

Item No.	Classification: Open	Date: 17 February 2022	Decision Taker: Cabinet Member for Transport, Parks and Sport
Report title:		Determination of objections - Brunswick Park Streetspace	
Ward(s) or groups affected:		St Giles, Camberwell Green	
From:		Head of Highways	

RECOMMENDATION(S)

1. It is recommended that the Cabinet Member for Transport, Park and Sport:
 - i. Consider the 26 representations received during the statutory consultation period for the Guy's and St Thomas' Foundation Brunswick Park Streetspace Scheme. 25 responses were received via email, one was received through our online mapping system.
 - ii. Consider and determine each objection and comment as per the table prepared by officers in Appendix 1.
 - iii. Instruct officers to write to each person who made representations to inform them of the council's decision.
 - iv. Instruct officers to proceed with the current trial measures on a permanent basis as shown below:
 - Four traffic filters installed on Benhill Road, Havil Street, Elmington Road and Dalwood Street,
 - Two benches on Dalwood Street and Benhill road, and
 - A cycle crossing from Lidgate Road to Dalwood Street.
 - v. Instruct officers to make the necessary Traffic Management Order.

BACKGROUND INFORMATION

2. This report makes recommendations for the determination of a number of objections that relate to traffic orders published proposing to implement the existing trial road restrictions in the Brunswick Park area on a permanent basis.
3. A total of 26 representations were received by email during the statutory consultation period (9 December 2021 – 7 January 2022) as detailed in the table below. Nine were classed as objections, twelve were classed as supportive of the proposals, four were comments, enquiries, partial support or correspondence regarding this proposal and one was an FOI. We

received one supportive response after the deadline.

4. Under Part 3D, paragraph 23 of the council's 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, on 3 December 2021:
 - i. The implementation of the permanent traffic orders to support the current traffic measures:
 - Four traffic filters installed on Benhill Road, Havil Street, Elmington Road and Dalwood Street,
 - Three benches on Dalwood Street and Benhill Road, and
 - A cycle crossing from Lidgate Road to Dalwood Street.
6. The Equalities Impact Assessment highlighted areas to be considered in the next stage of design previously approved by the Cabinet Member. The following will be investigated:
 - i. Whether more seating can be provided
 - ii. Impact of displaced traffic to be further investigated
 - iii. If footways and crossings could be improved
 - iv. Whether further disabled parking bays could be installed
 - v. Whether Blue Badge exemption could be considered
 - vi. Whether more signage can be provided
 - vii. The possibilities of street lighting improvement to be investigated
7. The decision to propose the implementation of the current restriction on a permanent basis following public and ward member consultation.
8. In accordance with legislation ¹the council advertised its intention to make traffic orders in respect of the implementation of the current measures on a permanent basis on 9 December 2021.
9. The consultation period ran for 21 (+7 day to account for the Christmas and New Year period) days from 9 December 2021 – 7 January 2022.
10. Notice was given in the London Gazette, local press (Southwark News) and street notices were placed in the affected area. A letter was also sent to every address within the zone.
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.

¹ [The Local Authorities' Traffic Orders \(Procedure\) \(England and Wales\) Regulations 1996](#)

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 26 pieces of correspondence were received as a result of the statutory consultation.
15. During the statutory consultation period of the Traffic Order (TMO2122-030_Brunswick Park Streetspace), nine of the responses were objections to the scheme, twelve were in support, four were comments or partially in support and one was an FOI. One objection was received with no grounds. Please refer to Appendix 1 for full details of responses received. Individual responses provide more than one reason for objections, please see below summary of objections.

