-Statutory - Government Guidance:
  2. Call-in: Not Applicable:
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## Procurement

1. Summary of Procurement Implications:
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## Customer Impact

1. Estimated number of users/beneficiaries (current and projected):
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## Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes
2. Summary of Ward Councillors comments: Ward Councillors were invited to take part in stakeholder consultations during the development of the scheme and were also represented at the most recent presentation of the detailed designs. A summary of responses from Councillors and other consultees is included in Appendix 2 of this report.

### **3. COMMENTARY**

#### **PROPOSED PUBLIC REALM IMPROVEMENTS**

##### **Background**

- 3.1 The Council is committed to improving the quality of the retail offer in Bromley to ensure that it continues to meet the needs of its aspirational catchment and effectively competes with neighbouring centres. To support this commitment the Executive approved on 26th November 2014 a revised development strategy for Bromley Town Centre and approved funding for a number of specific initiatives. These included:
- Retail Expansion.
  - INTU (Glades) Mall Refresh Programme.
  - High Street Improvements.
- 3.2 A key project to emerge from this review was the aspiration to extend the public realm improvements, successfully implemented in Bromley North, to the remainder of the pedestrian area of the High Street. The aim of these improvements are to improve the quality of the high street experience and create distinctive spaces or squares. The endorsed concept designs were developed in consultation with stakeholders and focused on:
- Introduce a hierarchy of public spaces where people can dwell.
  - Green the High Street.
  - Create shelter within the High Street for year round enjoyment.
  - Create better links to Bromley's greenspace.
  - Encourage street activity & enhance pedestrian experience.
- 3.3 The Executive on 2 December 2015 endorsed the concept designs and approved funding for the detailed design phase. The original scheme designers Studio Egret West (SEW) have been working with the Council's Highway Engineering term contractor FM Conway to progress the detailed engineering design. A key feature of the emerging design was the reordering of spaces in the High Street to create a new public garden square in the southern pedestrianised area, which could contain semi-permanent kiosks which would act as anchors to the new garden square. It was also proposed that the existing market be reorganised and relocated along the High Street, with a significant proportion occupying space in Market Square.

##### **Detailed Scheme Design**

- 3.6 The detailed design of the ground plane has been substantially completed. The General Arrangement drawings are attached as Appendix 1. The public realm between Market Square to the junction of the High Street with Elmfield Road has been totally overhauled. In accordance with the Concept Design the improvements will create a series of High Street Character Areas. These are:
- Elmfield Arrival Space - welcoming visitors from the south of the High Street. Improvements will comprise kerb realignments and new road junction surfacing to integrate the space with improvements, granite paving similar to Bromley North Village, new lighting, a pavilion like canopy and a retail unit and seating.

- High Street Garden Space - a space to dwell in a sheltered like garden environment. This space will be characterised by similar granite paving, raised landscape planters with integrated seating, additional new seating and feature lighting.
- Churchill Square - a flexible public square for events. Surfacing will be in bonded resin with broom motif patterns to contrast with the rest of the High Street. The space will have a smaller pavilion like canopy and a commercial unit with seating.
- Market Street - the space for the relocated market. Market stalls will be restricted to the western side whilst contemporary benches in linear fashion on the eastern. Repaving will be a continuation of Market Square.

All new features in the High Street have been located so as not to clash with a path for Emergency Vehicles.

### 3.7 The main structural features are:

- Pavilion canopy structures and retail units.

The proposed canopy structures will comprise reflective stainless steel roofs inspired by the petals of the Broom flower. The southern larger canopy will comprise three petals whilst the northern will comprise two petals. The structures will be open on all sides and the top of the structures will be 6m high to maintain visual permeability and views along the High Street. Each canopy will have an associated glass kiosk with ancillary seating. The kiosks will be 60m<sup>2</sup> and 45m<sup>2</sup> respectively and will be flexible for commercial uses such as retail or a coffee shop, dependent on market demand. It is proposed that the glass kiosks will be of a modular design and purchased from an existing supplier. The canopy structures will be a bespoke design and it is proposed that SEW will work alongside the Council's TFM contractor Amey to deliver this element of the project under a design and build contract. This design work for the kiosks and canopies has yet to be completed.

