

Item No.	Classification: Open	Date: 31 January 2023	Decision Taker: Cabinet Member for Leisure, Parks, Streets and Clean Air
Report title:		Determination of Objections for Alscot Road	
Ward(s) or groups affected:		South Bermondsey	
From:		Head of Highways	

RECOMMENDATION(S)

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

1. Consider the four representations received during the statutory consultation period for the Alscot Road s278 Highway Improvements – raised pedestrian crossings. All four responses were received via email.
2. Consider and determine each objection and comment prepared by officers under paragraphs 14 to 28 of this report.
3. Instruct officers to write to each person who made representations to inform them of the council's decision.
4. Instruct officers to make the necessary Traffic Management Order(s) (TMO).

BACKGROUND INFORMATION

5. This report makes recommendations for the determination of four objections in respect of the published traffic order proposing highway improvements on Alscot Road, including the installation of raised pedestrian crossings.
6. A total of four representations were received by email during the statutory consultation period (7 - 28 July 2022). These representations are included in Appendix 1. All four representations are classed as objections.
7. Part 3D, paragraph 23 of the Southwark Constitution sets out that determination of objections to traffic orders is reserved to the Cabinet Member for Leisure, Parks, Streets, and Clean Air.
8. On 15 October 2020, planning permission (Appendix 2) was granted with legal agreement for the:

“Redevelopment of the site to provide student housing in a building ranging from 3 to 7 storeys (plus basement) and ancillary bin store, cycle store, laundry and office/reception, car parking, substation, associated landscaping, and alterations to the vehicle access. Removal of a street tree on Alscot Road and works to the highway.”

At 77-89 Alscot Road, London SE1 3AW (the Development) under planning application 18/AP/2295.

The s106 legal agreement (Appendix 3) between London Borough of Southwark and Alumno Student Developments Ltd (the Developer) dated 15 October 2020 required the conversion of two sinusoidal humps on Alscot Road into raised pedestrian crossings to provide safer and additional crossing points for the expected increase in pedestrian footfall due to the Development. It also required the promoting of a traffic management order to convert parking spaces fronting the Development into double yellow lines (together “the Works”).

9. In accordance with legislation¹ the council advertised its intention to make traffic orders in respect of the introduction of the raised pedestrian crossings and conversion of parking spaces into double yellow lines to facilitate these on 7 July 2022.
10. The consultation period ran for 21 days from 7 - 28 July 2022.
11. Notice was given in the London Gazette², local press (Southwark News) and street notices were placed in Alscot Road surrounding the development site.
12. Notice was also given to statutory and non-statutory consultees including: APCOA, British Motorcyclists Federation, Road Haulage Association, London TravelWatch, Transport for London, Southwark Living Streets, Public Orders Information Exchange, Licensed Taxi Drivers' Association, Southwark Disablement Association, Southwark Cyclists, Sustrans, London Ambulance, London Fire Brigade, Freight Transport Association and the Metropolitan Police.
13. Full details of the proposals were also made available for inspection on the council's website or in person by appointment at 160 Tooley Street.

KEY ISSUES FOR CONSIDERATION

14. “The Works” as per the signed s106 Agreement required the removal of four (4) parking spaces and double yellow lines installed in their place to facilitate the unimpeded crossing of pedestrians traversing Alscot Road via the proposed raised pedestrian crossing west of the development.

¹ The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996

² <https://www.thegazette.co.uk/notice/3922098>

15. During the s278 design review stage “the Works” were subject to an independent stage 2 road safety audit which recommended the further extension of the proposed double yellow lines in order to mitigate compromised pedestrian inter-visibility from adjacent parked vehicles. An extract of the stage 2 road safety audit report can be found in Appendix 4.
16. Four (4) representations were received as a result of the statutory consultation, all four objecting to the scheme.
17. Each correspondence received during statutory consultation was responded to with an acknowledgement by email.
18. The grounds for objection were:
 - i) the loss of parking spaces leading to insufficient parking; and
 - ii) inadequate publicity of proposals and consultation.

Details of the objections and the response can be found in Appendix 1.

