

Item No.	Classification: Open	Date: 20 January 2022	Decision Taker: Cabinet Member for Transport, Parks and Sport
Report title:		Decision on outcome of Liverpool Grove public realm improvements	
Ward(s) or groups affected:		Faraday	
From:		Head of Highways	

RECOMMENDATION(S)

1. The Cabinet Member for Transport, Parks and Sport approves the implementation of the public realm proposal (Appendix A) on Liverpool Grove (north-west) subject to statutory requirements.
2. The Cabinet Member for Transport, Parks and Sport considers the outcome of the public consultation (Appendix B).
3. The Cabinet Member for Transport, Parks and Sport instructs officers to proceed to detailed design and statutory process.

BACKGROUND INFORMATION

4. The proposal for public realm improvements on Liverpool Grove to create a 'pocket park' was a flagship scheme included within the Mayor's Air Quality bid for the Walworth Low Emission Neighbourhood (LEN). Southwark Council was successful in receiving this funding and this scheme was a key deliverable in the funding agreement.
5. Liverpool Grove was selected as an area in Walworth that would benefit from public realm improvements for the following reasons:
 - Potential to complement local heritage, particularly St Peter's Church, a Grade 1 listed building.
 - The street was already closed to through-traffic offering greater potential to repurpose the street space environment to support active travel, improve air quality and climate resilience. The space between Walworth Road and the church was primarily used for parking and access to the church and some residential properties.
 - Proximity to local business on Walworth Road and opportunity to enhance and support local economy by providing more space to the businesses.

6. To ascertain local opinion on the proposal for public realm improvements there were three phases of engagement and consultation carried out. Each phase informed the next design stage; see Appendix C for how the design evolved following engagement. The previous phases are outlined below:

7. **Phase 1 – Initial engagement and scoping, November 2020**

This phase sought to understand key pre-existing issues and local priorities when considering public realm improvements. This survey was carried out via Commonplace where people could use geographical location mapping to make their comments. The key issues/priorities raised were:

- Pedestrian safety improvements are needed in this area
- Space can be better utilised for greening and planting
- Wider and improved pavements
- Enhance heritage features of the area
- Ensure parking loss is minimised for residents

The outcome of this engagement phase was used in the development of scoping designs as an initial proposal for the public realm improvements on Liverpool Grove, see Appendix C.

8. **Phase 2 – Consultation on initial proposals and outline design, April 2021**

This phase sought to gather local feedback regarding the scoping designs. The public were presented with three visualisations and a high-level map showing the initial proposal for the public realm improvements. This survey was carried out online via Southwark's Consultation Hub, and a paper survey was sent to all households on Liverpool Grove. Two virtual meetings were also carried out. This survey yielded a high response rate, although a large proportion for outside Liverpool Grove, and showed overall support for public realm improvements. A summary is provided below:

- 86% agreed the proposal would make Liverpool Grove a more pleasant and attractive place
- 81% agreed the proposal would make Liverpool Grove cleaner, greener and safer
- 85% agreed the proposal would enhance the view of St Peter's Church
- 77% agreed the proposal would support local businesses
- 79% agreed the proposal would make walking and cycling safer
- 76% agreed the proposal would benefit local residents
- 65% agreed with the parking changes to accommodate the proposal
- 78% agreed with the changed vehicle access via Portland Street.

Suggested improvements to the proposals:

- Ensuring proposals do not attract anti-social behavior, consider lighting, CCTV and seating arrangements
- Consider impact of parking displacement on nearby streets
- Maintaining access for emergency services, and vehicle access for Malvern House
- Prioritising pedestrian safety
- Better alignment of the plan to complement the view of St Peter's Church
- Supporting local business requirements such as loading
- Minimise parking loss for residents.

Officers also engaged with the 'Designing out crime' team at the Metropolitan Police and Historic England to seek additional advice on the design proposals.

The scoping designs were updated to outline design proposals and considered some of the key improvements and issues highlighted at this phase of engagement.

KEY ISSUES FOR CONSIDERATION

9. A number of key changes were made to the outline design based on the outcome of the phase 2 engagement. The changes are as follows:

- Planters introduced at Liverpool Grove junction of Walworth Road to create gateway feature to improve compliance and visual priority for pedestrians.
- Loading bay introduced with exemptions provided for nearby businesses to use.
- Introduced a linear design with conical trees to complement view of St Peter's Church.
- Pavement pattern to visually deter speeding and prioritise safety of pedestrians.
- Low-level planting and improved lighting to help deter anti-social behavior
- Retain parking outside St Peter's Church for residents only.