- Raised planters

This is another bespoke element of the scheme. The proposed raised planters are to be durable steel structures, in 'organic' Broom flower petal shapes. They vary in size with the largest approximately 14m by 5m. Four planters will be 70cm high and include trees and plants that will not obscure the surrounding shops. Two lower planters will be mounded in artificial grass for children's play or general relaxing. Spacing between the planters will allow easy pedestrian circulation. Seating will be both integral to the planters and could be supplemented by additional tables and chairs. The design team have been working with a specialist fabricator of this style of planters to ensure that they are designed to fit the typography of the High Street.

- Pop Up market stalls

One of the key recommendations emerging from the review of the street market is to refocus, rebrand and the relocated the current street market. A key element of this rebranding will be the provision of new pop up market stalls; it is proposed that these will be 3.7m x 2.5m in size. The revised scheme allows for up to 21 to be located between the Library and Market Square. In order to maintain visibility of the shops on the western side, it is proposed that the stalls will be located further apart to avoid a more solid 'wall' of units and to avoid conflict with shop entrances. To avoid having these shops facing the unsightly back of the stalls most have been aligned 'back to back' with serving area fronting three sides. The stalls have been located to maximise pedestrian space outside the shops on the western side whilst maintaining the existing emergency path.

- **Market Square Kiosks**

Another recommendation arising from the market review was the introduction of seven semi-permanent kiosks on the western side of Market Square outside of Primark frontage. In moving to a more food orientated market these kiosks could be used to provide a focus for a street food offer, which has become a feature of many successful markets. It is proposed that these market kiosks will be of a modular back to back design, that are parallel to Primark frontage and do not conflict with their entrance. Each modular unit will have openings on three sides that can be used for either serving or provide shelter for alfresco seating. The kiosks will have sufficient infrastructure for preparing hot food.

### **Street Market Review**

3.8 One of the key features of the original design concept was the relocation of the street market from its current location to a position further north, centred around Market Square. To support this design ambition the Council commissioned market specialist Quarterbridge to undertake a root and branch review of the current street market. Given the proposed physical re-positioning of the market this can be seen as a unique opportunity to refocus the market offer rather than maintain the existing regime. Equally Members could decide to cease operating the market altogether – however this would have implications for both Council finances and for the vitality of the town centre. Market research undertaken to support the review supports the position that the presence of the market is valued both by visitors and a majority of the businesses in the town. Building on this research the Quarterbridge report provided a set of recommendations on how best a refocused street market could add value to the town as part of the wider public realm improvements planned for the High Street.

3.9 The main recommendations of the Quarterbridge report are:

- Relocation of the market to a position further north incorporating Market Square.
- Refocus and rebranding of the street market offer to appeal to a wider demographic with a more varied tenant mix to include additional food retailing and catering. High quality food retailing will boost market footfall and therefore town centre footfall, which is borne out from the consultants' knowledge of other London and SE markets. Increasing the quality food offer can attract a more affluent clientele to the location. Food catering, or what is more commonly described as "Street Food" would also be an attractive addition and should be provided using semi-permanent, high quality kiosks with demised seating and could form part of the public realm improvements to the pedestrian High Street. The street food offer would be focussed around the proposed semi-permanent kiosks.
- Limit the number of stalls to no more than 30 (up to 23 pop up stalls and 7 semi-permanent kiosks) with a maximum of 15 stalls having a food and beverage offer. Although operating with fewer stalls than current layout, the proposed semi-permanent kiosks will achieve higher rents than the pop ups and it is therefore expected that the proposed changes will have no negative financial impact for the Council
- Introduce a quality control appraisal of market applications, including a new trader application process where business plans are submitted.
- Outsource the market operation to a specialist operator.
- The semi-permanent kiosks will be operational up to seven days a week with the remaining pop up stalls being dismantled each evening, negating the empty stall issue currently experienced by the stalls being left up overnight.
- Further market days and evening trading opportunities can be incorporated which will positively contribute to town centre footfall and operator income.

- 3.10 As part of the development and testing of the above concepts, public and stakeholder consultation was undertaken during spring 2016. The results of this is summarised in **Appendix 2**.
- 3.11 In order to maximise income available from market operations, it is recommended that the market is licensed under the Food Act rather than the London Local Authorities Act (LLAA). The legal implications need to be considered and are outlined under Section 6. The existing 5 permanent street traders operating 7 days a week in the town centre may need to be relocated to other parts of the town centre due to the proposed new layout of the pedestrianised area. It is suggested that these are, where possible incorporated into the mainstream market operation. All legal implications need to be considered and are outlined in more detail under Section 6.

