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| Item No. | Classification: Open | Date: 5 September 2022 | Decision Taker: Cabinet Member for Parks, Streets and Clean air |
| Report title: | | Dulwich and Walworth Streetspace: Cooks Road and Melbourne Grove (North and South) measures | |
| Ward(s) or groups affected: | | Newington & Goose Green | |
| From: | | Southwark – Head of Highways | |

RECOMMENDATION(S)

1. It is recommended that the Cabinet Member for Parks, Streets and Clean Air:
 - Retains the traffic filter at Cooks Road (junction with Otto Street) as an anytime motor vehicle prohibition using camera-enforcement with exemptions for emergency services, Southwark Blue Badge Holders, SEND vehicles, and Royal Mail.
 - Retains the traffic filters at Melbourne Grove North (junction with Grove Vale) and South (junction with Tell Grove) as anytime motor vehicle prohibitions using physical barriers.
 - Retains the parking changes on Melbourne Grove North.
 - Instructs officers under delegated powers to advertise a permanent traffic order(s) in respect of the above.

The above recommendations are subject to the statutory consultation process, should any unresolved objections be received during this period, a further report will be brought to the Cabinet Member for consideration.

BACKGROUND INFORMATION

2. As part of the Dulwich and Walworth Streetspace schemes, in 2020 a temporary traffic filter was introduced on Melbourne Grove North, Melbourne Grove South, and Cooks Road under experimental traffic orders to create a network of safe and healthy streets for walking and cycling by reducing through-traffic movements in the Walworth and Dulwich areas.
3. The traffic filters at Melbourne Grove North and South were reviewed from May to July 2021 as part of the wider Dulwich Streetspace review. The outcome of the review considered relocating the Melbourne Grove North traffic filter to the junction of East Dulwich Grove and modifying the Melbourne Grove South traffic filter to a camera-enforced timed restriction.

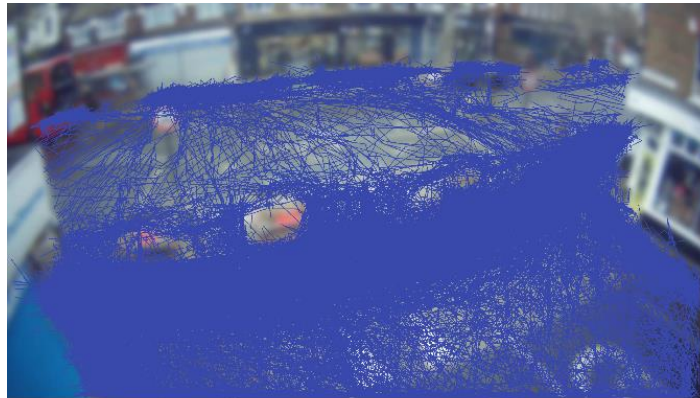
4. Following an assessment to relocate the Melbourne Grove North closure it was decided to retain the traffic filter in its current location on Grove Vale, due to safety reasons under a temporary traffic order, which expires on 23 June 2023. This temporary traffic order also included the parking changes that were made to complement the Melbourne Grove North closure.
5. A statutory consultation was undertaken on the recommendation to modify the Melbourne Grove South traffic filter to a camera-enforced timed restriction. However, a large amount of objections were received against this recommendation due to it not aligning with the policies contained in the Movement Plan, therefore, it was decided to retain the traffic filter in its current location under a temporary traffic order, which expires 23 June 2023.
6. The traffic filter at Cooks Road was reviewed between July – September 2021 as part of the Walworth Streetspace scheme. The outcome of the review proposed relocating the traffic filter to Dale Road, at the junction of John Ruskin Street. No changes were made until further engagement and monitoring could be carried out on this proposal. We did not proceed initially with this because of public and ward councillor concern regarding impact on access. Also there were concerns surrounding safety for cyclists and pedestrians and impact on local road network particularly Kennington Park Place and Kennington Park Road junction. Therefore, due to this the proposal was subject to further engagement and assessment before deciding on the next steps. The Cooks Road traffic filter remains in situ under an experimental traffic order which expires on 23 January 2023.

