

<b>Item No.</b>	<b>Classification:</b> Open	<b>Date:</b> 3 October 2019	<b>Meeting Name:</b> Cabinet Member for Environment, Transport and the Climate Emergency
<b>Report title:</b>		Non-strategic Traffic and Highway improvement projects (19-20 Batch 2)	
<b>Ward(s) or groups affected:</b>		Various (detailed in Table 1)	
<b>From:</b>		Head of Highways	

## RECOMMENDATION

1. It is recommended that the non-strategic traffic and highway improvements, detailed in the appendices to this report and summarised in Table 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 ward councillors shall:
  - be consulted on any non-strategic traffic and highways improvement
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 councillors on 13 June 2019 to allow them to make comments on the proposals before they go for decision making. No comments were received.
7. The rationale for each proposal is discussed in the associated Appendices and contains a detailed design drawing.

Location	Ward(s)	Proposal	Appendix	Scheme
Little Bornes	Dulwich Wood	Install DYL to protect the junction and prevent obstructive parking	001	MTS
Lyll Avenue	Dulwich Wood	Install DYL to protect the junction and prevent obstructive parking	002	MTS
Mount Adon Park	Dulwich Hill	Install DYL to prevent parked vehicles obstructing the entrance to the park	003	MTS
Kipling Street	London Bridge and West Bermondsey	To introduce 'No loading' blips along both sides of Kipling St for 15m south of its junction with Snowfields	005	MTS
Peckham Rye	Peckham Rye	Install DYL to prevent obstructive parking	006	MTS
Ossory Road	Old Kent Road	Install DYL to prevent obstructive parking	007	MTS
Talfourd Place	St Giles	Install disabled bay outside child services	008	MTS
Alscot Road	South Bermondsey	Install DYL to prevent obstructive parking	010	MTS
Millstream Road	London Bridge and West Bermondsey	Install DYL to prevent obstructive parking	011	MTS
Trothy Road	South Bermondsey	Install disabled bay by removing 5m of permit holders only bay	012	MTS
Orb Street	North Walworth	Install DYL to prevent obstructive parking and relocate parking.	013	MTS
Peacock Yard	Newington	Install DYL to prevent obstructive parking	014	MTS
Union Street	Borough and Bankside	To convert existing Permit Holders only bay and Pay By Phone bays	015	MTS
Great Guildford Street	Borough and Bankside	To extend Motorcycle bays	016	MTS
Kinburn Street	Rotherhithe	Install DYL to prevent obstructive parking	020	MTS
Swan Street	Chaucer	Relocate Motorcycle Bays	021	MTS

Highshore Road	Rye Lane	Remove existing Permit Holder only bay	022	MTS
Consort Road	Rye Lane	Install DYL for safer parking	023	MTS
Heber Road	Goose Green	Install School Keep Clear markings	024	MTS
Friary Road	Peckham	Install destination disabled bay	025	MTS
Chesterfield Grove	Goose Green	Install 25m of DYL for junction protection	026	DHB
Kimpton Road	St Giles	Implement contraflow cycle lane	027	DHB
Denmark Hill	St Giles	Prohibition of vehicle movement	028	RMP
Stead Street/ Wadding Street	North Walworth	Implement car club bays	029	MTS
Commercial Way	Peckham	Install DYL to prevent obstructive parking	030	MTS

**Table 1 – list of schemes**

**Scheme key**

MTS – Minor Traffic Scheme

DYL – Double yellow lines

DHB – Devolved Highways Budget

CGS – Cleaner Greener Safer

RMP – Road Modernisation Plan

**Policy implications**

8. The recommendations contained within this report are consistent with the relevant policies of the Movement Plan 2019, particularly:

- M2 Action 2 – Create simple and clear streets
- M3 Action 4 – Deliver infrastructure to support active travel
- M4 Action 8 – Use kerbside efficiently and promote less polluting vehicles
- M4 Action 9 – Manage traffic to reduce the demand on our streets
- M7 Action 16 – Zero people killed or injured on our streets by 2041

## **Community impact statement**

9. The policies within the movement 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 waiting restrictions (double 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 the locations proposed. However this cannot be entirely predicted until the recommendations 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.
16. MTS schemes will be contained within parking revenue, DHB/CGS will be contained within their own individually allocated capital budgets and RMP schemes are covered by TfL funding which has already been received.
17. The estimated costs for the batch of schemes detailed in Table 1 are:
  - MTS schemes - £25,000
  - DHB/CGS schemes - £40,000
  - RMP schemes - £2,000

## **Legal implications**

18. Traffic Management Orders would be made under powers contained within the Road Traffic Regulation Act (RTRA) 1984.
19. 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).

