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| Item No. | Classification: Open | Date: 31 December 2021 | Meeting Name: Cabinet Member for Transport, Parks and Sport |
| Report title: | | Determination of objections – Cycle Hangars 21/22 Batch 2 | |
| Ward(s) or groups affected: | | St Giles, Dulwich Hill | |
| From: | | Head of Highways | |

RECOMMENDATION(S)

1. It is recommended that the Cabinet Member for Transport, Parks and Sport
 - i. Consider the representations to the proposed cycle hangars, as set out in Table 1 and Appendices 1-3, received during statutory consultation and approve the officer's recommendations to rebut the objections relating to the proposals to introduce cycle hangars on Bushey Hill Road, Crofton Road and Cornflower Terrace.
 - ii. Instruct officers to write to the people who made a representation to inform them of the council's decision.
 - iii. Instruct officers to make the necessary Traffic Management Orders.
 - iv. Instruct officers to proceed with installation of the following proposals:

| Location | Ward(s) | Proposal | Appendix |
|--------------------|--------------|-------------------------|----------|
| Bushey Hill Road | St Giles | Install 1 cycle hangar | 001 |
| Crofton Road | St Giles | Install 2 cycle hangars | 002 |
| Cornflower Terrace | Dulwich Hill | Install 1 cycle hangar | 003 |

Table 1

BACKGROUND INFORMATION

2. This report makes recommendations for the determination of objections that relate to traffic orders concerning the proposals detailed in Table 1.
3. Seventeen representations were received via the online portal mapper or email during the statutory consultation period, which can be found in the

attached appendices.

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. Through delegated powers under the Councils constitution, the Head of Highways approved, on 14th September 2021;
 - i. “That the implementation of cycle hangars on the public highway be approved for implementation, subject to the outcome of any necessary statutory consultation and procedures”.
6. Ward members were consulted at the public consultation stage.
7. In accordance with legislation¹ the council advertised its intention to make traffic orders in respect of the introduction of traffic and highways improvements on 28th October 2021.
8. The consultation period ran for 21 days from 28^h October 2021 until 19th November 2021.
9. Notice was given in the London Gazette², local press (Southwark News) and street notices were placed in the affected areas.
10. 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.
11. Notice was also given to non-statutory consultees including: Transport for London, Southwark Disablement Association, Southwark Disability Forum, Southwark Cyclists, Living Streets, Lambeth Council and London Travel Watch.
12. 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

13. Twenty four pieces of correspondence were received as a result of the statutory consultation which included proposed cycle hangars at 36 other locations.
14. The objections are detailed in Appendices 1-3.
15. This correspondence was responded to with an acknowledgement email.

¹ The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996

² <https://www.thegazette.co.uk/notice/2750202>

Conclusions

16. The objectors were not willing to withdraw their objections, following an officer's response via email.
17. The Cabinet Member is being asked to consider and determine the objection received and instruct officers to continue with the proposals.

Policy implications

18. The recommendations 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 impact statement

19. 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.
20. With the exception of those benefits identified above, the recommendations are not considered to have a disproportionate effect on any particular community group.
21. The recommendations support the council's equalities and human rights policies and promote social inclusion by:
 - Offering secure cycle parking facilities for residents in line the Councils movement plan.

SOCIO-ECONOMIC AND HEALTH EQUALITIES

22. The proposal are not considered to have any adverse effect on socio-economic or health equalities. The proposals support the council's mission to encourage movement to benefit physical wellbeing and reduce traffic.

CLIMATE IMPACT STATEMENT

23. The report has considered how the proposed measures impact on climate change. We will mitigate against the potential negative impact of construction works on the climate by ensuring our contractor uses cargo bikes for routine inspections and small scale servicing. The hangars will also be manufactured on site at our Contractors depot in the London

Borough of Lewisham, which reduces the carbon footprint of the units.