Reasons of Objections	Number
Increased traffic Congestion in surrounding streets/areas	5
No through route for the emergency services and increase the service time to get to the hospital	2
Traffic displacement	4
Difficult to access GP and get prescriptions	1
Increase air pollution in surrounding streets/areas	6
Taking longer to get in/get out of the area	4
Potentially increase crime	2
Unsafe for women	1
No consultation or discussion before implementation of road restrictions	1
Restrictions make parking difficult	1
Enough open space, quiet streets and parks for all to relax and play	1
Speeding mopeds, motorbikes and standing scooters	1
No concrete evidence to prove the changes have improved the wellbeing of all residents	1
Dangerous to walk through at night	1
Vandalism attempts on traffic filters that waste of council tax	1

Summary of comments below:

Comments	Number
Concern about the volume of traffic and traffic displacement in surrounding streets	1
Do not know what baseline measurements were taken, or what has been assessed	1
Not enough turning space for vans/lorries to make the turn when drivers went down to the closure. This put pedestrian in danger	1
Replace physical barrier to camera enforcement to allow easy access for emergency services	1
The illegal use by motorbikes as a cut-through on Sansom Street has increased	1
Concerns about the increased illegal use of Harvey Road/Sansom Street to Mary Datchelor and the dangerous Edmund/New Church Road junction for cyclists	1

16. Each piece of correspondence received during statutory consultation was responded to with an acknowledgement email/letter.
17. It should be noted that some responses contained more than one reason for objection.
18. In the responses that were supportive of the scheme, the main comments included: improvements to local air quality, decreased noise pollution, the filters make the street safer and improve safety for children.
19. Many of the objections stated that the restrictions caused problems for the emergency services, increased air pollution due to the longer commute time. As stated, we have regular communication with the emergency services, any issues that they may have encountered has been promptly addressed by the council. This project is partnered with Impact on Urban Health (IoUH), part of Guys and St Thomas Foundation. The aims of IoUH schemes, were to encourage walking and cycling and enable people to make short journeys on foot or by cycle safely where possible. According to the monitoring data, there has been an increase in the amount of cycle and pedestrian movements in the Brunswick Park area, plus a reduction in speed, which reduces the risk of collisions between cyclists, pedestrians and motor vehicles. Officers recommend keeping the current restrictions, but to make some changes based on the consultation surveys. The council would like to encourage active travel and reduce the use of cars in central London. Also, the IoUH would like to reduce the health inequality and childhood obesity in the Brunswick Park area. We will conduct a review of the changes six to twelve months following implementation to ensure that the restrictions are working well and make any minor changes needed.
20. Officers will work to ensure the signage is clearer for pedestrians and drivers in Brunswick Park area without unnecessarily cluttering the street.

Table One – Summary of responses

Total email responses with duplicates removed	25
Total mapper responses with duplicates removed	1
Total	26

Table Two – Summary of support

Response	Email	Mapper	Post	Total	Percentage
Comment	4	0	0	4	15%
Object	8	1	0	9	35%
Support	12	0	0	12	46%
FOI	1	0	0	1	4%
Grand Total	25	1	0	26	100%

Policy framework implications

21. The recommendations contained within this report are consistent with the missions of the Movement Plan 2019 (approved by Cabinet in April 2019 detailed in background documents) 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 9 – Manage traffic to reduce the demand on our street
- M7 Action 16 – Reduced 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

22. The missions within the Movement Plan have been upheld in this report.
23. The recent change of Highways Code has come into force on 29 January 2022, the new rules gives priority to people walking and cycling in the Hierarchy of Road Users. The aim of Brunswick Park streetspace scheme is to prioritise the safety and comfort of people walking and cycling, and this supports the Hierarchy of Road Users under the revised Highway Code.
24. The recommendations are area based and therefore will have greatest effect upon those people living, working or traveling in the vicinity of the areas where the proposals are made.
25. The current restrictions will benefit the local community by providing more open and safer space for people to walk and cycle comfortably and safely.

26. There is a risk that new restrictions cause a displacement of traffic on to the peripheral network and have an adverse impact on road users and neighbouring properties. The proposal has no disproportionate impact on any particular age, disability, faith or religion and ethnicity and sexual orientation.
27. 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.

