

Item No.	Classification: Open	Date: 14 January 2019	Meeting Name: Cabinet Member for Environment, Transport Management and Air Quality
Report title:		Non-strategic Traffic and Highway improvement projects (2018-19 Q4)	
Ward(s) or groups affected:		London Bridge and West Bermondsey, Rotherhithe, St Giles, Champion Hill	
From:		Head of Highways	

RECOMMENDATION(S)

1. It is recommended that the non-strategic traffic and highway improvements, detailed in the appendices to this report and summarised in figure 1, are approved for implementation subject to the outcome of any necessary statutory consultation and procedures.

BACKGROUND INFORMATION

2. Under Part 3D of the council's constitution, the Cabinet Member is responsible for:

4.1 Transport Issues:

- To decide to implement a traffic and highway improvement project, subject to statutory consultation
3. Under Part 3H, the relevant Community Council shall:
 - be consulted on any non-strategic traffic and highways improvement project that has been referred to community council
 4. This report deals with a number of non-strategic traffic and highway improvement proposals.
 5. The origins and reasons for the recommendations are discussed within the key issues section of this report and relevant appendices.

KEY ISSUES FOR CONSIDERATION

6. In line with the council's constitution, all of the individual proposals in this report have been circulated to ward Councilors' in advance to allow them to refer the proposals to the relevant Community Council for consultation. Figure 1 illustrates whether or not they have been subject to a referral. Where they have been, the detail of the referral is included in the relevant appendix.
7. The rationale for each proposal is discussed in the associated appendix and contains a detailed design drawing.

FIGURE ONE

Location	Ward(s)	Proposal	Appendix	Referral
Weston Street	London Bridge and West Bermondsey	To convert existing single yellow lines to double yellow lines and introduce no loading at any time. To reduce one parking bay by five meters.	1	No
Rotherhithe New Road	Rotherhithe	To convert existing single yellow lines to double yellow lines at the junction of Luxford Road and Rotherhithe New Road.	2	No
Windsor Walk	St Giles and Champion Hill	To continue the current closure under an experimental traffic order while further consultation is carried out.	3	No

POLICY IMPLICATIONS

8. The recommendations contained within this report are consistent with the relevant policies of the Transport Plan 2011:
- Policy 1.1 - pursue overall traffic reduction
 - Policy 4.2 - create place that people can enjoy
 - Policy 5.1 - Improve safety on our roads and to help make all modes of transport safer.
 - Policy 5.6 - We will seek to create conditions where our roads are safe.
 - Policy 6.1 - Make our streets more accessible for pedestrians
 - Policy 7.1 - Maintain and improve the existing road network making the best use of it through careful management and considered improvements.
 - Policy 8.1 - seek to reduce overall levels of private motor vehicle traffic on our streets

COMMUNITY IMPACT STATEMENT

9. The policies within the Transport Plan have been subject to an Equality Impact Assessment
10. The recommendations are locally based and therefore will have greatest effect upon those people living working or travelling in the vicinity of the areas where the proposals are made.
11. The introduction of yellow lines at junctions gives benefit to all road users through the improvement of inter-visibility and therefore road safety.
12. There is a risk that new restrictions may cause parking to be displaced and, indirectly, have an adverse impact upon road users and neighbouring properties at that location. However this cannot be entirely predicted until the recommendation have been implemented and observed. The proposals have no disproportionate impact on any particular age, disability, faith or religion and ethnicity and sexual orientation.
13. With the exception of those benefits and risks identified above, the recommendations are not considered to have a disproportionate effect on any other community or group.

14. The recommendations support the council's equalities and human rights policies and promote social inclusion by:
 - Providing improved access for key services such as emergency and refuse vehicles.
 - Improving road safety, in particular for vulnerable road users, on the public highway.

RESOURCE IMPLICATIONS

15. All costs arising from implementing the recommendations will be fully contained within the existing business unit capital and revenue Highways budgets.

LEGAL IMPLICATIONS

16. Traffic Management Orders would be made under powers contained within the Road Traffic Regulation Act (RTRA) 1984.
17. Should the recommendations be approved the council will give notice of its intention to make a traffic order in accordance with the Local Authorities Traffic Order (Procedure) (England and Wales Regulations 1996).
18. These regulations also require the Council to consider any representations received as a result of publishing the draft order for a period of 21 days following publication of the draft order.
19. Should any objections be received they must be properly considered in light of administrative law principles, Human Rights law and relevant statutory powers.
20. By virtue of section 122, the Council must exercise its powers under the RTRA 1984 so as to secure the expeditious, convenient and safe movement of vehicular and other traffic including pedestrians, and provision of suitable and adequate parking facilities on and off the highway.
21. These powers must be exercised so far as practicable having regard to the following matters:
 - a) The desirability of securing and maintaining reasonable access to premises
 - b) The effect on the amenities of any locality affected including the regulation and restriction of heavy commercial traffic so as to preserve or improve amenity
 - c) The national air quality strategy
 - d) Facilitating the passage of public service vehicles and securing the safety and convenience of their passengers
 - e) Any other matters appearing to the Council to be relevant.
22. The Constitution has been amended in relation to Traffic Management Orders and these changes are confirmed at paragraphs 2 and 3 of this report. Further, at paragraph 25, it is explained that a statutory consultation will now be required to be undertaken.