KEY ISSUES FOR CONSIDERATION

Melbourne Grove North

7. The outcome of the public consultation carried out from May to July 2021 showed that 65% of respondents from Melbourne Grove preferred to retain the traffic filter as it is, with a further 10% wishing to retain but modify and enhance the measure. In contrast, when considering overall responses from the whole consultation it showed 44% of respondents wanted the traffic filter to be removed.
8. Local business engagement highlighted concerns regarding how the traffic filter was impacting access for customers, and potential displacement on nearby streets such as Grove Vale.
9. A proposal to relocate the traffic filter to the junction of East Dulwich Grove took into consideration some concerns highlighted by businesses, however, following further assessment it was determined that the traffic filter in its current location is the preferred location due to the following:

- Active travel sensors located at the junction of Melbourne Grove and Grove Vale that track the movement of people in the space show high volumes of pedestrian activity at this junction.



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- Safeguards pedestrians and cyclists on Grove Vale from turning movements from motor vehicles into side roads. Creating a better walking experience along a road with high footfall which also forms a key walking and cycling link to East Dulwich Station.
 - Supports the high number of school pupils who cycle or walk to Charter School East Dulwich along Melbourne Grove North.
 - Retaining the closure in its current location will complement the other closures along Grove Vale and provide area wide benefits for walking and cycling
 - Monitoring has shown an increase in volume of cyclists of 64% (June 2022) on Melbourne Grove North since the introduction of the measures.
 - The current traffic filter is most suited due to it having a wider carriageway width, therefore allowing turning that does not impede on safety.
 - There was local support to retain the traffic filter at its current location.
10. The recommendation to permanently retain the traffic filter in its current location on Melbourne Grove North is proposed for the reasons set out in Paragraph 9. It is also recommended to retain the parking changes, see Appendix 1, which complement the traffic filter in its current location. The parking changes include:
- Suspending the use of 10m 'permit-holder' bays north-east side and 37m existing 'stop and shop' bays south-east side
 - Converting 10m of 'permit-holder' bays parking to 'shared-use' north-east side

- Introducing new 7.5m 'shared-use' bays south-east side and 2 new 'stop and shop' parking places (south-east side 10m and north-west side 15m)
- Relocating two disabled bays further South

The above parking changes have been designed to provide capacity to support local businesses whilst allowing space for safe turning at the location of the traffic filter.

11. No further informal consultation is proposed for retaining this traffic filter, however, officers propose that a letter is sent to all affected residents and stakeholders to inform them of the recommendation and statutory consultation process. A draft of this letter will be shared with Cabinet Member and Ward Councillors for comment prior to distribution.
12. A market trial will be taking place in Melbourne Grove from September to December 2022 and the traffic filter will help to complement the market trial. We will be working closely with the market team to ensure communication materials are coordinated where possible. The market team have also confirmed that during the market trial there will be one suspended pay-by-phone bay during market operational hours.
13. Subject to determination, permanently retaining the traffic filter will enable officers, under Cabinet Member instruction, to engage with local residents and stakeholders on designing new public realm features to enhance the streetspace.

Melbourne Grove South

14. The outcome of the public consultation carried out from May to July 2021 showed that 63% of respondents from Melbourne Grove and 56% from Tell Grove preferred to retain the traffic filter as it is, with a further 21% wishing to retain but modify and enhance the measure. In contrast, overall responses from the consultation showed 45% of respondents wanted the traffic filter to be returned.
15. The majority of comments from the public consultation related to traffic on East Dulwich Grove, and the perception that filtering Melbourne Grove has a knock-on effect here.
16. A recommendation to modify the traffic filter from an anytime motor vehicle prohibition to a camera-enforced timed restriction sought to mitigate concerns with traffic displacement on East Dulwich Grove.
17. During the statutory consultation 354 objections were received regarding the recommendation. Only 16 supported this proposal. One of the main grounds for objections was that such a proposal was not aligned with the missions set out in Southwark's Movement Plan and therefore against Council policy.

