

<b>Item No.</b>	<b>Classification:</b> Open	<b>Date:</b> 25 January 2021	<b>Meeting Name:</b> Cabinet Member for Leisure, Environment and Roads
<b>Report title:</b>		Minor Traffic Schemes 2020/21 – 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 minor traffic schemes (non-strategic traffic and highway improvements), detailed in the appendices to this report and summarized 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 to allow them to make comments on the proposals before they go for decision making. No comments were made.
7. The rationale for each proposal is discussed in the associated appendix and contains a detailed design drawing.

Location	Ward(s)	Proposal	TMO	Funding	App.
Landells Road	Dulwich Hill	Install 8 Sinusoidal humps	Perm	DHB	1
Blackwood Street	North Walworth	Install double blips and keep clear markings.	Exp	DHB & MAQF	2
Ivydale Road	Peckham Rye	Install Sinusoidal humps	Perm	LEI	3
26 Lyall Avenue	Dulwich Wood	Install double yellow lines for junction protection	Perm	MTS	4
Melford Road	Dulwich Wood	Install double yellow lines with no loading and no waiting blips	Perm	MTS	5
Vale End	Goose Green	Install double yellow lines for obstructive parking	Perm	MTS	6
36 Woods Road	Nunhead & Queens Road	Extend the existing disabled bay	Perm	MTS	7
16 Bird in Bush	Old Kent Road	Install double yellow lines over crossover	Perm	MTS	8
Scylla Road	Rye Lane	Install double yellow lines for junction protection	Perm	MTS	9
Park Hall Road/South Croxted Road	Dulwich Wood	Convert single yellow line to double yellow lines	Perm	MTS	10
Rotherhithe New Road	South Bermondsey	Replace Permit Holders bay with School Keep Clear markings	Perm	MTS	11
Janeway Street	North Bermondsey	Proposed double yellow lines, parking bays to be relocated and single yellow lines to be converted to double yellow lines.	Perm	MTS	12
Gladstone Street	St Georges	Re-locate 2 cycle hangars	Perm	MTS	13
Galleywall Road	South Bermondsey	Install sinusoidal humps	Perm	LEI	14

Albany Road	Faraday	Install sinusoidal humps	Perm	LEI	15
Half Moon Lane	Dulwich Village	Remove 7.5m existing permit bay and replace with double yellow lines for vehicle crossover.	Perm	MTS	16
Calton Avenue	Dulwich Village	Proposed disabled bays	Perm	MTS	17
Plough Way	Rotherhithe	Convert single yellow lines to double yellow lines	Perm	MTS	18
Odessa Street	Surrey Docks	Proposed double yellow lines for obstructive parking	Perm	MTS	19
Townley Road	Dulwich Village	Proposed double yellow lines for obstructive parking	Perm	MTS	20
Alleyn Park/Hunts Slip Road	Dulwich Wood	Install blips on existing double yellow lines	Perm	MTS	21
Lynbrook Grove	Peckham	Relocate existing cycle hangar	Perm	MTS	22
Colnbrook Street/Gladstone	St Georges	Install traffic calming measures	Perm	DHB	23
Walworth Place	North Walworth	Install double yellow lines, double blips and keep clear markings	Exp	DHB & MAQF	24
St Aidans Road	Dulwich Hill	Install double yellow lines for pull in parking places.	Perm	MTS	26
Grove Lane/Stories Rd	Champion Hill	Install double yellow lines for junction protection	Perm	DHB	27
Tanner Street	West Bermondsey & London Bridge	Install a 10 meter length parking bay	Perm	H2	29
White Grounds	West Bermondsey & London Bridge	Install a 10 meter length parking bay	Perm	H2	30

Leathermarket Street	West Bermondsey & London Bridge	Install a parking bay	Perm	H2	31
Havil Street	St Giles	Relocate Modal Filter Implemented as Experimental Traffic Order as part of the GSTTC Brunswick Park Trial Street Changes	Exp	Guys and St Thom as Programme	32
Ivydale Road	Peckham Rye	Extending existing double yellow lines 5m both sides	Perm	NPR	33
Park Hall Road	Dulwich Wood	Install double yellow lines for existing cycle lane	Perm	MTS	34
Falmouth Road	Chaucer	Install a mobility corral cycle racks	Perm	DHB	35
Heber Road	Goose Green	Time limited prohibition of motor vehicles to provide a school street	Exp	SS	36
Burcher Gale Grove	Peckham	Footway widening and additional waiting and loading restrictions	Exp	SS	37

**Table 1 – list of schemes**

**Scheme key**

MTS – Minor Traffic Scheme  
DHB – Devolved Highway  
MAQF - Mayors Air Quality Fund  
H2- Second of the half year funding  
LEI – Local Environment Improvements  
NPR – Non – Principal Road  
SS – School Streets

