

<b>Item No.</b>	<b>Classification:</b> Open	<b>Date:</b> 16 November 2020	<b>Meeting Name:</b> Cabinet Member for Leisure, Environment and Roads
<b>Report title:</b>		Southwark School Streets – 2020/21 Batch 3	
<b>Ward(s) or groups affected:</b>		Various (detailed in Table 1)	
<b>From:</b>		Head of Highways	

## RECOMMENDATION

1. It is recommended that Cabinet Member for Leisure, Environment and Roads approves the implementation of the traffic and highway improvements, detailed in the appendices to this report and summarised in Table 1, subject to the completion of any necessary 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 traffic and highways improvement
4. This report informs the Cabinet Member of the measures proposed to protect people by social distancing and to maintain the current modal change that has minimised driving, improved air quality and increased active travel.
5. This report deals with a number of School Street closures proposed as traffic and highway improvements.
6. The origins and reasons for the recommendations are discussed within the key issues section of this report and the relevant appendices.

## KEY ISSUES FOR CONSIDERATION

7. The Covid-19 pandemic required the government to introduce changes to society that have fundamentally altered people's travel patterns, modes, ways of living and working and how they use Southwark's streets and spaces. There is an immediate need to enable physical distancing of at least one metre and to help the public following the lifting of restrictions using the measures here.
8. The lockdown created profound changes in people's travel patterns and modes that have delivered a wide range of transport, health, environmental and climate change benefits in accordance with many of the council's policies. There have been significant benefits to air and noise pollution, as well as reducing carbon emissions, all of which have positive health benefits but also have benefits to the broader environment.
9. The council is seeking to maintain as many of the benefits as possible, whilst helping the borough to recover. Therefore there is an urgent need to maintain lower levels of driving and to quickly improve walking and cycling.
10. It is important to note that Covid-19 is a respiratory infection that appears to be exacerbated by air pollution. Covid-19 also has a greater infection and fatality rate amongst certain groups (including those with respiratory and cardio-vascular conditions, the elderly, BAME groups, those on low incomes and men). Given the demographic makeup of Southwark, large parts of our population are likely to be affected worse than the population as a whole. Any measure that reduces air pollution will have a particular benefit to these vulnerable groups.
11. In line with the council's constitution, all of the individual proposals in this report have been circulated to ward councillors to allow them to make comments on the proposals before they go for decision making.
12. The rationale for each proposal is discussed in the associated Appendix and contains a detailed design drawing.

Location	Ward(s)	Proposal	Perm or Exp	Appendix
Quebec Way	Rotherhithe	Time limited prohibition of motor vehicles to provide a school street	Exp	1
Dunstons Road	Dulwich Hill	Time limited prohibition of motor vehicles to provide a school street	Exp	2
Bevington Street	North Bermondsey	Time limited prohibition of motor vehicles to provide a school street	Exp	3
Coleman Road	St Giles	Time limited prohibition of motor vehicles to	Exp	4

		provide a school street		
Surrey Square /Freemantle Street	Faraday	Time limited prohibition of motor vehicles to provide a school street	Exp	5
Landcroft Road	Goose Green	To make the experimental timed closure permanent	Perm	6

**TABLE 1**

**Key**

Perm – Permanent traffic order

Exp – Experimental traffic order

**Policy implications**

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

- M2 Action 1 – Reduce noise pollution
- M2 Action 2 – Create simple and clear streets
- M3 Action 4 – Deliver infrastructure to support active travel
- M3 Action 5 - Enable people to get active
- 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 15 - Reduce exposure to air pollution
- M7 Action 16 – Zero people killed or injured on our streets by 2041

**Community impact statement**

14. The policies within the Movement Plan have been subject to an Equality Impact Assessment.

15. 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.

16. The proposals have no disproportionate impact on any particular age, disability, faith or religion and ethnicity and sexual orientation.

17. 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**

18. Costs arising from implementing the recommendations will be contained within the existing business unit capital and revenue Highways budgets, as detailed below.
19. The estimated costs for the schemes detailed in Table 1 are £60,000 and this will be funded from the “Southwark school streets” capital budget.