20. 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.
21. Should any objections be received they must be properly considered in light of administrative law principles, human rights law and relevant statutory powers.
22. 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.
23. These powers must be exercised so far as practicable having regard to the following matters
  - The desirability of securing and maintaining reasonable access to premises
  - 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
  - The national air quality strategy
  - Facilitating the passage of public service vehicles and securing the safety and convenience of their passengers
  - Any other matters appearing to the Council to be relevant.
24. 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 26, it is explained that a statutory consultation will now be required to be undertaken.
25. Following statutory consultation, the proposals will then move forward with due consideration of any objections by the cabinet member.

## **Consultation**

26. 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 Regulations<sup>1</sup> which include statutory consultation and the consideration of any arising objections.
27. 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:
  - publication of a proposal notice in a local newspaper (Southwark News)
  - publication of a proposal notice in the London Gazette
  - display of notices in roads affected by the orders
  - consultation with statutory authorities
  - making available for public inspection any associated documents (eg. plans, draft orders, statement of reasons) via the council's website<sup>2</sup> or by appointment at 160 Tooley Street, SE1

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

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

- a 21 day consultation period during which time any person may comment upon or object to the proposed order
28. 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.
29. 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.

### **Programme Timeline**

30. If these items are approved by the cabinet member they will be progressed in line with the below, approximate timeline:
- Statutory consultation – Summer 2019
  - Implementation – Autumn 2019

### **Strategic Director of Finance and Governance**

31. This report requests approval from the cabinet member for environment, transport and the climate emergency to implement a number of non-strategic traffic and highway improvement proposals as summarised in Table 1 of this report.
32. The strategic director of finance and governance notes that there is sufficient funding from existing highways capital and revenue budgets and external TfL sources to implement the improvements.
33. Staffing and other costs connected with this recommendation to be contained with existing departmental revenue budgets.

### **Director of Law and Democracy**

34. The cabinet member for environment, transport and the climate emergency is asked to approve, subject to the outcome of statutory consultation, the implementation of non-strategic traffic and highway improvements in the locations detailed in the respective appendices and summarised in Table 1.
35. Paragraphs 18 to 23 of the report sets out the powers under the Road Traffic Regulation Act 1984 with regard to traffic management orders which are required to implement these traffic and highway improvements, and paragraphs 26 to 28 set out the statutory consultation procedure as required by the associated regulations. Any valid written objections received following statutory consultation in respect of the proposed traffic management orders required to implement the traffic and highway improvements must be considered in accordance with the legal principles and statutory powers referred to in paragraph 21. The report confirms that if any such objections received regarding the proposals are unable to be resolved and withdrawn, they will be reported to the cabinet member for environment, transport and the climate emergency to make a decision on the proposals.

36. 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 11 of the report refers to the benefit to all road users from the introduction of double yellow lines at the junctions of the locations in figure 1, 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
Movement Plan 2019	Southwark Council Environment and Leisure Network development Highways 160 Tooley Street London SE1 2QH  Online: <a href="http://modern.gov.southwark.gov.uk/ieDecisionDetails.aspx?ID=6809">http://modern.gov.southwark.gov.uk/ieDecisionDetails.aspx?ID=6809</a>	Tobias Allen - 020 7525 3197

## APPENDICES

No.	Title
Appendices 1-30	Evidence base for each proposal

## AUDIT TRAIL

<b>Lead Officer</b>	Dale Foden, Head of Highways (Acting)	
<b>Report Author</b>	Katie Houselander, Highways Officer	
<b>Version</b>	Final	
<b>Dated</b>	September 2019	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments Included</b>
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
<b>Cabinet Member</b>	Yes	No
<b>Date final report sent to Constitutional Team</b>	12 September 2019	