

<b>Item No.</b>	<b>Classification:</b> Open	<b>Date:</b> 1 November 2022	<b>Decision Taker:</b> Cabinet Member for Leisure, Parks, Streets and Clean Air
<b>Report title:</b>		Implementation of trial of Bookable Loading Bays	
<b>Ward(s) or groups affected:</b>		Borough & Bankside and North Walworth	
<b>From:</b>		Head of Highways	

## RECOMMENDATION(S)

1. That the Cabinet Member for Leisure, Parks, Streets and Clean Air approves the proposals to introduce bookable loading bays in three locations in the borough for implementation through Experimental Traffic Management Orders (ETMOs) in order to assess the effectiveness of the proposal.

## BACKGROUND INFORMATION

2. Under Part 3D of the council's constitution, the Cabinet Member is responsible for:
  - the decision to implement a traffic and highway improvement project, subject to statutory consultation.

Under Part 3H, the relevant multi-ward forum shall be consulted on any non-strategic traffic and highways improvement.

3. The origins and reasons for the recommendations are discussed within the key issues section of this report and relevant appendices.

## KEY ISSUES FOR CONSIDERATION

4. In line with the council's constitution, the proposals in this report have been circulated to ward councillors to allow them to make comments on the proposals before a decision is made. No comments were received.
5. The proposal is to carry out a trial of a new type of loading facility that provides a bay that can only be used by vehicles that have pre-booked a time slot.
6. Road freight accounts for a large proportion of vehicles on the road, particularly in inner London.
7. The Bankside location allows an interaction with river freight. There is a significant potential to make use of river freight with possible further locations to be added dependent on the success of the trial.

8. Bookable bays have the benefit of ensuring a bay is available to avoid driving around looking for one reducing congestion and pollution.
9. If the trial is successful, the system may be used to influence the timing of road freight.
10. The use of bookable loading bays is the first step towards smart management of the highway, allowing the Council to adapt the highway environment throughout the day to best use the space depending on demand. In areas with limited space, narrow footways and high footfall loading bays could be blocked as out of use during busy periods to allow the space to be used as additional footway.
11. A further report on the outcome of this experimental proposal will be prepared setting out whether it has been successful and for the Cabinet Member to make a decision on any further use of this type of loading facility, and whether to make the proposal permanent.

### **Policy framework implications**

12. The recommendations contained within this report are consistent with the relevant policies of the Movement Plan 2019, particularly:
  - Action 2 – Create simple and clear streets
  - Action 8 – Use kerbside efficiently and promote less polluting vehicles
  - Action 9 – Manage traffic to reduce the demand on our streets
  - Action 12 – Movement to, within and from town centres is easy, safe and accessible for all
  - Action 13: Make town centres attractive, thriving and diverse places for people and businesses
  - Action 14: Reduce the impact of freight on our streets
  - Action 15 - Reduce exposure to air pollution
  - Action 20: Manage our streets to minimise disruption
13. The recommendation for Bankside will assist with the development of river freight on the Thames by providing a managed loading facility adjacent to one of the piers that interlink river freight vessels with sustainable last mile delivery modes. This is in line with the council's Climate Change Action Plan:
  - Action I.2.iii – Explore greater use of the Thames for freight and delivering into the borough, minimising impact of polluting vehicles on roads.
  - Action S.3.ii – Support businesses to switch to zero pollution delivery vehicles, working with them to shift more local deliveries to electric cargo bikes

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

### **Community impact statement**

14. The policies within the Movement Plan have been subject to an Equality Impact Assessment.
15. The recommendations are locally based and therefore will have greatest effect upon those people living, working or travelling in the vicinity of the areas where the proposals are made.
16. There is a risk that new restrictions may cause loading operations to be displaced and, indirectly, have an adverse impact upon road users and neighbouring properties at the locations proposed. However, this cannot be entirely predicted until the recommendations have been implemented and observed. The proposals will have no disproportionate impact on any particular age, gender, disability, faith, religion, ethnicity or sexual orientation.
17. With the exception of those identified above, the recommendations are not considered to have a disproportionate effect on any other community or group.

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

18. The proposals are not considered to have any adverse effect on socio-economic matters.
19. The proposals will allow businesses a greater degree of certainty around delivery of goods, by ensuring there is space available to make deliveries, and so help the Walworth Road area to thrive.

### **Health impact statement**

20. The proposals are not considered to have any adverse effect on health equalities.
21. The proposals will prevent delivery vehicles from having to circulate through the area to find a parking space and so reduce unnecessary emissions.
22. The system proposed will allow the management of road space so that loading areas can operate as footway space during busy times and so will make footways less crowded and walking easier.

### **Climate change implications**

23. This decision clearly supports the council's commitment to becoming carbon neutral by 2030. The loading dock at Bankside supports the consolidation of delivery journeys by using river freight. This will reduce the number of petrol/diesel vehicles on our roads, and increase use of more sustainable last mile operators, such as cargo bikes. All of the loading docks will maximise

space for walking and cycling during busy periods while still providing the loading space for businesses at quieter times. The report has taken into account the specific actions in our climate change action plan that it supports. Namely action I.2.iii (explore greater use of the Thames for freight and delivering into the borough, minimising impact of polluting vehicles on roads) and action S.3.ii (support businesses to switch to zero pollution delivery vehicles, working with them to shift more local deliveries to electric cargo bikes).