23. Following that statutory consultation, the proposal will then move forward with due consideration of any objections the Cabinet Member

CONSULTATION

24. For the recommendations in paragraph 1, the implementation of changes to parking requires the making of a traffic order. The procedures for making a traffic order are defined by national Regulations¹ which include statutory consultation and the consideration of any arising objections.
25. Should the recommendations be approved, the Council must follow the procedures contained with Part II and III of the Regulation which are supplemented by the Council's own processes. This process is summarised as:
- a) Publication of a proposal notice in a local newspaper (Southwark News)
 - b) Publication of a proposal notice in the London Gazette
 - c) Display of notices in roads affected by the orders
 - d) Consultation with statutory authorities
 - e) Making available for public inspection any associated documents (eg. plans, draft orders, statement of reasons) via the council's website² or by appointment at 160 Tooley Street, SE1
 - f) A 21 day consultation period during which time any person may comment upon or object to the proposed order.
26. Following publication of the proposal notice, any person wanting to object must make their objection in writing, state the grounds on which it is made and send to the address specified on the notice.
27. Should an objection be made that officers are unable to resolve so that it is withdrawn, it will be reported to the cabinet member for determination. The cabinet member will then consider whether to modify the proposal, accede to or reject the objection. The council will subsequently notify all objectors of the final decision.
28. Windsor Walk will be consulted on under an experimental traffic order which is in place for a maximum of 18 months following which a permanent traffic order should be consulted on if the changes are to remain in place.

PROGRAMME TIMELINE

29. If these items are approved by the Cabinet Member they will be progressed in line with the below, approximate timeline:
- Statutory consultation – Early 2019
 - Implementation – Early 2019

Strategic Director of Finance and Governance (EL19/029)

30. This report requests approval from the Cabinet Member for Environment, Transport Management and Air Quality for non-strategic traffic and highway improvements, detailed in the appendices 1, 1b, 2, 2b and 3 of this report.

¹ <http://www.legislation.gov.uk/uksi/1996/2489/contents/made>

² <http://www.southwark.gov.uk/trafficorders>

31. The strategic director of finance and governance notes that funding for the project is to be met from existing capital budgets and capitalized revenue resources. Adequate funding is available as confirmed by the service project leads.

Director of Legal Services

32. The Cabinet Member for Environment, Transport Management and Air Quality is asked to approve, subject the outcome of statutory consultation, the implementation of double yellow lines in Weston Street and Rotherhithe New Road and the continuation of the closure in Windsor Walk as summarised in Figure 1 and the appendices of this report .
33. Paragraphs 16 to 21 of the report sets out the powers under the Road Traffic Regulation Act 1984 with regard to traffic management orders and the procedure and statutory consultation required by the associated regulations. Any valid written objections received following statutory consultation in respect of the proposed traffic management orders to implement double yellow lines in Weston Street and Rotherhithe New Road must be considered in accordance with legal principles referred to in paragraph 19. The report acknowledges that if any such objections received regarding the proposals are unable to be resolved, those objections will be reported to the Cabinet Member for Environment, Transport Management and Air Quality for a decision regarding the proposals. Statutory consultation will take place on the closure of Windsor Walk following the expiry ofr eighteen months of the existing experimental traffic order, should it be decided to make the closure permanent.
34. The Equality Act 2010 introduced the public sector equality duty, which merged existing race, sex and disability equality duties and extended them to include other protected characteristics; namely age, gender reassignment, pregnancy and maternity, religion and belief and sex and sexual orientation, including marriage and civil partnership. In summary those subject to the equality duty, which includes the Council, must in the exercise of their functions: (i) have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; and (ii) foster good relations between people who share a protected characteristic and those who do not. Paragraph 9 of the report refers to the benefit to all road users from the introduction of double yellow lines at the junctions which will improve visibility and road safety. The implementation of the proposals is not anticipated to have any detrimental impacts on a particular protected group or to breach the provisions of the Human Rights Act 1998.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Transport Plan 2011	Southwark Council Environment and Leisure Network development Highways 160 Tooley Street London SE1 2QH Online: http://www.southwark.gov.uk/info/200107/transport_policy/1947/southwark_transport_plan_2011	Joanna Redshaw (020 7525 2665)

APPENDICES

No.	Title
Appendix 1 and 1b	Weston Street report and drawing
Appendix 2 and 2b	Rotherhithe New Road report and drawing
Appendix 3	Windsor Walk report and drawing

AUDIT TRAIL

Lead Officer	Dale Foden, Head of Highways (Acting), Environment and Leisure	
Report Author	Joanna Redshaw, Project Manager (Transport Projects), Environment and Leisure	
Version	Final	
Dated	14 January 2019	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Cabinet Member	Yes	No
Date final report sent to Constitutional Team		14 January 2019