Perm – Permanent  
Exp – Experimental

**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
  - 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**

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 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 and CPZ schemes will be contained within Parking Revenue. School Streets will be contained within the School Streets fund.
17. The estimated costs for the batch of schemes detailed in Table 1 are:
  - MTS schemes - £20,000

- DHB schemes – £38,500
- MAQF - £5,000
- H2 - £500
- Guys & St Thomas Programme - £2,000
- LEI - £45,000
- NPR - £750
- SS – £6,500

### **Legal implications (Permanent TMO)**

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. 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 (Permanent TMO)**

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 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:
  - a) publication of a proposal notice in a local newspaper (Southwark News)
  - b) display of notices in roads affected by the orders
  - c) consultation with statutory authorities
  - d) making available for public inspection any associated documents (eg. plans, draft orders, statement of reasons) via the council's website or by appointment at 160 Tooley Street, SE1
  - e) 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.

## **Legal Implications (Experimental TMO)**

30. An Experimental Traffic Management Order would be made under powers contained within the Road Traffic Regulation Act (RTRA) 1984 as amended.
31. Section 22 of the Local Authorities Traffic Order (Procedure) (England and Wales) Regulations 1996 states the requirements in the case of an experimental order.
32. 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 after a period of twelve to eighteen months.
33. Should any objections be received they must be properly considered in light of administrative law principles, Human Rights law and relevant statutory powers.
34. Following the experimental period, the proposal will then move forward in

accordance with paragraph 43 of this report with due consideration of the objections prior to final decision by the Cabinet Member.

### **Consultation (Experimental TMO)**

35. For the five schemes shown as being implemented as experimental in table 1, traffic orders will be made under experimental traffic order powers contained in section 9 of the Road Traffic Regulation Act 1984 (as amended). The procedures for making an experimental traffic order are defined by national Regulations which includes the consideration of any arising objections.
36. 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 notice of making in a local newspaper (Southwark News)
  - b) display of notices in roads affected by the orders
  - c) consultation with statutory authorities
  - d) making available for public inspection any associated documents (eg. plans, draft orders, statement of reasons) via the council's website or by appointment at 160 Tooley Street, SE1
  - e) representations can be made at any point during the trial period
37. Following publication of the notice of making, 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.
38. 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 at the end of the experimental period. 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**

39. If these items are approved by the Cabinet Member they will be progressed in line with the below, approximate timeline:
  - Statutory consultation as part of permanent traffic orders – Spring 2021
  - Implementation of schemes with permanent traffic orders – Summer 2021
  - Advertisement of experimental traffic orders – Early 2021
  - implementation of schemes with experimental traffic orders – Early 2021

### **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

#### **Strategic Director of Finance and Governance (EL20/067)**

40. This report requests approval from



the Cabinet Member for Leisure, Environment & Roads to implement a number of non-strategic traffic and highway improvement proposals as summarised in Table 1 of this report.

41. The strategic director of finance and governance notes that the estimated costs for these batch of improvements is £125k and there is sufficient funding from existing Highways capital and revenue budgets to fund these proposals.
42. Staffing and other costs connected with this recommendation to be contained with existing departmental revenue budgets.

### **Director of Law and Governance**

43. The Cabinet Member for Leisure, Environment & Roads 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.
44. Paragraphs 18 to 23 and 30 to 34 of the report set out the powers and statutory consultation procedure for permanent and experimental traffic schemes under the Road Traffic Regulation Act 1984 with regard to traffic management orders which are required to implement these improvements.
45. 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 law, human rights law and statutory powers as 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.
46. The Human Rights Act 1998 imposes a duty on the Council as a public authority to apply the European Convention on Human Rights; as a result the Council 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 the proposals is not anticipated to engage or breach the provisions of the Human Rights Act 1998.
47. 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 12 of the report informs that the proposals will have no disproportionate impact on

any particular age, disability, faith or religion and ethnicity and sexual orientation. Paragraph 14 of the report confirms that the recommendations support the council's equalities and human rights policies and promote social inclusion. The implementation of the proposals is not anticipated to have any detrimental impacts on a particular protected group under the Equality Act. The duty must be exercised by the decision maker and the Member needs to form this conclusion.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Movement Plan 2019	Southwark Council Environment and Leisure 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>	Katie Houselander (020 7525 2461)

## APPENDICES

No.	Title
<b>Appendices 1 to 37</b> (Appendix 25 and 28 were withdrawn prior to decision making)	Evidence base for each proposal

## AUDIT TRAIL

<b>Lead Officer</b>	Dale Foden, Head of Highways	
<b>Report Author</b>	Katie Houselander, Highways Technician	
<b>Version</b>	Final	
<b>Dated</b>	30 December 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>	<b>Yes</b>	<b>No</b>
<b>Date final report sent to Constitutional Team</b>	<b>21 January 2021</b>	