

<b>Item No.</b>	<b>Classification:</b> Open	<b>Date:</b> 21 December 2022	<b>Decision Taker:</b> Cabinet Member for Leisure, Parks, Streets and Clean Air
<b>Report title:</b>		Minor Traffic Schemes 22-23 Batch 3	
<b>Ward(s) or groups affected:</b>		Various (detailed in Table 1)	
<b>From:</b>		Head of Highways	

## RECOMMENDATION

1. It is recommended that the non-strategic traffic and highway improvements and complementary streetspace measures, detailed in the appendices to this report and summarised in Table 1, are approved for implementation subject to the outcome of any necessary statutory consultation and procedures.

## BACKGROUND INFORMATION

2. Under Part 3D of the council's constitution, the Cabinet Member is responsible for:
 

22 Transport Issues:

  - To decide to implement a traffic and highway improvement project, subject to statutory consultation
3. This report deals with a number of non-strategic traffic and highway improvement proposals.
4. The origins and reasons for the recommendations are discussed within the key issues section of this report and relevant appendices.

## KEY ISSUES FOR CONSIDERATION

5. In line with the council's constitution, all of the individual proposals in this report have been circulated to ward councilors to allow them to make comments on the proposals before they go for decision making. Comments were received on one proposal which was subsequently removed from this report.
6. The rationale for each proposal is discussed in the associated appendix and contains a detailed design drawing.

<b>Location</b>	<b>Ward</b>	<b>Proposal</b>	<b>TMO</b>	<b>Funding</b>	<b>App</b>
Bowen Drive	Dulwich Wood	Install double yellow lines	Perm	MTS	2
Southampton Way	St Giles	Proposed blips on existing double yellow lines	Perm	MTS	3
Roberts Close	Rotherhithe	Install a car club bay	Perm	MTS	4
Webber Street	Borough & Bankside / St Georges	Relocate existing motorcycle bay	Perm	MTS	5
Edmund Street/Picton Street	Camberwell Green	Convert existing pbp bay to ambulance bays and convert existing ambulance bays to pbp bay	Perm	MTS	6
Sunray Avenue	Dulwich Village	Remove double yellow lines and replace with shared use bays	Perm	MTS	8
Fenham Road	Peckham	Install double yellow lines	Perm	MTS	9
Choumert Grove	Rye Lane	Convert existing shared use bays to 2 ambulance only bays	Perm	MTS	10
Union Street	Borough & Bankside	Convert existing double yellow lines to Pay By Phone bays	Perm	MTS	11
Alscot Road	South Bermondsey	Convert existing single yellow lines to double yellow lines	Perm	MTS	12
Calton Avenue	Dulwich Village	Convert existing single yellow lines to double yellow lines and install double yellow lines	Perm	MTS	13

Red Post Hill	Dulwich Village	Convert existing permit bay to double yellow lines for crossover	Perm	MTS	14
Verney Road	Old Kent Road	Install double yellow lines for obstruction	Perm	MTS	15
Montpelier Road	Nunhead & Queens Road	Install double yellow lines for crossover	Perm	MTS	16
White Hart Yard	London Bridge & West Bermondsey	Install single blips on existing single yellow lines	Perm	MTS	17
Toulmin Street/Trundle Street/Weller Street	Borough & Bankside	General highway improvements, parking space optimization and one way	Perm	CIL/DHB	18
Avondale Rise/Malfort Road/Ivanhoe Road	Champion Hill	Junction Improvements & removal of permit holders parking bays	Perm	DHB/LIP	19
Grove Park	Champion Hill	Remove existing double yellow lines and put back permit bays	Perm	MTS	20
Dunstans Road	Dulwich Hill	Extension of footway buildout, school keep clear markings and double yellow lines.	Perm	SS	21
Colyton Road	Peckham Rye	Proposed 35m double yellow lines to prevent parking near the new build out	Perm	DHB	22
Brunel Road	Rotherhithe	2 Bike hangars totaling (7.1m) proposed to be moved towards the South-westward end of	Perm	MTS	23

		the existing permit bay 'H'			
Furley Road	Peckham	Relocate existing cycle hangar	Perm	MTS	24

**Table 1 – list of schemes**

**Scheme key**

MTS – Minor Traffic Scheme

Perm – Permanent

SS – School Streets

CIL – Community Infrastructure Levy

DHB- Devolved Highway Budget

LIP- Local Implementation Plans

**Policy framework implications**

7. The recommendations contained within this report are consistent with the relevant policies of the Movement Plan 2019, particularly:
  - 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 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

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

**Community impact statement**

8. The policies within the Movement Plan have been subject to an Equality Impact Assessment.
9. 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.
10. The introduction of yellow lines at junctions benefits all road users through the improvement of inter-visibility and therefore road safety.
11. There is a risk that new restrictions may cause parking to be displaced and, indirectly, have an adverse impact upon road users and neighboring properties at the locations proposed. However this cannot be entirely

predicted until the recommendations have been implemented and observed.

12. With the exception of those identified above, the recommendations are not considered to have a disproportionate effect on any other community or group.
13. The recommendations support the council's equalities and human rights policies and promote social inclusion by:
  - Providing improved access for key services such as emergency and refuse vehicles.
  - Improving road safety, in particular for vulnerable road users, on the public highway.