18. Additionally, maintaining the traffic filter as an anytime motor vehicle prohibition safeguards Melbourne Grove as a key walking and cycling route between Lordship Lane and Grove Vale which connects popular destinations such as schools, Teresa Jowell Health Centre, high streets and East Dulwich station. This supports the 28% increase in cycle volumes on Melbourne Grove South (June 2022).
19. Furthermore, monitoring from East Dulwich Grove Central carried out post-recommendation showed that traffic on this section of East Dulwich Grove is below pre-pandemic levels, in June 2022, this was 17% less. Although traffic levels at East Dulwich Grove junction with Lordship Lane are above pre-scheme levels, they have stabilised since September 2021. Further improvements are being explored to improve traffic movements, and active travel safe access at this junction
20. The recommendation to permanently retain the traffic filter in its current location on Melbourne Grove South is proposed for the reasons set out in Paragraphs 17 and 19. Therefore it is also recommended to retain the parking changes, see Appendix 2 which complement the traffic filter in its current location. The parking changes include
 - Extending lengths of any-time waiting restrictions.

The above parking changes have been designed to allow space for safe turning at the location of the traffic filter.

21. No further informal consultation is proposed for the retaining of this traffic filter, however, officers propose that a letter is sent to all affected residents and stakeholders to inform them of the recommendation and statutory consultation process. A draft of this letter will be shared with Cabinet Member and Ward Councillors for comment prior to distribution.
22. Subject to determination, permanently retaining the traffic filter will enable officers, under Cabinet Member instruction, to engage with local residents and stakeholders on designing new public realm features to enhance the streetspace.

Cooks Road

23. The outcome of the public consultation carried out from July to September 2021 showed that overall, respondents expressed a preference for the traffic filter to be removed. However, on Cooks Road itself responses were more evenly divided.
24. Some of the key issues highlighted were concerns for resident motor vehicles access and increased motor vehicle journey times.
25. A proposed recommendation to relocate the traffic filter to Dale Road was considered to improve access for residents to the A3, and to remove

access traffic from John Ruskin Street. This recommendation was subject to further engagement with the community and ward councillors.

26. Some further engagement activities were carried out in July 2022. Including a discussion with the ward councillors and two meetings with the community (one in-person and one virtual meeting). The outcome of the meetings was that there was a preference for the traffic filter to be retained at Cooks Road. At the meeting, residents expressed that they had become familiar with the traffic filter and were not supportive of any further change.
27. A benefit of retaining the traffic filter at Cooks Road is that access traffic is shared between Kennington Park Place and John Ruskin Street. Since September 2021, traffic levels on John Ruskin Street has stabilised, with John Ruskin Street East continuing to show a reduction in motor vehicles (-6% June 2022). This also means that Kennington Park Place remains as a safe route for walking and cycling due to the low levels of access traffic, which has supported the 119% increase in cycle volumes (June 2022). Another advantage to retaining the traffic filter is that it provides better access for motor vehicles South of Fleming Road to travel Eastbound.
28. Other concerns were raised in the community meetings such as the preference for a permit holder exemption scheme. This has been considered fully as requested at the meeting. Fundamentally it is deemed not viable due to it not aligning with or being consistent with our Movement Plan policy. In addition it would also be complex to determine the area of eligibility for any such exemption scheme for many reasons including the proximity of the borough boundary with Lambeth. The issues around accessibility and poor driver behavior can be addressed with specific interventions at key locations as identified by residents at the engagement meeting and work with colleagues from housing services that manage the public realm and parking on estates.
29. Other complementary measures will be considered to support resident access such as reviewing banned turns in the area, junction improvements at John Ruskin Street/Camberwell Road, operation of signals and parking reviews. These potential measures will be investigated and subject to engagement with Transport for London. Officers will also be liaising with parking and housing to improve safety and access around the Brandon Estate.
30. The recommendation to permanently retain the traffic filter in its current location on Cooks Road is proposed for the reasons set out in Paragraphs 26 and 27. It is also therefore, recommended to retain the parking changes, see Appendix 3, which complement the traffic filter in its current location. The parking changes include:
 - Extending lengths of any-time waiting restrictions.

