

<b>Item No.</b>	<b>Classification:</b> Open	<b>Date:</b> 17 September 2021	<b>Decision Taker:</b> Cabinet Member for Transport, Parks and Sport
<b>Report title:</b>		Determination of Objections - Brenchley Gardens 20mph Scheme	
<b>Ward(s) or groups affected:</b>		Peckham Rye	
<b>From:</b>		Head of Highways	

### **RECOMMENDATION(S)**

1. It is recommended that the Cabinet Member for Transport, Parks and Sport:
  - i. Considers the five representations as summarised in Table One received during statutory consultation relating to the proposal to introduce traffic calming measures on Brenchley Gardens. It should be noted that some representations provided more than one ground for objection.
  - ii. Consider and determine each objection and comment as per the table prepared by officers in Appendix A.
  - iii. Approve the amendments proposed by officers in response to the objections received as shown in in Appendix B.
  - iv. Instruct officers to write to each person who made representations to inform them of the council's decision.
  - v. Instruct officers to make the necessary Traffic Management Order.
  - vi. Instruct officers to proceed with installation of traffic calming measures as per the Individual Decision Making report agreed on 5 May 2020.

### **BACKGROUND INFORMATION**

2. This report makes recommendations for the determination of a number of objections that relate to traffic orders published regarding traffic calming measures on Brenchley Gardens 20mph scheme.
3. A total of five representations were received by email during the statutory consultation period, as shown in Table one. The grounds for representation included across this correspondence are summarised in Table One. Of the five representations, one was classed as 'neutral' or

supportive, the remainder as objections.

4. Part 3D, paragraph 23 of the Southwark Constitution sets out that determination of objections to traffic orders is reserved to the Cabinet Member for Transport, Parks and Sport.
5. The Cabinet Member for Environment, Transport and the Climate Emergency approved the Brenchley Gardens 20mph scheme for implementation, as shown in the draft outline design, subject to the necessary statutory procedures on 5 May 2020. The measures proposed included:
  - i. Removal of centre lines to encourage motorised vehicle users to drive with more caution.
  - ii. Removal of central traffic islands and replacement with raised tables for crossing.
  - iii. Footway buildout at the junction with Buckstone Close and Kelvington Road to encourage drivers to stop before turning.
  - iv. Improvements to the existing raised table at junction with Kelvington Road to encourage speed reduction.
  - v. Raising the level at the zebra crossing north of the entrance to Camberwell New Cemetery.
  - vi. Relocation of bus stops to discourage vehicles from overtaking buses.
6. Brenchley Gardens was highlighted as one of the fastest roads in the borough in a report commissioned in 2017. It was recommended as part of this report that traffic calming measures be implemented to reduce speeds on Brenchley Gardens.
7. In accordance with legislation the council advertised its intention to make traffic orders in respect of the introduction of the traffic calming measures, on 22 July 2021.
8. The consultation period ran for 21 days from 22 July 2021 until 12 August 2021.
9. Notice was given in the London Gazette, local press (Southwark News) and street notices were placed in the affected area.
10. Notice was also given by letter to all addresses along Brenchley Gardens.
11. Notice was given to the following statutory consultees: London Ambulance Service, London Fire Brigade, Metropolitan Police Service, TfL Buses, Freight Transport Association, and the Road Haulage

Association.

12. Notice was also given to non-statutory consultees including: Transport for London, Southwark Disablement Association, Southwark Disability Forum, Southwark Cyclists, Living Streets and London Travel Watch.
13. Full details of the proposal were also made available for inspection on the council's website or in person by appointment at 160 Tooley Street.

### **KEY ISSUES FOR CONSIDERATION**

14. A total of five pieces of correspondence were received as a result of the statutory consultation.
15. The objections and comments are outlined in Table One.
16. Each piece of correspondence received during statutory consultation was responded to with an acknowledgement email.

**Table One – Summary of Representations (Some respondents included more than one comment)**

Ref	Objection/concern
1.	Consultation not long enough. Disagreement with widening the pavements and putting in double yellow lines from Forest Hill Road to Buckstone Close.
2.	Another speed camera and more 20mph signs should be installed.
3.	The removal of the centre lines will be dangerous
4.	Raised road levels may not be ideal for coffins in transit to the cemetery
5.	Double yellow lines will need to be applied to the entrances of Brenchley Gardens Estate
6.	Objection to double yellow lines between Forest Hill Road to Buckstone Close
7.	Measures should be enhanced by EV charging facilities along Brenchley Gardens

17. This traffic calming scheme received support at the informal public consultation stage. Full details of which can be found in the consultation summary report (Appendix C).
18. The informal consultation undertaken in early 2020 prior to the publication of the proposals to implement this scheme, yielded an 11% response rate from the 195 addresses consulted, of which the majority who responded were in favour of all of the interventions proposed as part of this scheme. This consultation included a letter drop to all addresses on Brenchley Gardens plus a meeting with the Brenchley Gardens Tenants and Residents' Association. More details in Appendix C.
19. Officers propose to remove the proposals to relocate the bus stops

following feedback from Metropolitan Police Road Safety Engineering Unit.

