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| Item No. | Classification: Open | Date: 17 November 2022 | Decision Taker: Cabinet Member for Leisure, Parks, Streets & Clean Air |
| Report title: | | Rye Lane Traffic Arrangement Consultation Review | |
| Ward(s) or groups affected: | | Rye Lane | |
| From: | | Head of Highways | |

RECOMMENDATIONS

That the Cabinet Member for Leisure, Parks, Streets & Clean Air:

1. Considers the 1,585 responses received in relation to the experimental traffic arrangement on Rye Lane and the recommendations made by highways officers regarding the future of the scheme based on the Consultation Report in Appendix 1 and Overview Monitoring Report in Appendix 2.
2. Instructs officers to make the traffic management orders required to make the two-way bus arrangement (Option A) on Rye Lane permanent and retain loading and unloading for other motor vehicles from 7-10am Mon-Sun.
3. Notes that a further report will be brought to the Cabinet Member should objections be received, that officers are unable to resolve, during the statutory consultation stage planned for the permanent traffic orders.
4. Recommends that once the bus arrangement has been formalised, further interventions are implemented based on other feedback received during the consultation. This will include a full review of the restrictions on all Rye Lane side roads. Specific areas to focus on are outlined in Appendix 1 and include consideration of safer cycling infrastructure, increased footway width to ensure pedestrian safety and potential additional space for retail and hospitality, review of side roads for increased public realm and disabled parking, and will support waste management and refuse collection. A further report will be brought should further interventions be proposed on Rye Lane.

BACKGROUND INFORMATION

5. This report makes recommendations for the traffic arrangement on Rye Lane following an experimental period trialing the reintroduction of buses two-way and loading and unloading for motor vehicles from 7-10am Mon-Sun.
6. Rye Lane was re-opened to buses in October 2021 following a closure period for social distancing during the Covid-19 pandemic. The closure also included

Rye Lane side roads.

7. The re-opening was enforced under an experimental traffic order. This report recommends how to proceed with the traffic arrangement on Rye Lane before the 18 month period elapses on 26 April 2023.
8. The council has been working with the community and key stakeholders, including Network Rail, TfL and the GLA, on a programme of investment around Peckham Rye Station. This includes the creation, by the council, of a new public square, better linking the station to Rye Lane; the restoration of the Grade II listed Victorian station building and proposals for a major upgrade to the station to improve accessibility and meet future capacity needs.
9. Planning permission was granted in 2016 for the creation of a vibrant new civic square in front of Peckham Rye station, surrounded by new business and community space, creating a high quality space for those arriving at Peckham town centre that community can be proud of. Work on the first phase of the project commenced in 2019 and is due to be completed later this year, delivering new retail, business, health and community space in a refurbished and extended building on the corner of Blenheim Grove / Rye Lane, allowing the relocation of businesses currently located in the dilapidated 1930s arcade in front of the station building. The second phase comprising demolition of the arcade and creation of the new civic square is anticipated to commence in Summer 2023 and is due for completion in late 2024.
10. In parallel to this, the council recently granted planning consent for a major upgrade of Peckham Rye Station, by Network Rail, who are already on site with restoration works to the Victorian station building. The proposed station upgrade will provide new lift access to all platforms from a generous ground floor concourse within the existing Victorian station building and new western station entrance, accessed via Blenheim Grove and Dovedale Court, as well as wider platforms and accessible toilets. Subject to full funding approval, the scheme will commence in 2024 and complete in 2025/26.
11. The plans for changes to the public highway set out in this report have taken the above projects into account.

KEY ISSUES FOR CONSIDERATION

12. Public consultation regarding the traffic arrangement on Rye Lane between 18 July and 16 September 2022. This included the following:
 - i. Posting an initial flyer to 6,223 addresses to all residential and commercial addresses in the Rye Lane area.
 - ii. Local stakeholders such as Southwark Cyclists, places of worship and Peckham Vision, the Emergency Services and Transport for

London were contacted. Southwark Cyclists asked for Rye Lane to be one-way buses with cycle facilities. Transport for London wanted the buses to remain two-way.

- iii. Two in-person events were held during the consultation period. One was a market stall where officers spoke to passers-by about their experience of Rye Lane. The second event took place in a hall at the Baptist Church. This event was for those who wanted to come and talk to officers. An officer from the Anti-social behavior team was also in attendance to discuss other issues in the area.
 - iv. A second flyer was sent to all 6,223 addresses to remind them to complete the online survey and attend the second drop-in event.
 - v. All businesses on Rye Lane were visited as part of this consultation and were asked questions in person from a shortened questionnaire. These were inputted into the main questionnaire.
 - vi. 1,585 responses were received and 61% of these respondents were in favour of keeping buses two-way. This is mainly due to the perception that buses are essential for safe travel, access and good for businesses.
 - vii. Businesses were largely satisfied with the loading arrangement on Rye Lane, but did suggest that the loading hours should be extended.
13. Traffic monitoring data has also been assessed as part of the consultation, this information can be found in Appendix 2.
14. This consultation also highlighted some other issues on Rye Lane not directly related to the highway. The most frequently mentioned requests are highlighted below and will be passed onto the relevant departments (Further information can be found in Appendix 1):
- i. Clear/remove rubbish
 - ii. Remove graffiti
 - iii. Stronger police presence
 - iv. Remove anti-social behavior
 - v. Unsafe at night
 - vi. More trees/planters
 - vii. Regulate/enforce shops and their goods

Policy framework implications

15. The proposals contained within this report are consistent with the objectives of the Movement Plan 2019, particularly:

M3 Action 4 - Deliver infrastructure to support active travel
M3 Action 5 - Enable people to get active

M4 Action 8 - Use kerbside efficiently and promote less polluting vehicles
M4 Action 9 - Manage traffic to reduce the demand on our streets
M7 Action 15 - Reduce exposure to air pollution
M7 Action 16 - Zero people killed or injured on our streets by 2041

16. The proposals contained in this report are consistent with the actions contained in the council's climate action plan, in particular:

H.1.i - Collaborate and lobby transport operators including Transport for London to make bus journeys quicker, more reliable and zero emission.
S.1.i - Encourage and promote shopping locally to support business and reduce miles travelled.