Equalities (including socio-economic) impact statement

28. The proposals are not considered to have any adverse effect on socio-economic or health equalities. Safety for pedestrians and in particular those with protected characteristics such as the elderly and disabled persons will be greatly assisted with clearer locations where parking is permitted and also see where it is safer to cross the road.

Health impact statement

29. The proposals support the council's mission to use the kerbside efficiently and promote less polluting vehicles, manage traffic to reduce demand on our streets and reduce exposure to air pollution by reducing the availability of parking for those commuting into Southwark.
30. Relevant public health and demographic indicators were used to select the project locations in this scheme, including deprivation, childhood obesity rates, air quality emissions around schools, ethnicity, social housing and access to green space. This location was selected because it is in one of the neighbourhoods that stood to benefit the most from changes to the street environment, had no planned highways interventions in development, had not recently seen an investment in the streets, and where residents had comments on the Southwark Streetspace commonplace page requesting changes.
31. This project area is located in some of our most deprived, ethnically diverse areas of the borough, with levels of social housing above 60%. Childhood obesity rates are high in these locations, with 36% of Year 6 children with obesity in Brunswick Park. Almost all of the schools within the project location are in an area that exceeds the UK legal limits of NO₂ and all schools are in areas that exceed the World Health Organisation's guidelines for NO₂, PM_{2.5} and PM₁₀^{Error! Bookmark not defined.} ²
32. The project location was also focused around schools, given that this population group is one of the most vulnerable to the health impacts of air pollution and many children in these neighbourhoods are living with obesity. Additionally, throughout the lifespan of this scheme, schools have remained

² <https://public.tableau.com/app/profile/impact.on.urban.health/viz/HealthyStreets/Obesitydash>

open for vulnerable children and have often been prioritized when removing lockdown restrictions, and so ensuring the street environments around schools support safe and sustainable travel has been a priority.

- 33.** At the April 2021 follow up, traffic volumes were reduced on streets inside the Brunswick Park area in particular on streets where traffic filters were added. This is a positive outcome that will contribute to a small reduction in local sources of air pollution on these streets in the long term; supporting low emission routes to local schools. Evidence indicates that air pollution has an impact on the health and lung development of children, increasing the risk of childhood and adult asthma³. Improving air quality around schools and along school routes is likely to have a positive impact on children's health.
- 34.** There has been an increase in traffic volumes, mainly on some streets adjacent to the Brunswick Park. This may be partly due to traffic displacement but is also likely influenced by rising levels of car use over the past year due to changes in travel behaviour as a result of the pandemic. It is important to note that the April 2021 data collection was only four months after the street measures were implemented, and so further monitoring has been collected to assess whether changes in traffic volumes have settled. If high traffic volumes persist on the boundary roads, it will be important that additional measures are implemented to address this in order to have a bigger positive impact on local air pollution emissions across the area.
- 35.** Project locations are now covered by the Ultra Low Emission Zone (ULEZ), which expanded on Monday 25th October 2021. To date, the Central London ULEZ had contributed to a significant reduction in NO₂ emissions from road traffic⁴. It is anticipated that the expansion will lead to large reductions in NO₂ on streets in Southwark, including streets in the IoUH project locations. Modelling suggests this could avoid almost 300,000 cases of air quality related diseases by 2050⁵. Whilst we should still endeavor to reduce traffic on streets adjacent to the project areas in order to reduce particulate matter, the ULEZ expansions means that rising NO₂ emissions are less of a concern to public health.
- 36.** There has been an increase in levels of walking on streets across this project area, with the largest increase seen in the Brunswick Park project area. Cycling levels have also increased within the Brunswick Park location. Active travel is an effective way to integrate physical activity into daily routines, and just 20 minutes of physical activity per day can reduce the risk of several health conditions⁶. Walking is a low cost mode of active travel, particularly accessible for those on low incomes who may be unable to afford a bike. It is important to note that it usually takes some time for active travel behaviours to develop as a result of street interventions. Further monitoring undertaken in October 2021 will be a useful indication of the longer-term impact on active travel levels in these areas. We have been monitoring the

³ Southwark Council. 2017. Air Quality and Health JSNA.