24. Where possible the trial should consider how to monitor the impact on emissions reduction, through quantifying the journey time saved and reduction in engines idling that would typically occur when waiting for a loading bay.
25. The report has considered how the proposed measures impact on climate change. The Council will mitigate against the potential negative impact of construction works on the climate by ensuring its contractor uses electric vehicles where possible and a carbon calculator for material specifications.
26. 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**

27. All costs to the council arising from implementing the recommendations will be fully contained within the existing business unit capital and revenue budgets.
28. The estimated costs for the Walworth Road proposal is £25,000. There will be no cost associated with the Bankside proposal.

### **Timescales**

29. If these items are approved by the Cabinet Member they will be progressed in line with the below, approximate timeline:
  - Notice of proposal – November 2022
  - Implementation – November/December 2022
  - Review of proposals and decision on whether to retain – October 2023

### **Legal implications**

30. ETMOs are made under sections 9 and 10 of the Road Traffic Regulation Act 1984 ("RTRA") as amended.
31. Regulation 22 of the Local Authorities Traffic Order (Procedure) (England and Wales) Regulations 1996 ("1996 Regulations") sets out the requirements for

making an experimental order. Experimental traffic orders cannot last for more than 18 months. The publication (regulation 7) and objection (regulation 8) requirements do not apply to experimental traffic orders although notice of the making of the order must be given by the Council and documents must be put on deposit for public inspection throughout the duration of the experiment.

32. The proposals detailed in this report are experimental and to be implemented as a trial. As such consultation and feedback will be considered during the period of the order and a decision made on whether the order is to be made permanent after a period of twelve to eighteen months.
33. Should any objections be received during the initial 6 months, they must be properly considered in light of administrative law principles, Human Rights law and relevant statutory powers.

### **Financial implications**

34. The estimated capital cost of the Walworth Rd infrastructure is £25,000. Any costs associated with the installation of the Walworth Road measures will be covered by the parking revenue budgets.
35. The proposal at Bankside has been put forward as a test site by Grid Smarter Cities working in partnership with Impact on Urban Health. All capital costs will be directly covered by Impact On Urban Health.
36. All revenue costs will be accommodated within the existing parking design revenue budget.

### **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

#### **Director of Law and Governance (AGG 09/2022)**

37. The Cabinet Member for Leisure, Parks, Streets and Clean Air is asked to approve the implementation of bookable loading bays. Implementation of the proposals will require one or more ETMOs made in accordance with the procedure prescribed by the RTRA and the 1996 Regulations.
38. Should the Cabinet Member be satisfied with the contents of this report then they have the authority to make the decision recommended at paragraph 1 pursuant to paragraph 22, Part 3D of the Council's Constitution.
39. 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 the proposals is not anticipated to engage or breach the provisions of the Human Rights Act 1998.

40. 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, sex, disability, pregnancy and maternity. Officers have considered the public sector equality duty as set out in paragraphs 14 to 22 of this report and have concluded that at this time the proposals will have no detrimental impacts on a particular protected group or on the equality of opportunity under the Equality Act 2010. Officers will continue to monitor the effect of the proposals in the event detrimental impacts to a protected group come to light at a later date.

41. 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 14 to 26 above.

**Strategic Director of Finance and Governance (EL22/064 )**

42. This report requests approval from the Cabinet Member for Leisure, Parks, Streets and Clean Air to implement bookable loading bays in three locations in the borough by way of ETMOs as described in paragraph 1 of this report.

43. The strategic director of finance and governance notes that the estimated capital costs to Southwark for these proposals is £25k with additional capital costs being covered by Impact On Urban Health. Revenue costs will be borne by the existing parking design revenue budget and there are sufficient resources within the specified budgets to fund these proposals.

44. Staffing and other costs connected with this recommendation to be contained with 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	Highways@southwark.gov.uk
<a href="http://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=6809">http://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=6809</a>		
Climate Change Strategy	Southwark Council Environment and Leisure	Chris Page (Chris.Page@southwark.gov.uk)

	160 Tooley Street Second Floor London SE1 2QH	
<a href="https://www.southwark.gov.uk/environment/climate-emergency?chapter=3">https://www.southwark.gov.uk/environment/climate-emergency?chapter=3</a>		

## APPENDICES

No.	Title
Appendix A	Layout Plan – Bankside
Appendix B	Layout Plan – Walworth Road

## AUDIT TRAIL

<b>Lead Officer</b>	Dale Foden – Head of Highways	
<b>Report Author</b>	Richard Wells – Group Manager	
<b>Version</b>	Final	
<b>Dated</b>	24/10/2022	
<b>Key Decision?</b>	Yes	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments Included</b>
Director of Law and Governance	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Climate Change Strategy	Yes	Yes
<b>Cabinet Member</b>	Yes	No
<b>Date final report sent to Constitutional Team</b>	1 November 2022	