### **Policy framework implications**

20. The proposals contained within this report are consistent with the Missions of the Movement Plan 2019, particularly:

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, equalities (including socio-economic) and health impacts**

#### **Community impact statement**

21. The implementation of any transport project creates a range of community impacts. All transport schemes aim to improve the safety and security of vulnerable groups and support economic development by improving the overall transport system and access to it.
22. The proposals are not considered to have a disproportionate effect on any particular community group.
23. The proposals support the council's equalities and human rights policies and promote social inclusion by:
- i. Improving road safety, in particular for vulnerable road users including pedestrians and cyclists, on the public highway.
  - ii. Improving existing shared use facilities by improving road surface, tactile paving, road markings, and signage.
  - iii. Improving existing pedestrian and cycle facilities by improving delineation, tactile paving, road marking, and signage.

#### **Equalities (including socio-economic) impact statement**

24. The proposals are not considered to have any adverse effect on socio-economic or health equalities

#### **Health impact statement**

25. The proposals support the council's mission to have zero people killed or injured on our streets by 2041 by introducing traffic calming.

## **Climate change implications**

26. The report has considered how the proposed measures impact on climate change. The measures support the aims of the council's Climate Change Strategy under Priority 2 – Active and Sustainable Travel. Key aims of the council's Climate Change Strategy include to 'reduce car journeys to a minimum by 2030' and to 'be a borough where the walking and cycling becomes the default way to get around'. Part of meeting the borough's ambition of net zero emissions by 2030 includes a reduction in vehicle km's travelled and a shift to active and public transport; road transport currently accounts for 15% of the borough's emissions. These measures strongly support that ambition by introducing traffic calming on Brenchley Gardens.
27. We will mitigate against the potential negative impact of construction works on the climate by ensuring our contractor uses electric vehicles where possible and a carbon calculator for material specifications.
28. A just and inclusive transition is at the heart of the council's emerging climate policy. These proposals prioritise the movement of people first and foremost, while retaining vehicle access for those who require it. In delivering a safer and more equitable highway network, the measures are in accordance with the council's approach to addressing the climate emergency.

## **Resource implications**

29. All resource implication will be contained within the existing Highways structure.

## **Financial implications**

30. There are additional finance implications associated with the implementation of these proposals. The original decision making report stated that a total of £150,000 was to be spent on this project. The final proposal, as shown in Appendix B, has been estimated at £731,000. This will be funded by Capital budgets. The additional financial implications are as a result of initial underestimation of the financial forecast plus the tendering of a new contract since the original estimation. Additional quotations have been sought to ensure value for money.

## **Consultation**

31. Statutory consultation has been carried out as detailed in paragraphs 8 to 14 of this report.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

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

32. The cabinet member for Transport, Parks and Sport is being asked to

approve the implementation of the Brenchley Gardens 20mph Scheme by authorising the steps set out in paragraph 1 of this report.

33. Part of the scheme requires a traffic management order. The process for implementing a traffic management order is set out within the Road Traffic Regulation Act 1984 and involves a statutory consultation. This report sets out the objections that have been received as part of the statutory consultation and asks for them to be considered and a decision made as to whether or not to proceed with the scheme. 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).
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.
35. The Human Rights Act 1998 imposed 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 planning purposes are Article 8 (respect for homes); Article 6 (natural justice) and Article 1 of the First Protocol (peaceful enjoyment of property).
36. This report confirms the Brenchley Gardens 20mph Scheme is not anticipated to have an adverse effect on the equalities and human rights of any individual or group.
37. Council Assembly on 14 July approved a change to the constitution to confirm that all decisions made by the council will consider the climate and equality (including socio-economic disadvantage and health inequality) consequences of taking that decision. This has been considered between paragraph [24] and [25] above.

### **Strategic Director of Finance and Governance (EL21/051)**

38. The report is requesting the Cabinet Member for Environment, Transport and the Climate Emergency approve a number of recommendations detailed in paragraph 1 of this Objection Report pertaining to the proposal to introduce traffic calming measures on Brenchley Gardens.
39. The strategic director of finance and governance notes that funding for these recommendations is to be met from the Environment and Leisure

capital programme for 20 mph zones and that there are sufficient resources available to fund this proposal.

40. Staffing and any other costs connected with these recommendations to be contained within existing departmental revenue and capital budgets.

### Other officers

41. The Policy and Research Officer (Climate Emergency) has reviewed and approved this report.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Movement Plan 2019	Southwark Council Environment and Leisure Highways 160 Tooley Street London SE1 2QH	Joanna Redshaw
<a href="http://modern.gov.southwark.gov.uk/ieDecisionDetails.aspx?ID=6809">http://modern.gov.southwark.gov.uk/ieDecisionDetails.aspx?ID=6809</a>		
Climate Change Strategy	Southwark Council Environment and Leisure Highways 160 Tooley Street London SE1 2QH	Chris Page
<a href="https://www.southwark.gov.uk/environment/climate-emergency?chapter=3">https://www.southwark.gov.uk/environment/climate-emergency?chapter=3</a>		

## APPENDICES

No.	Title
Appendix A	Summary of objections received and officers response
Appendix B	Final Designs
Appendix C	Consultation Summary Report
Appendix D	All Responses (Redacted)

## AUDIT TRAIL

<b>Lead Officer</b>	Dale Foden, Head of Highways	
<b>Report Author</b>	Joanna Redshaw, Principal Project Manager	
<b>Version</b>	Final	
<b>Dated</b>	25 August 2021	
<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 Govrnance	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Policy and Research Officer (Climate Emergency)	Yes	Yes
<b>Cabinet Member</b>	Yes	Yes
<b>Date final report sent to Constitutional Team</b>	16 September 2021	