10. **Restricted access:**

- Initially in the scoping designs it was intended to introduce lockable bollards on Liverpool Grove between Walworth Road and near to the entrance at St Peter's Church.
- However, following engagement with emergency services, businesses and local residents the design has changed to a 'no motor vehicle prohibition order' enforced with an ANPR (Automatic Number Plate Recognition) camera.
- This change will allow exemptions to be provided for businesses

and local residents who require occasional access e.g. when moving home and unfettered access for the emergency services.

Public consultation (Phase 3), November 2021

11. Following Phase 1 and 2 engagement and consultation exercises, a third phase of engagement between 1st - 28th November 2021 was carried out. This phase of engagement sought to understand whether local people supported revised proposals and if they felt they achieved key objectives and to ascertain whether there was now greater support considering the updates and changes made to the outline design proposals.
12. The outline design proposals were shown to the public via a map, which showed where changes had been made.
13. Many of the respondents from the Phase 2 engagement did not live on Liverpool Grove or local streets, therefore there was a greater emphasis during this Phase 3 engagement to yield a good response rate from residents on Liverpool Grove and from local streets. To ensure this the following engagement activities were carried out:
 - Door-knocking to carry out surveys
 - Outdoor publicity material located on Liverpool Grove
 - A pop-up session outside St Peter’s CofE primary school
 - An in-person meeting held at The Crypt at St Peter’s Church in addition to a virtual meeting.
14. Additionally, a survey booklet was sent to all households on Liverpool Grove, with the option of an online survey via the consultation hub.
15. Residents on Liverpool Grove previously made up 22% of the respondents of the Phase 2 consultation. This has now increased to 46% in Phase 3, and 63% when including the surrounding streets. This implies Phase 3 results present a hyper-local representation of opinion towards the public realm improvements.
16. Summary of key findings:

Objective <i>Does the proposal achieve the following...</i>	Support/Agree		Disagree	
	Grand total	Liverpool Grove residents	Grand total	Liverpool Grove residents
A more attractive and pleasant place to enjoy.	79%	63%	11%	20%
Greener, safer and quieter.	71%	50%	19%	33%
St Peter’s Church will be enhanced.	83%	70%	13%	23%

New environment will support local business.	65%	50%	18%	33%
Make walking safer.	71%	59%	15%	26%
Will benefit local residents.	67%	53%	20%	38%

- a. There was agreement in all cases that the proposals achieve the objectives – this is true also for residents of Liverpool Grove itself, though the margin of approval was much lower.
- b. There was also a free text element to this question, where people could describe their reasons for not agreeing. The top 5 themes are shown below:
- Anti-social behavior could increase
 - Bad for some local businesses
 - Loss of parking is bad
 - CCTV needed
 - Need to stop mopeds passing through

	Support		Disagree	
	Grand Total	Liverpool Grove residents	Grand Total	Liverpool Grove residents
Do you support the parking changes and change to motor vehicle access to accommodate the improvement to Liverpool Grove?	57%	38%	30%	48%

- c. Overall, there was support for the parking and access changes in the proposals, however, there is a lack of support to parking changes from residents on Liverpool Grove itself.
- d. Support for the access and parking changes included in the proposals was higher for people who do not own cars, and those who own one or more bicycles.
- e. There was also a free text element to this question, where people could provide further comment. The top 5 themes are shown below:
- Not enough parking for residents
 - Congested turning circle at east end of Liverpool Grove
 - Creates congestion on back streets

- Need to discourage car use more
 - Will cause parking displacement
- f. Liverpool Grove is part of controlled parking zone M2. Parking demand data for 2020 shows there is spare capacity, and compared to 2019 there is 4% drop in capacity. Less than a third of properties have a resident permit

Occupancy table –zone M2	# of Properties in CPZ	Visitors Permits +	Permit Bays	% full	% of Properties with Permit a
2019	5461	915	1131	81%	17%
2020	5461	867	1131	77%	21%

- g. Response from equalities question showed a varied response from different demographics, however, the majority of respondents being from White British ethnicity, male, with no disability. A number of surveys were carried out via door-knocking or at the pop-up session to improve representation from the local area.
- h. The detailed consultation report can be found at Appendix B.
17. Officers have engaged with two local businesses adjacent to Liverpool Grove; Louie Louie and A Class furniture. Louie Louie supports the proposals as it provides more space for customers and opportunity to expand retail space, but highlighted some concerns with access for refuse collection. A Class furniture highlighted concerns with loading for its customers and currently considers the outline design proposal for exemptions to the 'No Motor' vehicle prohibition to allow access for loading as unworkable. The exemption will also allow for refuse collection.
18. Officers have engaged with St Peter's Church who are supportive of proposals, and asked officers to take in to consideration turning for the varied vehicles who require access e.g. for funerals and weddings.
19. The recommendations outlined in paragraphs 1 to 3 are proposed as a result of the following:
- Overall, there is support for the public realm improvements as the majority of respondents agree that the outline design proposals achieve the scheme objectives.
 - Although less support is provided from Liverpool Grove residents, and a majority opposition towards removing parking and access changes, the proposal is reflective of the key actions in the Movement Plan, 2019 and Climate Strategy 2021, to encourage active travel and reduce private car use. In addition, there is capacity for parking in zone M2 and parking demand seems to be falling in this area.

