

<b>Item No.</b>	<b>Classification:</b> Open	<b>Date:</b> 29 November 2022	<b>Decision Taker:</b> Cabinet Member for Leisure, Parks, Streets and Clean Air
<b>Report title:</b>		Walworth Streets for People - Browning Street improvements	
<b>Ward(s) or groups affected:</b>		North Walworth	
<b>From:</b>		Head of Highways	

## RECOMMENDATIONS

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

1. Approves the implementation of the Walworth Streets for People improvements on Browning Street, as shown in Appendix 1, subject to statutory requirements.
2. Considers the outcome of the public consultations (Appendices 2 and 3).
3. Instructs officers to proceed to detailed design and statutory consultation.
4. Notes that should any objections be received during statutory consultation that officers are unable to resolve so that they are withdrawn then a further report will be presented to the cabinet member for determination of the objections.

## BACKGROUND INFORMATION

5. Creating a new community space on Browning Street 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.
6. Browning Street was selected for public realm improvements as part of Walworth Low Emission Neighbourhood for the following reasons:
  - Walworth Road falls within one of the council's air quality focus areas
  - Benefitting local community
  - Facilitating local businesses
  - Connecting key cycle route in the area to encourage active travel
  - Creating a greener, safer, and quieter street
  - Discouraging anti-social behavior/crime in the street; and
  - Tackling the high-levels of through-traffic using this corridor

7. As part of the Walworth Streetspace scheme, a temporary traffic filter was introduced on Browning Street under Experimental Traffic Orders(s) (ETO) in 2020. This was to create a network of safe and healthy streets for walking and cycling by reducing through-traffic movements in the Walworth area. See background documents for the Walworth Streetspace review.
8. Following the public consultation between July to September 2021, there was support to permanently retain the traffic filter on Browning Street. 46% of respondents expressed the preference to keep the changes, and 6% of respondents to modify its current location. Generally there was support for improvements to transform the streetspace. See background documents for the consultation report.
9. To ascertain local opinion on the proposal for public realm improvements two phases of engagement and consultation were carried out. Each phase informed the next design stage. The two phases are outlined below:

## **KEY ISSUES FOR CONSIDERATION**

### **Phase 1 – Initial engagement and scoping, May - June 2022**

10. This phase sought to understand whether respondents felt the concept design proposals met key scheme objectives and local aspirations. A survey was carried out from 23 May 2022 until 26 June 2022. Two pop-up sessions and business and residential door-knocking were also carried out as part of this engagement phase. The survey yielded a high response rate of 18%, 120 responses out of the 666 addresses, which shows overall support for the scheme. The key issues raised were:
  - Antisocial behavior from having permanent seating
  - Conflict between pedestrians and cyclists
  - Speed of cyclists
  - Displaced traffic onto main road i.e. Walworth Road; and
  - Lack of access for emergency service vehicles
11. A summary of the responses provided are:
  - 78% agreed the proposal would make Browning Street an easier place to cross and walk
  - 83% agreed the proposal would make Browning Street safer for cycling
  - 72% agreed the proposal would make Browning Street better for local businesses
  - 73% agreed the proposal would make Browning Street more welcoming and safer for everyone; and
  - 78% agreed the proposal would make Browning Street healthier with cleaner air

12. Suggested improvements to the proposals include:

- More seating/ allow businesses to bring out their own seating;
- More greenery;
- Safer crossing for pedestrians; and
- Need loading/unloading access.

The detailed consultation report can be found at Appendix 2.

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

13. A number of key changes were made to the phase 2 design based on the outcome of phase 1 engagement. These changes are as follows:

- Planters to separate cyclists from pedestrians and the seating area to improve safety for pedestrians;
- More seating from local businesses to allow locals to stop and rest;
- Permanent seating was taken out of the design to prevent anti-social behaviour;
- More signage for clarity;
- Curved cycle track towards Walworth road for safer turnings for cyclists; and
- Low level planting with low maintenance plants.

**Phase 2 – Engagement and public consultation, September – October 2022**

14. This phase sought to gather local opinion on the updated designs and whether respondents felt the design met the needs of the community (see Appendix 1 for proposal). This consultation included a survey that ran from 20 September 2022 until 9 October 2022. It also included a pop-up session and residential door knocking.