The above parking changes have been designed to allow space for safe turning at the location of the traffic filter.

31. No further informal consultation is proposed for retaining of this traffic filter, however, officers propose that an e-newsletter is sent to all affected residents and stakeholders to inform them of the recommendation and statutory consultation process. A draft of this letter will be shared with Cabinet Member and Ward Councillors for comment prior to distribution.
32. Subject to determination, permanently retaining the traffic filter will enable officers, under Cabinet Member instruction, to engage with local residents and stakeholders on designing new public realm features to enhance the streetspace.

Programme

Cooks Road

33. Newsletter – Week commencing 12 September 2022
Statutory Consultation – 15 September 2022
Determination of Objections Report – 10 November 2022
Traffic Order making – 15 December 2022

Melbourne Grove North and Melbourne Grove South

34. Letter – Week commencing 12 September 2022
Statutory Consultation – 27 October 2022
Determination of Objections Report – 15 December 2022
Traffic Order making - 19 January 2023

Policy framework implications

35. The recommendations included in this report are consistent with the 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 11 - Introduce time restricted street closures and reallocate space for people

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

Community impact statement

36. 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.
37. There is a risk that, in the short term, congestion levels, queue lengths and journey times for motor vehicles could increase. However, improving bus, pedestrian and cycling infrastructure should also lead to a reduction in overall car use, mitigating those short term effects. Monitoring is ongoing to identify any risks to the surrounding road network.
38. The recommendations are not considered to have a disproportionate effect on any particular community group.

Equalities (including socio-economic) impact statement

39. The proposals are not considered to have any adverse effect on socio-economic or health equalities. Safety for those walking and cycling will be improved as part of the scheme. There has been various feedback from local businesses about the effect of loss of passing traffic and vehicular access to shops. However, this would potentially be offset by increased cycle traffic and pedestrian footfall. There is currently no quantitative data to support the reported feedback.

Health impact statement

40. The proposals support the Council's mission to have zero people killed or injured on our streets by 2041 by introducing traffic reduction measures.

This proposal provides physical and mental health benefits by reducing pollution and providing better and safer active travel routes for pedestrians and cyclists and providing space for people to meet and socialise.

Climate change implications

41. The measures support the aims of the Council's Climate Change Strategy under Priority 2 – Active and Sustainable Travel. The report highlights that retaining the various traffic filters in their current positions benefits safer pedestrian journeys, in particular to the local primary school and shops.
42. 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 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.

43. 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

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

Legal implications

45. To implement the recommendations, the Council will make traffic management order(s) under powers contained within the Road Traffic Regulation Act 1984 ("RTRA 1984").
46. Should the Cabinet Member approve the recommendations, the Council will give notice of its intention to make a traffic management order in accordance with the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996 ("1996 Regulations").
47. The 1996 Regulations also require the Council to consider any representations received as a result of publishing the draft order for a period of 21 days. Further detail about the procedure is included in the section on 'Consultation' in this report.
48. Any objections the Council receives must be properly considered in light of administrative law principles, Human Rights law and relevant statutory powers. The Cabinet Member has authority to determine statutory objections and a further report will be prepared should there be any unresolved objections.

Financial implications

49. The estimated cost for the delivery of the recommendations contained in this proposal is £56,000, and further detailed below.