- Those who do not own a car are supportive of the proposals, and statistically car ownership is low in the Walworth area.
- The scheme is a key deliverable as part of the Walworth Low Emission's Neighbourhood scheme and Mayor's Air Quality funding award.
- The outline design proposals have been updated to reflect some of the concerns highlighted in the consultation, see design response at Appendix D. Changes have been included in the proposal found at Appendix A. A summary of how these changes tackle some of the key concerns is outlined below:

Concern/Issue	Design mitigation
Potential to increase anti-social behaviour	<ul style="list-style-type: none"> - Clear sight lines by providing open spaces - Benches separated to prevent larger groups - Constant luminosity at night through street lighting design - CCTV and increase of footfall will result in more passive surveillance - Low-level and low-density planting to prevent being used as hiding places
Bad for local business; difficulty loading, customer parking	<ul style="list-style-type: none"> - Loading bay provided within scheme extent offering exemptions to local businesses for loading - The introduction of an additional loading bay will be investigated on Cadiz Street, near to Liverpool Grove - Reducing parking and encouraging active travel particularly to local high streets adheres with Southwark Council policy. - Opportunity for customers using Liverpool Grove/Walworth Road to stop and rest by offering additional seating thus more likely to spend money at the local cafes and shops
Safety concerns due to motorbikes, e-scooters, and possibly cyclists abusing the space or speeding	<ul style="list-style-type: none"> - Porphyry setts at an upstand will act as a deterrent by making journeying through the space at speed unpleasant - Penalty Charge Notices will be issued to motorbikes as a result of camera-enforcement - Pedestrian focused design meaning it will be less inviting to use for other street users
Parking loss/displacement	<ul style="list-style-type: none"> - Adequate parking capacity exist within the M2 parking zone - A review of the current parking arrangement on the entirety of Liverpool Grove and nearby streets will be undertaken to seek opportunities to improve capacity for resident parking

Driver confusion	- Clear and effective signage strategy with sufficient advance warning
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Policy framework implications

20. The recommendations contained within this report are consistent with the following policy documents:

- Movement Plan, 2019, London Borough of Southwark. Particularly in regards to the following missions:
 - M2 Action 1 - Reduce noise pollution
 - M2 Action 2 - Create simple and clear streets
 - M2 Action 3 - Create things to see and do in our streets
 - M3 Action 4 - Deliver infrastructure to support active travel
 - M4 Action 7 - Reduce the number of cars owned in the borough
 - M4 Action 8 - Use kerbside efficiently and promote less polluting vehicles
 - M4 Action 9 - Manage traffic to reduce the demand on our streets
 - M5 Action 10 - Create places that encourage a sense of belonging
 - M6 Action 12 - Movement to, within and from town centres is easy, safe and accessible for all
 - M6 Action 13 - Make town centres attractive, thriving and diverse places for people and businesses
 - M7 Action 15 – Reduce exposure to air pollution
 - M7 Action 17: Improve safety and sense of safety on our streets

- Climate Strategy, July 2021, London Borough of Southwark.

21. The scheme will continue to be monitored post-implementation to ascertain how the scheme is achieving the missions and aims set out in the above policy documents and changes will be recommended if required.

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

Community impact statement

22. 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.

23. An Equality Impact Assessment has been undertaken regarding the design, found at Appendix D, and the recommendations have been taken into consideration when devising the proposals outlined in Appendix A.
24. With the exception of those benefits and risks identified and designed out in Appendix D, the recommendations are not considered to have a disproportionate effect on any particular community group.
25. The recommendations support the council's equalities and human rights duties and promote social inclusion by:
 - Improving road safety, in particular for vulnerable road users including pedestrians and cyclists, on the public highway.
 - Improving existing shared use facilities by improving road surface, road markings, and signage.
 - Improving existing pedestrian and cycle facilities by improving surfaces, road markings, and signage.
 - Improving access for pedestrians and cyclists to local facilities.
 - Providing street furniture which accommodates the needs of certain demographic groups.

Equalities (including socio-economic) impact statement

26. The proposals are not considered to have any significant adverse effect on socio-economic equalities following the design considerations which aim to maintain business operations such as loading and increased pedestrian space vitalises the local economy.