17. The recommendations in this report will support achieving the following objectives of the council's delivery plan:

24a - Work with local communities to design safer, greener and healthier streets for walking and cycling, prioritising areas with high health inequalities and low car ownership first.

24c - Deliver on our equal pavements pledge, working with older people, those with disabilities and limited mobility to make sure Southwark's streets are accessible for everyone

25e - Ensure older and younger people, women and our Black, Asian and minority ethnic communities all have a full say, so we design streets and public transport that works for everyone.

25a - Work with TfL to reduce traffic on main roads and and to make bus journeys quicker and more reliable

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

Community impact statement

18. 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.
19. This scheme will have no detrimental impacts on a particular protected group or on the equality of opportunity under the Equality Act 2010.

Equalities (including socio-economic) impact statement

20. The proposals are not considered to have any adverse effect on socio-economic or health equalities. Two-way buses provide access to the shops and public transport and additional natural surveillance on Rye Lane.
21. Additional monitoring has taken place in the form of an assessment by Transport for All of the streetspace with recommended actions. They made recommendations regarding the questionnaire and will hold a further engagement session with a group of people with disabilities regarding the

future of Rye Lane.

22. Any issues highlighted as part of their final report will be sent to the relevant department to ensure that they are addressed.

Health impact statement

23. The proposals support the Council's mission to have zero people killed or injured on our streets by 2041 by retaining the closure of Rye Lane to general traffic and so reducing the likelihood of conflicts between pedestrians and vehicles.
24. Maintaining buses on Rye Lane keeps access to the station for those who need it, but also maintaining a reduction in general traffic keeps traffic volumes down and thus creates more space for active travel.

Climate change implications

25. 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 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 kms travelled and a shift to active and public transport; road transport currently accounts for 15% of the borough's emissions. Maintaining buses on Rye Lane supports the aim to encourage the use of public transport.
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 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 resourcing implications will be contained within the existing Highways structure.

Legal implications

28. To implement the recommendations at paragraph 1, the Council will need to make permanent traffic management orders under powers contained within the Road Traffic Regulation Act 1984 ("RTRA 1984") replacing the existing experimental orders.
29. 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 (“the Regulations”).

30. The 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.
31. Should any objections be received they 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.
32. By virtue of section 122 of the RTRA 1984, the Council must exercise its powers 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.
33. 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 vehicles so as to preserve or improve amenity of the areas through which the road runs;
 - The national air quality strategy;
 - Facilitating the passage of public service vehicles and securing the safety and convenience of their passengers; and
 - Any other matters appearing to the Council to be relevant.
34. Following statutory consultation, the proposals will then move forward with due consideration by the Cabinet Member of any objections.

Financial implications

35. To make the changes on Rye Lane permanent, a new traffic management order will be made. This will cost approximately £4,500.
36. All costs associated with the recommendations contained in this report will be accommodated within existing departmental budgets

Consultation

37. Public consultation on whether to keep the buses two-way or switch them to one-way took place between 16 July and 18 September 2022.
38. Should the recommendations be approved, the Council must follow the procedures contained within Part II and III of the Regulations which are supplemented by the Council’s own processes. This process is

summarised as:

- a) publication of a proposal notice in a local newspaper (e.g. Southwark News)
- 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 (eg. plans, draft orders, statement of reasons) via the Council's website¹ 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.

39. 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.
40. 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.
41. Stakeholders will be contacted again during the statutory consultation period.

Timescales

42. Permanent TMO January 2023

Implementation – March/April 2023 (subject to any objections to TMO)

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Governance (TH 31/10/2022)

43. The Cabinet Member for Leisure, Parks, Streets and Clean Air is asked to approve, subject to the outcome of statutory consultation, the implementation of the proposals at Rye Lane detailed in paragraphs 1-4.
44. Implementation of the proposals will require one or more traffic management orders made in accordance with the procedure prescribed by the RTRA 1984 and the Regulations. The recommendations in this report are appropriate for determination by the Cabinet Member for Leisure, Parks, Streets and Clean Air. 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

¹ <http://www.southwark.gov.uk/trafficorders>

then a further report will be prepared for the Cabinet Member's consideration.

45. 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.
46. 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 15-19 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.
47. 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 18 to 26 above.
48. 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.

Strategic Director of Finance and Governance (EL22/073)

49. This report requests approval from the Cabinet Member for Leisure, Parks, Streets & Clean Air to implement the recommendations in paragraphs 1-4 of this report.
50. The strategic director of finance and governance notes that the estimated costs associated with these recommendations is £4.5k and there is sufficient funding from existing Highways capital budgets to fund these proposals.
51. 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 | Joanna Redshaw |
| http://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=6809 | | |
| Climate Change Strategy | Southwark Council Environment and Leisure Highways 160 Tooley Street London SE1 2QH | Climate Change Strategy |
| https://www.southwark.gov.uk/environment/climate-emergency?chapter=3 | | |

APPENDICES

| No. | Title |
|------------|--------------------------------|
| Appendix 1 | Consultation Overview Document |
| Appendix 2 | Monitoring Overview Document |

AUDIT TRAIL

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|---|--|--------------------------|
| Lead Officer | Dale Foden – Head of Highways | |
| Report Author | Jo Redshaw – Principal Project Manager | |
| Version | Final | |
| Dated | November 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 | 17 November 2022 | |