Cooks Road:

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| Parking Revenue Budget | £ |
| TOTAL | 35,500 |

Melbourne Grove North and South:

| | |
|------------------------|---------------|
| Parking Revenue Budget | £ |
| TOTAL | 20,500 |

50. The estimated costs of the scheme will be contained within the Parking Services Revenue Account.
51. There are no additional budget or staffing requirements arising from the recommendations in this report.

Consultation

52. Statutory consultation for the permanent traffic management orders will be carried out as follows (as prescribed by the 1996 Regulations):
 - a) publication of a proposal notice in a local newspaper
 - b) publication of a proposal notice in the London Gazette
 - c) display of notices in roads affected by the orders
 - d) consultation with statutory authorities
 - e) making available for public inspection any associated documents (e.g. plans, draft orders, statement of reasons) via the Council's website or by appointment at 160 Tooley Street, SE1
 - f) a 21 day consultation period during which time any person may comment upon or object to the proposed order
53. Following publication of the notice, any person wishing to object must make their objection in writing within 21 days, clearly stating the grounds on which it is made and send to the address specified on the notice.
54. Should an objection be made that officers are unable to resolve so that it is not withdrawn, it will be reported to the Cabinet Member. 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.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Governance (AGG 08/22)

55. The Cabinet Member for Parks, Streets and Clean Air, is asked to approve the recommendations detailed in paragraph 1 in order to permanently retain traffic filters on Cooks Road, Melbourne Grove North and Melbourne Grove South.

Implementation of the proposals will require one or more traffic management orders made in accordance with the procedure prescribed by the RTRA and the 1996 Regulations. The Cabinet Member has the authority pursuant to paragraph 23, Part 3D of the Council's Constitution, to determine statutory objections to the proposals. In the event, there are any unresolved objections to the proposals following the statutory consultation then a further report will be prepared for the Cabinet Member's consideration.

56. 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. The public sector equality duty will need to be considered again following the statutory consultation process and in response to any statutory objections which might be received. Paragraphs [2] to [6] of the report detail the engagement which has taken place thus far to comply with the public sector equality duty.
57. 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 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.
58. 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 [22] to [27], above.
59. Should the Cabinet Member be satisfied with the contents of this report then they have the power to make the decisions recommended at paragraph 1 of this report by virtue of Part 3D paragraph 22 of the Council Constitution.

Strategic Director of Finance and Governance

60. This report requests approval from the Cabinet Member for Transport, Parks and Sport for a number of non-strategic recommendations detailed in paragraph 1 retaining traffic filters on Cooks Road and Melbourne Grove North and South.
61. The strategic director of finance and governance notes that the estimated costs for these recommendations are £56k and there are sufficient resources within the Highways capital budget to fund these proposals.
62. Staffing and other costs connected with this recommendation to be contained within existing departmental revenue budgets.

BACKGROUND DOCUMENTS

| Background Papers | Held At | Contact |
|---|---|------------|
| Movement Plan 2019 | Southwark Council Environment and Leisure Highways 160 Tooley Street London SE1 2QH | Dale Foden |
| http://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=6809 | | |
| Southwark's Climate Strategy 2021 | Southwark Council Environment and Leisure Highways 160 Tooley Street London SE1 2QH | Chris Page |
| https://www.southwark.gov.uk/environment/climate-emergency?chapter=3 | | |

APPENDICES

| No. | Title |
|------------|---|
| Appendix 1 | Melbourne Grove North permanent drawing |
| Appendix 2 | Melbourne Grove South permanent drawing |
| Appendix 3 | Cooks Road permanent drawing |

AUDIT TRAIL

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|---|---------------------------------|--------------------------|
| Lead Officer | Head of Highways – Dale Foden | |
| Report Author | Project Manager – Nazihah Begum | |
| Version | V1 | |
| Dated | 25 th August 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 | Yes | |
| Cabinet Member | Yes | Yes |
| Date final report sent to Constitutional Team | 2 September 2022 | |