Health impact statement

27. The proposals shown in Appendix A will positively impact on health inequalities and improves the poorer health that is already experienced by specific communities by encouraging active travel and improving local air quality.
28. The proposals support the council's mission to have zero people killed or injured on our streets by 2041 by introducing traffic reduction measures and creating safer crossings.

Climate change implications

29. The report has clearly considered 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.

30. 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.
31. The measures considers the use of additional planting, sustainable urban drainage or rain gardens on the highway and this is further in line with the Climate Change Strategy's Priority 3 – Thriving Natural Environment which include actions to 'create greener streets'.

Resource implications

32. There are no additional staffing implications as provision will be made from the Highways department to deliver the recommendations included in this report.

Legal implications

33. Traffic Management Orders would be made under powers contained within the Road Traffic Regulation Act (RTRA) 1984.
34. 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.
35. 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.
36. Should any objections be received they must be properly considered in light of administrative law principles, Human Rights law and relevant statutory powers.
37. 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.
38. 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

Financial implications

39. The estimated cost for the delivery of the recommendations contained in this proposal is circa £759,500.

Estimated Funding	£000's
Capital Funding	392
Mayors Air Quality Fund	250
Devolved Highways Budget	54
S106	41
CIL	22.5
Total	759.5

Consultation

40. Previous consultation exercises that have informed the recommendations are outlined in paragraph [7 to 8] and [11 to 18].
41. For the recommendations in paragraph 1, the implementation of changes to parking and prohibitions on the network requires the making of a traffic order. The procedures for making a traffic order are defined by Regulations, which include statutory consultation and the consideration of any arising objections.
42. 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 or by appointment at 160 Tooley Street, SE1
 - a 21 day consultation period during which time any person may comment upon or object to the proposed order

43. 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.
44. 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.

TIMESCALES

Project stage	Timescale
Detailed Design	January to March 2022
Statutory Consultation & Objection Report	April to May 2022 (Objection report to be carried out post-election)
Construction	July/August 2022

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Governance (MF)

45. Part 3D of the Council's Constitution provides that Individual Cabinet Members can '*decide to implement a traffic and highway improvement project subject to statutory consultation*' and the Cabinet Portfolios for 2021 to 2022 state that the Cabinet Member for Transport, Parks and Sport has responsibility, amongst other matters, for street scene and road safety, highways, parking and promoting equality and diversity in the public realm. The recommendations in this report are therefore appropriate for determination by the Cabinet Member for Transport, Parks and Sport.
46. As noted in paragraph 41 of the report, certain aspects of the public realm improvements, namely the creation of a loading bay and the proposed prohibition of motor vehicles, will involve traffic management orders and the legal process for obtaining these orders is described in detail in paragraphs 33 to 37.
47. The Council has a duty, pursuant to Section 149 of the Equality Act 2010, to have due regard in the exercise of its functions to eliminate discrimination, advance equality of opportunity and foster good relations between persons who share a relevant protected characteristic and persons who do not share it. Protected characteristics include age, disability, pregnancy and maternity. Appendix D to this report contains an Equality Impact Assessment design response which considers these particular protected characteristics in relation to the design of the proposals. Paragraph 23 of this report notes that the issues have been taken into consideration when devising the proposals outlined in Appendix A.

48. 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 and highways 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 public realm proposals which are the subject of this report are not anticipated to breach the provisions of the Human Rights Act 1998.

Strategic Director of Finance and Governance (EL21/119)

49. This report is requesting that the Cabinet Member for Transport, Parks and Sport, approve the recommendations detailed in paragraph 1 pertaining to the Liverpool Grove public realm improvements.
50. The strategic director of finance and governance notes that funding for these recommendations is to be met from Highways capital and revenue budgets, Mayors Air Quality Fund, S106 and CIL and that there are sufficient resources available to fund these proposals.
51. 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 http://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=6809	Southwark Council Environment and Leisure Highways 160 Tooley Street London SE1 2QH	Sally Crew 020 7525 5564
Southwark’s Climate Strategy 2021 https://www.southwark.gov.uk/environment/climate-emergency?chapter=3	Southwark Council Environment and Leisure Highways 160 Tooley Street London SE1 2QH	Chris Page 020 7525 7259

APPENDICES

No.	Title
Appendix A	Liverpool Grove design proposal
Appendix B	Liverpool Grove Consultation Report (Phase 3)

Appendix C	Liverpool Grove previous designs
Appendix D	Consultation and Equalities design report

AUDIT TRAIL

Lead Officer	Dale Foden	
Report Author	Rachel Gates – Project Manager, Transport Projects Clement Agyei-Frempong – Principal Project Manager	
Version	V1	
Dated	06/01/2022	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Law and Governance	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Climate Change team	Yes	Yes
Cabinet Member	Yes	No
Date final report sent to Constitutional Team		18 January 2022