24. This scheme links into the actions set out under 'Priority 2 – Active and Sustainable Travel' of the Climate Change Strategy, and by nature of building more cycle hangar infrastructure, the scheme is working to reduce carbon emissions by making it easier not to use petrol and diesel vehicles.
25. A just and inclusive transition is at the heart of the council's emerging climate policy. This proposal priorities the movement of people first and foremost, while retaining vehicle access for those who require it. In delivering a safe and secure cycle parking facilities, the measures are in accordance with the council's approach to addressing the climate emergency.

Resource implications

26. All costs arising from implementing the recommendations will be contained within the Highways Capital budget.
27. The cost of the improvements is estimated to be around £20,000.

Timescales

28. Subject to the objections being overturned, the cycle hangars are proposed to be implemented in February 2022.
29. Including the four hangars which are the subject of this report, this batch of cycle hangars will provide an additional 44 hangars taking the total on-street across the borough to 397 against the council plan target of 500 by end of March 2022. Two further batches are currently progressing through the TMO process which will provide for a further 123 hangars which, even allowing for any objections that are not rebutted, will ensure the council plan target is exceeded.

Consultation

30. Statutory consultation has been carried out as detailed in paragraphs 7 to 12 of this report.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Governance

31. The Cabinet Member for Transport, Parks and Sport is being asked to consider and determine the seventeen representations attached as appendices to this report and received during the statutory consultation period. The representation will be fully considered in light of administrative law principles of fairness, Human Rights law, relevant statutory powers, the officer's response and the outcome of the consultation.
32. Following the consideration and determination of the representation the Cabinet Member is asked to agree that the traffic order be made for the

proposals to be implemented.

33. 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 (peaceful enjoyment of property). The implementation of the proposals is not anticipated to engage or breach the provisions of the Human Rights Act 1998.
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 20 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 21 of the report confirms that the proposals support the council's equalities and human rights policies and promote social inclusion. The implementation of the proposals are not anticipated to have any detrimental impact on a particular protected group under the Equality Act. The decision make must exercise the duty and the members need to form this conclusion.

Strategic Director of Finance and Governance (EL21/101)

35. This report is requesting the Cabinet Member for Transport, Parks and Sport, to approve the implementation of four-cycle hangars as detailed in paragraph 1.
36. The strategic director of finance and governance notes that funding for these recommendations is to be met from the Highways Capital budget and that there are sufficient resources available to fund this proposal.
37. Staffing and any other costs connected with these recommendations are to be contained within existing departmental revenue resources.

BACKGROUND DOCUMENTS

| Background Papers | Held At | Contact |
|-------------------------|---|-----------------------------------|
| Movement Plan 2019 | Southwark Council Environment and Leisure Highways Transport Projects 160 Tooley Street London SE1 2QH Online: http://modern.gov.southwark.gov.uk/ieDecisionDetails.aspx?ID=6809 | George Mellish (020 7525 7903) |
| Climate Change Strategy | https://www.southwark.gov.uk/environment/climate-emergency?chapter=3 | Chris Page (020 7525 7259) |

APPENDICES

| No. | Title |
|------------|--|
| Appendix 1 | Bushey Hill Road objections and proposal drawing |
| Appendix 2 | Crofton Road objection and proposal drawing |
| Appendix 3 | Cornflower Terrace objections and proposal drawing |

AUDIT TRAIL

| | | |
|---|--|--------------------------|
| Lead Officer | Dale Foden – Head of Highways | |
| Report Author | George Mellish - Transport Projects Engineer | |
| Version | Final | |
| Dated | 02/12/21 | |
| Key Decision? | No | |
| CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER | | |
| Officer Title | Comments Sought | Comments Included |
| Law and Governance | Yes | Yes |
| Strategic Director of Finance and Governance | Yes | Yes |
| Sustainability and Business Development | Yes | Yes |
| Cabinet Member | Yes | No |
| Date final report sent to Constitutional Team | 30 December 2021 | |