15. This survey received a low response rate of 29 responses as anticipated. This is because there were no significant changes to the designs and locals had recently filled in the phase one survey a few months prior. Therefore, many locals felt they did not need to take part in the survey again. To yield a better response rate the following actions were carried out:

- A shorter survey to encourage a higher response rate;
- Outdoor publicity materials located on Browning Street;
- A pop-up session on Browning Street;
- Residential door knocking; and
- Online and paper survey.

16. Additionally, an update on Browning Street and the survey was included in the Walworth Streets for People e-newsletter.

17. The survey consisted of two questions, whether the designs met the needs of the community and if there were any comments on the design.
18. 75% of respondents were either very satisfied or satisfied that the designs met the needs of the community. This shows the consensus is that respondents were satisfied with the designs meeting the needs of the community.
19. The final question asked was if respondents had any comments on the design. There was a free text element to this question. Some of the comments are shown below:
  - Request to have more greenery
  - The designs made it safer for everyone
  - Access issues i.e loading/unloading
  - Safety issues between cyclists and pedestrians
  - Request for café to have more seating

The detailed consultation report can be found at Appendix 3.

20. Officers have engaged with two local businesses located on Browning Street; Rude n Boomin and Gisela Graham. Rude n Boomin shared some concerns regarding the permanent seating and the risk of attracting anti-social behaviour. They also shared the concern with the planters and having planting with low maintenance and durability. Gisela Graham highlighted their concerns over access and their vehicles ability to enter and load/unload.
21. To mitigate the concerns raised by the local businesses the proposals have been reviewed and changed. Permanent seating has been removed from the designs to prevent anti-social behaviour and gatherings. Instead the local business has been encouraged to put out temporary seating for those that need to stop and rest. Durable and low maintenance planting will be considered for the planters and greenery. In the long term, loading bay provisions and business permits will be assessed. There currently remains a loading bay for businesses to use on Browning Street whilst other complimentary measures are being considered.
22. 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 design proposals achieve the scheme objectives.
  - 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.
  - 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 design proposals have been updated to reflect some of the concerns highlighted in phase 1 consultation, see paragraph 16.
- The design proposals have been updated to mitigate concerns raised by the local businesses, see paragraph 21.

### **Policy framework implications**

23. The recommendations contained within this report are consistent with the missions of the Movement Plan 2019, particularly:

- 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

24. The recommendations in this report will help to deliver the objectives of the Council Delivery Plan, in particular:

- Create safe, healthy, green streets
- Make Southwark a Cycle Friendly Borough
- Reduce air pollution from vehicles

25. The recommendations in this report are consistent with the aims of the council's Air Quality Strategy & Action Plan, particularly:

- Encourage residents and those working in the borough to walk and cycle;
- Increase the amount of green infrastructure; and
- Assess the Borough's highways against the criteria in TfL's Healthy Streets approach.

26. The recommendations of this report are consistent with the targets set out in the council's Climate Change Strategy, in particular:

- Reduce car journeys to a minimum by 2030
- Be a borough where walking and cycling becomes the default way to get around'

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

### **Community impact statement**

27. 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.
28. 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. The proposal will create a safer walking and cycling route for the community to local facilities such as Robert Browning Primary School and shops on Walworth Road.
29. 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. Additionally the local business on Browning Street has been encouraged to put out seating, this will attract footfall as there is a place for stop and rest. There is currently no quantitative data to support the reported feedback. With the exception of those identified above, the recommendations are not considered to have a disproportionate effect on any particular community group.

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

30. 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. The key aims of the scheme are to reduce driving and make physical activity easier for residents.
31. The recommendations are not considered to have disproportionate or adverse effect on those with protected characteristics.
32. The closure at Browning Street and the new right turn movement for cyclist coming out of Browning Street will not impact adversely on bus journey time along Walworth Road.

### **Health impact statement**

33. 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 safer facilities for more vulnerable road users such as those walking and cycling. This proposal provides physical and mental health benefits by reducing pollution and providing better and safer active travel routes for pedestrians, cyclists, and providing space for people to meet and socialise.

### **Climate change implications**

34. 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.