⁴ <https://tfl.gov.uk/modes/driving/ultra-low-emission-zone/ulez-expansion>

⁵ <https://urbanhealth.org.uk/insights/opinion/ulez-expansion>

⁶ Southwark Council. 2017. Active Travel JSNA.

scheme since November 2020. We have currently collected three batches of data on November 2020 (baseline data), April 2021 and October 2021. In October 2021. Cycling levels were up +8.3% on weekdays and +8.9% at the weekend. On weekdays, all sites apart from Elmington Road, east of Brisbane Street, recorded an increase in cycling, with at least a 20% increase in cycling levels at other sites compared to November 2020. The overall increase of 8.3% was accounted for by just 23 additional cycle movements. The trend was mirrored at weekends, and the overall increase was made up of 19 movements. This is the change we have seen after a year compared to before the street measures were implemented.

37. In this project area, more people are spending more time 'dwelling' in the streets, likely encouraged by the creation of low traffic public space and the provision of seating. Traffic reduction is an essential element of creating safe and welcoming street environments that act as public spaces, with places for people to sit and spend time in their local community. This has the potential to have a positive impact on social and mental wellbeing, by creating connected and cohesive communities.
38. Due to the targeted selection of this project location, the health benefits cited are likely to, in the long term, contribute to Southwark Council's mission to reduce health inequalities within the borough.

Climate change implications

39. 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 making driving a private vehicle the least convenient option and encourages walking and cycling where possible.
40. Data will be collected to monitor the progression of the ongoing development of the scheme. We will consider the use of additional planting, sustainable urban drainage or rain gardens on the highway to ensure the scheme is further in line with the Climate Change Strategy's Priority 3 – Thriving Natural Environment which include actions to 'create greener streets'. We will mitigate against the potential negative impact of construction works on the climate by asking our contractor to use electric vehicles where possible and a carbon calculator for material specifications.
41. 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.

42. The aim of this scheme is to encourage people to walk and cycle comfortably and ensure people are confident to make short journeys on foot or by cycle. The underlying objective of this project is to reduce health inequalities and support children's independent movement. By introducing the traffic filters, people in particular vulnerable people, who use the streets are able to walk and cycle safely. According to the consultation feedback, people agreed that they walked or cycled to the local shops more often than before and some respondents also commented that the traffic filters created safe routes for walking and cycling. Based on the monitoring data, it shows that the traffic volumes in inner streets within the project areas were lower in April 2021 compared to November 2020.

Resource implications

43. All resource implications will be contained within the existing Highways structure.

Legal implications

44. Traffic Management Orders would be made under powers contained with the Road Traffic Regulation Act (RTRA) 1984.
45. Should the recommendations be approved the council will give notice of its intention to make a Traffic Management Order in accordance with the Local Authorities Traffic Order (Procedure) (England and Wales Regulations 1996) ("the 1996 Regulations").
46. A Traffic Management Order must be made within two years of the date the notice of proposals relating to the order is first published.
47. The Council shall, within 14 days of making the Traffic Management Order, publish in the London Gazette and a newspaper circulating in the area in which any road or place to which the order relates is situated, a notice:
 - (i) stating that the order has been made; and
 - (ii) containing the particulars specified in Parts I and III of Schedule 1 of the 1996 Regulations
48. A Traffic Management Order shall only come into force once the Council has published the notice, referred to in paragraph 45 above, which confirms the notice has been made.
49. Within 14 days of making an order, the Council will need to notify the making of the order in writing to any person who has objected to the order and has not withdrawn the objection and, where the objection has not been wholly acceded to, shall include in that notification the reasons for the decision.