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

14. The proposals are not considered to have any adverse effect on socio-economic matters.
15. The proposals will have no disproportionate impact on any particular age, gender, disability, faith, religion, ethnicity or sexual orientation

### **Health impact statement**

16. The proposals are not considered to have any adverse effect on health equalities. The proposals support the council's mission to have zero people killed or injured on our streets by 2041 by improving road safety.

### **Climate change implications**

17. The report has considered how the proposed measures impact on climate change. We will mitigate against the potential negative impact of construction works on the climate by ensuring our contractor uses electric vehicles where possible and a carbon calculator for material specifications.
18. A just and inclusive transition is at the heart of the council's emerging climate policy. These proposals priorities 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**

19. All costs arising from implementing the recommendations will be fully contained within the existing business unit capital and revenue budgets.
20. MTS schemes will be contained within parking revenue budgets.

21. The estimated costs for the batch of schemes detailed in Table 1 are:

- MTS/Permanent schemes - £20k
- SS/Permanent Schemes – £10k
- DHB/CIL/Permanent Schemes – £150k
- DHB/Permanent Schemes – 20k
- DHB/LIP/Permanent Schemes - £150k

### **Timescales**

22. If these items are approved by the Cabinet Member they will be progressed in line with the below, approximate timeline:

- Statutory consultation – January 2023
- Implementation – March 2023 (if no objections are received)

### **Legal implications (Permanent)**

23. Traffic Management Orders would be made under powers contained within the Road Traffic Regulation Act (RTRA) 1984.

24. 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).

25. These 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.

26. Should any objections be received they must be properly considered in light of administrative law principles, Human Rights law and relevant statutory powers.

27. By virtue of section 122 of the RTRA, 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.

28. 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 traffic so as to preserve or improve amenity
- The national air quality strategy
- Facilitating the passage of public service vehicles and securing the safety and convenience of their passengers

- Any other matters appearing to the Council to be relevant
29. Following statutory consultation, the proposals will then move forward with due consideration by the Cabinet Member of any objections.

### **Financial implications**

30. The estimated costs for the permanent schemes is £350k for which there is sufficient funding from existing Highways capital and revenue budgets.

### **Consultation (Permanent TMO)**

31. For the recommendations in paragraph 1, the implementation of changes to parking requires the making of a traffic order. The procedures for making a traffic order are defined by national Regulations<sup>1</sup> which include statutory consultation and the consideration of any arising objections.
32. 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:
- a) publication of a proposal notice in a local newspaper (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 website<sup>2</sup> 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
33. 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.
34. 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.

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

#### **Director of Law and Governance (TH 19/10/2022)**

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<sup>1</sup> <http://www.legislation.gov.uk/ukxi/1996/2489/contents/made>

<sup>2</sup> <http://www.southwark.gov.uk/trafficorders>

35. The Cabinet Member for Leisure, Parks, Streets and Clean Air is asked to approve, subject to the outcome of statutory consultation, the implementation of non-strategic traffic and highway improvements, and Streetspace complementary measures in the locations detailed in the respective appendices and summarised in Table 1.
36. The recommendations in this report are appropriate for determination by the Cabinet Member for Leisure, Parks, Streets and Clean Air as set out in paragraph 1 the report.
37. 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
38. The Regulations set out the statutory process for the making of traffic orders. Prior to making the order, the Council must consult with statutory consultees (e.g. the police, fire and ambulance authorities, any other affected highway authorities), and publish a notice of proposals in various places (including a local newspaper, the London Gazette and make available for public inspection at the Council's offices).
39. Objections to the permanent proposals may be made in writing to the Council within a 21 day period as set out in the notice of proposals.
40. For permanent orders, the Council may make the orders at any time between the end of the period set for receipt of objections and a date two years after the first notice. Before the order takes effect, a 'notice of making' must be published and any persons who objected and did not withdraw their objection must each be notified individually.
41. Officers confirm that if any valid objections for the permanent orders are received pursuant to regulation 8 of the Regulations which are unable to be resolved and withdrawn, they will be reported to the Cabinet Member to make a decision on whether to implement the proposals.
42. 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.
43. 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 12 to 16 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.

44. 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 18 above.

### **Strategic Director of Finance and Governance (EL21/022)**

45. This report requests approval from the Cabinet Member for Leisure, Parks, Streets and Clean Air to implement a number of non-strategic traffic and highway improvements and complementary street space measures as summarised in Table 1 of this report.
46. The strategic director of finance and governance notes that the estimated costs for these batch of improvements is £350k and there is sufficient resources within the budgets specified in paragraphs 19-21 of this report to fund these proposals.
47. Staffing and other costs connected with this recommendation to be contained with existing departmental revenue budgets.

### **BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Movement Plan 2019	Southwark Council Environment and Leisure Highways 160 Tooley Street London SE1 2QH	Katie Houselander (Katie.Houselander@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 160 Tooley Street Second Floor London SE1 2QH	Chris Page (Chris.Page@southwark.gov.uk)

<https://www.southwark.gov.uk/environment/climate-emergency?chapter=3>

## APPENDICES

No.	Title
Appendices 2 to 24 (no Appendix 7)	Evidence base for each proposal

## AUDIT TRAIL

<b>Lead Officer</b>	Dale Foden – Head of Highways	
<b>Report Author</b>	Katie Houselander – Project Officer	
<b>Version</b>	Final	
<b>Dated</b>	1 December 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 team	Yes	Yes
<b>Cabinet Member</b>	Yes	No
<b>Date final report sent to Constitutional Team</b>	20 December 2022	