## **Legal implications**

20. An Experimental Traffic Management Order would be made under powers contained within the Road Traffic Regulation Act (RTRA) 1984 as amended.
21. Section 22 of the Local Authorities Traffic Order (Procedure) (England and Wales) Regulations 1996 states the requirements in the case of an experimental order.
22. The proposals detailed in Table 1 as experimental are trials and the orders are to be experimental, as such consultation and feedback will be considered during the period of the order and a decision made on whether the order is to be made permanent, amended or rescinded after a period, normally six to twelve months. The maximum time an experimental order can be in place is eighteen months.
23. The Regulations require the publication of a Notice of Making of the Experimental Order which may not come into force before seven days of its publication date. There is no right of objection to an Experimental Order itself but the notice provides for any objections or representations to the Experimental Order being made permanent, to be made in writing stating the grounds of such objections, within six months of the Experimental Order coming into force. Should any such objections be received, they will be properly considered in light of administrative law principles of fairness and impartiality, the Human Rights Act 1998, the Equality Act 2010 and all relevant statutory powers. All objections on the individual Experimental Orders becoming permanent will be logged and considered as part of the decision making process at the end of the trial.

## **Programme Timeline**

24. Should these items be approved by the Cabinet Member they will be progressed in line with the below, approximate timeline:
  - Notice of making – December 2020
  - Implementation – December 2020 / January 2021
  - These schemes will be implemented as soon as possible following final approval of this report, subject to availability of contractor’s resources.

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

25. This report requests approval from the Cabinet Member for Leisure, Environment and Roads to implement a number of School Street closures proposed as traffic and highway improvements summarised in Table 1, paragraph 12 of this report. This is to support the borough in managing the impacts of Covid-19, aiding social distancing and to maintain some of the benefits gained due to reductions in motor vehicle usage during the lockdown period.
26. The strategic director of finance and governance notes that funding for these recommendations is to be met from the Southwark school streets capital budget, and that there are sufficient resources available to fund this implementation.
27. Staffing and other costs connected with this recommendation to be contained with existing departmental revenue budgets.

## **Director of Law and Democracy**

28. The Cabinet Member for Leisure, Environment and Roads is asked to approve the implementation of the traffic and highway improvements for school streets in the locations detailed in the respective Appendices and summarised in Table 1 for the reasons given under the Key Issues for Consideration heading in the report, subject to the statutory requirements for the making of Experimental Traffic Orders.
29. Most of the proposed traffic and highway schemes summarised in Table 1 are experimental schemes which require Experimental traffic orders to be made. One scheme is to make an existing Experimental Order permanent. Paragraphs 20 to 23 of the report set out the powers under the Road Traffic Regulation Act 1984 (as amended) and statutory process with regard to experimental traffic orders which are required to implement these traffic and highway improvements.
30. The Equality Act 2010 introduced the public sector equality duty, (PSED) and 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 public sector equality duty, which includes the Council, must in the exercise of their functions:
  1. have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; and
  2. foster good relations between people who share a protected characteristic and those who do not.

The officer's view is that the implementation of the proposals has no disproportionate impact on any particular age, disability, faith or religion and ethnicity and sexual orientation. It is not known if there would be any detrimental impacts on any other persons who have protected characteristics under this Act. The PSED duty must be exercised by the decision maker and the Member needs to form this conclusion.

31. The Human Rights Act 1998 imposed a duty on all public authorities to apply the European Convention on Human Rights; as a result the Council as a public authority must not act in a way which is incompatible with these rights. The most important rights for highway and planning purposes are Article 8 (respect for homes); Article 6 (natural justice) and Article 1 of the First Protocol (peaceful enjoyment of property). The implementation of these traffic and highway proposals is not anticipated to engage or 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://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=6809">http://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=6809</a>	Tobias Allen 020 7525 3197

## APPENDICES

No.	Title
Appendices 1-6	Evidence base for each proposal

## AUDIT TRAIL

<b>Lead Officer</b>	Dale Foden, Head of Highways	
<b>Report Author</b>	Tobias Allen, Transport Projects Engineer	
<b>Version</b>	Final	
<b>Dated</b>	22 October 2020	
<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>		16 November 2020