50. The Council shall take such other steps of the kinds referred to in Regulation 7(1)(c) of the 1996 Regulations as it considers appropriate for the purpose of ensuring that adequate publicity is given to the making of the order.
51. As soon as practicable after an order has been made, the Council shall ensure a copy of the order as actually made is available for inspection at the Council's offices.

Financial implications

52. A total investment of £250,000 has been allocated by IoUH to deliver the scheme. £200,000 has been allocated for the construction of the project, with an additional £50,000 available for monitoring and public engagement. All costs will be paid for through the IoUH.

Consultation

53. Informal consultation has been carried out as detailed in paragraphs 6 to 11 of this report.
54. Informal consultation was also undertaken.

Timescales

55. Making of permanent traffic management orders – March 2022
Implementation of measures - March 2022
Monitoring – March 2022 to February 2023

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Governance SC 01/22

56. The Cabinet Member for Transport Parks and Sport is asked to consider and determine the 26 representations received following the statutory consultation for the Guy's and St Thomas' Foundation Brunswick Park Streetspace Scheme. If the Cabinet Member is minded to approve the recommendations, officers will notify each person who made representations of the Council's decision and will make the necessary Traffic Management Order in accordance with the procedure at paragraphs 42 – 49 of this report.
57. The objections received following statutory consultation must be considered in accordance with administrative law principles, Human Rights law and relevant statutory powers. The Cabinet Member has authority to determine the objections and consider whether to modify the proposal, accede to or reject the objection. The Council will subsequently need to notify all objectors of the final decision.

58. 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. It is noted at paragraph 26 of the report that officers have considered the Public Sector Equality Duty and have concluded that the proposals will have no detrimental impacts on a particular protected group under the Equality Act. A copy of the Equality Impact Assessment can be found annexed at Appendix 3 of this report.
59. 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 these proposals is not anticipated to breach any of the provisions of the Human Rights Act 1998.
60. Council Assembly on 14 July 2021 approved a change to the Council's 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 in the report at paragraphs 37-40, above.
61. Should the Cabinet Member be satisfied with the contents of this report then they have the power to make the decisions recommended at paragraph one by virtue of Part 3D paragraphs 22 and 23 of the Council Constitution.

Strategic Director of Finance and Governance (EL21/130)

62. This report requests approval from Cabinet Member for Transport, Parks and Sport for a number of recommendations pertaining to the Guy's and St Thomas's Charitable Trust Brunswick Park Streetspace Scheme .
63. The strategic director of finance and governance notes that funding for these projects are being met from targeted Guy's and St Thomas' Charitable Trust funding explained in paragraph 44 and there are sufficient resources available to fund these recommendations.
64. Staffing and any other costs connected with these recommendations to be contained within existing departmental revenue budgets.

Other officers

65. Comments received from the Climate Change team and Public Health Team

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Guys and St Thomas Hospital Streetspace Scheme Brunswick Park Streetspace Consultation Report	Southwark Council Transport Projects Highways 160 Tooley Street London SE1 2QH	Coco Mak (020 7525 5231)
https://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?Id=7484		
Movement Plan 2019	Southwark Council Environment and Leisure Highways 160 Tooley Street London SE1 2QH	Joanna Redshaw 020 7525 2665
http://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=6809		
Climate Change Strategy	Southwark Council Environment and Leisure Highways 160 Tooley Street London SE1 2QH	Chris Page 020 7525 7259
https://www.southwark.gov.uk/environment/climate-emergency?chapter=3		

APPENDICES

No.	Title
Appendix 1	Responses received from emails and map-based TMO system, Appyway redacted
Appendix 2	Officer Responses
Appendix 3	CAE Final EQIA Brunswick Park Report

AUDIT TRAIL

Lead Officer	Dale Foden – Head of Highways	
Report Author	Coco Mak –Project Manager	
Version	Final	
Dated	17/01/2022	
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
List other officers here: Comments were included by the Climate Change Team and Public Health Team	Yes	Yes
Cabinet Member	Yes	No
Date final report sent to Constitutional Team		16 February 2022