### **Indicative Programme of Works**

**3.12** Initial discussions with the term contractor has indicated that:

- The project will have a total duration of 20 months (excluding weekend working). The construction phase will be in three phases:
- Phase 1 - Market Square to Churchill Square (the southern end of the Churchill Theatre). Duration of 9 months.
- Phase 2 - Churchill Theatre to the most southern raised planter (approximately outside Café Nero). Duration of 8 months.
- Phase 3 - The Elmfield arrival space. Duration of 3 months.

Key Milestones:

- Executive approval February 2017
- Planning Approval for the relocated market and kiosks March 2017
- Relocation of market January / February 2018
- Scheme completion November 2018

The proposed changes to the market will necessarily have to follow the programme for the Public Realm works. It is recommended that the proposals related to the market are undertaken in 2 phases:

**Phase 1** – indicative timescale: Feb 2017 – Dec 2017

Commencement of the legal work - Transition of licensing arrangements from the London Local Authorities Act (LLAA) to the Food Act and other requirements

Establishment of a Markets Panel with terms of reference finalised

Policy for market applications approved and adopted

Tender process for new market contractors completed (Dec 2017)

## **Phase 2 – indicative timescale: May 2017 – Feb 2018**

Installation of infrastructure for new market location

Purchasing of semi-permanent kiosks

Purchasing of new pop up stalls

Commencement of the new market application process

Commencement of the new market contractors

Launch of new market in new position (Jan / Feb 2018)

The exact timescales for the second phase will be subject to the approval and progress of the public realm improvements to the pedestrian area.

At the design concept stage the overall cost of the improvement project was costed at approximately £3.8m. Throughout the design process the scope of the project has been extended to include the Elmfield junction reconstruction and also relocation costs associated with the street market. Working with the term contractor on the emerging detailed design, the cost of the scheme has now been estimated at £5m.

### **4. IMPACT ON VULNERABLE ADULTS AND CHILDREN**

- 4.1 The scheme design will take into account measures for the mobility and visually impaired.

### **5. POLICY IMPLICATIONS**

- 5.1 Proposals are in support of developing and maintaining the vibrancy of Bromley Town Centre, and as such contributes to the Building a Better Bromley key priority of Vibrant, Thriving Town Centres. The scheme will improve the economic sustainability of Bromley High Street encouraging footfall both during the day and evenings, and on quieter days of the week due to the 7 day per week operation of the kiosks.

### **FINANCIAL IMPLICATIONS**

- 6.1 The report to the Executive on 2 December 2015 estimated that the full cost of the scheme would be £3.8m. Following the additional design work that has been completed, the estimated cost of the scheme is now expected to be £5m. It should be noted that this scheme will require additional revenue funding. Details of both the capital and revenue costs will be included in the fully costed project plan that will be reported back to Members for consideration.
- 6.2 A sum of £287k was allocated from the Investment Fund to meet the cost of the detailed design work and additional survey work. To date £48.6k has been spent/committed, leaving a balance of £238.4k.

### **6. PERSONNEL IMPLICATIONS**

- 7.1 In order to manage the transition period and develop the market into an attractive offer to an external operator, a part time fixed term post would be required for a period of 18 months. The costs of this temporary post have been incorporated into the market costs outlined in the Provisional Scheme costs set out above.

## 7. LEGAL IMPLICATIONS

- 8.1 Apart from the Thursday Charter Market, the market is currently licensed under the London Local Authorities Act (LLAA). The Council is not permitted to make a profit from a market registered under this legislation; it can only recover its costs. There is however no such statutory limitation on the costs chargeable for the Charter Market. Consequently it is proposed that in the future the market (other than the Charter Market) should be licensed under the Food Act 1984. Relicensing could take up to 18 months and will be initiated as part of the first phase of market development. This process will however run in parallel with other aspects of the programme – and if necessary the new market will remain under the LLAA legislation during its first 6 to 9 months of operation.
- 8.2 The 5 existing permanent street traders, currently licensed under the London Local Authorities Act (LLAA), will also need to be transferred to the Food Act licensing regime and possibly relocated. If they are to be relocated, it will be necessary to consult them and go through a statutory process to terminate their current licences before issuing new ones. This procedure will also be run in parallel with the remainder of the programme.

<b>Non-Applicable Sections:</b>	
Background Documents: (Access via Contact Officer)	Quarterbridge street market review