35. 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 kilometres 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.
36. 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**

37. There are no resource implications associated with the recommendations contained within this report that have not been previously agreed. All staffing costs will be accommodated within existing departmental budgets.

### **Legal implications**

38. To implement the recommendations at paragraph 1, the council will need to make TMO(s) under powers contained within the Road Traffic Regulation Act 1984 ("RTRA 1984").
39. 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").
40. 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.
41. Following statutory consultation, the proposals will then move forward with due consideration by the cabinet member of any objections

### **Financial implications**

42. The estimated cost for the delivery of the recommendations contained in this proposal is circa £518,000.

<b>Estimated Funding</b>	<b>£000's</b>
--------------------------	---------------

<b>2021-22</b>	
Enforcement revenue*	265
<b>2022-23</b>	
Capital Funding	228
Devolved Highways Budget	25
<b>2022-23 Est Costs</b>	<b>253</b>
<b>Total</b>	<b>518</b>

\*£265,000 of contractor's costs were incurred via the Enforcement Revenue Budget in financial year 2021/2022 for the construction of this scheme. Consequently there are no additional costs to the Enforcement Revenue Budget for this project in subsequent financial years.

## Consultation

43. Previous consultation exercises that have informed the recommendations are outlined in paragraph 10 to 12 and 13 to 21.
44. Should the recommendations be approved, the council must follow the procedures contained with Part II and III of the Regulations, 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
45. 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.
46. 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

47. Statutory Consultation – March 2023

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Director of Law and Governance**

48. The cabinet member for leisure, parks, streets and clean Air, is asked to approve the recommendations detailed in paragraph 1 to 4 in order to permanently retain the traffic filter on Browning Street.
49. 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 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.
50. 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 10 to 21 of the report detail the engagement, which has taken place thus far to comply with the public sector equality duty.
51. 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.
52. 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 26 to 35, above.
53. 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**

54. This report requests approval from the cabinet member for leisure, parks, streets and clean of the Walworth Streets for People improvements on Browning Street as per the recommendations in paragraph 1 of this report.
55. The strategic director of finance and governance notes that the estimated total cost associated with these recommendations is £518,000, with £265,000 already incurred in 2021-22 and £253,000 projected for the current year. The strategic director of finance and governance also notes there is sufficient funding within the budgets specified in paragraph 41 above to fund these proposals.
56. Staffing and any other costs connected with these recommendations to be contained within existing departmental revenue and capital budgets.

### **BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Movement Plan 2019	Highways 160 Tooley Street	Tom Robison, 020 7525 3752
<b>Link:</b> <a href="http://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=6809">http://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=6809</a>		
Southwark's Climate Strategy 2021	Environment & Leisure 160 Tooley Street	Chris Page 020 7525 7259
<b>Link:</b> <a href="https://www.southwark.gov.uk/environment/climate-emergency?chapter=3">https://www.southwark.gov.uk/environment/climate-emergency?chapter=3</a>		
Walworth Streetspace Review	Highways 160 Tooley Street	Clement Agyei-Frempong 020 7525 5000
<b>Link:</b> <a href="https://moderngov.southwark.gov.uk/documents/s102964/Report">https://moderngov.southwark.gov.uk/documents/s102964/Report</a>		
Our Healthy Walworth Streetspace review, consultation report	Highways 160 Tooley Street	Clement Agyei-Frempong 020 7525 5000
<b>Link (please copy and paste into your browser):</b> <a href="https://moderngov.southwark.gov.uk/documents/s102976/Appendix%20D%20-%20Consultation%20Report%20OH%20Walworth%20Streetspace.pdf">https://moderngov.southwark.gov.uk/documents/s102976/Appendix%20D%20-%20Consultation%20Report%20OH%20Walworth%20Streetspace.pdf</a>		

## APPENDICES

No.	Title
Appendix 1	Drawing
Appendix 2	Phase 1 consultation summary
Appendix 3	Phase 2 consultation summary

## AUDIT TRAIL

Lead Officer	Dale Foden, Head of Highways		
Report Author	Nazihah Begum, Project Manager		
Version	Final		
Dated	2 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
Cabinet Member		Yes	Yes
Date final report sent to Constitutional Team			29 November 2022