19. Due to the construction of the raised pedestrian crossing and the required pedestrian inter-visibility splays that are to be free from obstructions as per the road safety audit, the proposals will result in the loss of six (6) parking spaces.
20. The loss of parking spaces are as a result of providing safe pedestrian crossings. The development provides student housing accommodation and thus an increase in footfall activity within the vicinity is anticipated. Statutory consultations were carried out during the planning application process.
21. During the planning application process, both the council’s Highways and Transport Planning officers supported these provisions as a prerequisite for granting approval to the planning application. The aim was to create a set of direct and safe crossing links between the two footways of Alscot Road forming a gateway to Bermondsey Spa Gardens and improve pedestrian accessibility and inclusiveness to the local road network.
22. The list of neighbour and local groups consulted as part of the planning application process can be found in Appendix 5 and the supporting plan for the proposed highway improvements from the Transport Statement in Appendix 6.
23. This is in line with Southwark Plan 2022 Policies:
 - P13 Design of places
 - “Ensure the urban grain and site layout take account of and improve existing patterns of development and movement, permeability and street widths.”
 - “Ensure a high quality public realm that encourages walking and cycling and is safe, legible, and attractive, and eases the

- movement of pedestrians, cyclists, pushchairs, wheelchairs and mobility scooters and vehicular traffic.”
 - “Provide accessible and inclusive design for all ages and people with disabilities.”
- P49 Public transport
 - “Improve accessibility to public transport by creating and improving walking and cycling connections to public transport stops or stations.”
- P50 Highways Impacts
 - “Ensure safe and efficient operation of the local road network.”
- P51 Walking
 - “Enhance the borough’s walking networks by providing footways, routes and public realm that enable access through development sites and adjoining areas.”
 - “Ensure routes and access are safe and designed to be inclusive and meet the needs of all pedestrians, with particular emphasis on disabled people and the mobility impaired.”

The Mayor of London’s London Plan 2021 (Spatial Development Strategy for Greater London) Policy:

- T2 Healthy Streets
 - “promote and demonstrate the application of the Mayor’s Healthy Streets Approach to: improve health and reduce health inequalities; reduce car dominance, ownership and use, road danger, severance, vehicle emissions and noise; increase walking, cycling and public transport use; improve street safety, comfort, convenience and amenity;
 - identify opportunities to improve the balance of space given to people to dwell, walk, cycle, and travel on public transport and in essential vehicles, so space is used more efficiently and streets are greener and more pleasant.”
24. In relation to the grounds on inadequate publicity and consultations, notices were given to statutory and non-statutory consultees (emergency services, utility companies and motoring organisations etc.) including the proposed traffic management order (TMO) drawing (Appendix 7) when the council advertised its intention to make the traffic orders on 7 July 2022. Notice was also published in the London Gazette and Southwark News on 7 July 2022.
 25. Street notices were placed in Alscot Road surrounding the development site in accordance with the statutory procedure. The statutory consultation process does not require the council to consult with individual households in order to make a traffic management order. The council has followed the statutory consultation requirements, the details of which can be found in

paragraphs 9 to 13 of this report.

26. Alscot Road is primarily a residential road within the Controlled Parking Zone 'GR'. The majority of prescribed parking spaces are shared use bays for use by either permit holders or 'pay by phone' with a maximum stay of four (4) hours.
27. Fifty eight (58) shared use parking spaces will remain within the vicinity of the Development after the loss of six (6) parking spaces. These are thirty (30) parking spaces on Alscot Road north-east of Grange Road, six (6) on Alscot Road south-west of Grange Road, nineteen (19) on Spa Road and three (3) on Henley Drive. Drop off and pick up can occur on double yellow lines for a maximum of twenty (20) minutes.
28. Planning permission has been implemented and the Development has been completed as of September 2022. In accordance with Southwark Plan 2022 and London Plan 2021, seventy-two (72) cycle parking spaces have been provided on site and six (6) visitor cycle parking spaces on the footway fronting the Development to promote active travel.

Policy framework implications

29. The recommendations contained within this report are consistent with the missions of the Movement Plan 2019 (approved by Cabinet in April 2019 detailed in background documents) particularly:
 - M2 Action 1: Reduce noise pollution
 - M2 Action 2: Create simple and clear 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
 - M7 Action 15: Reduced exposure to air pollution
 - M7 Action 16: Zero people killed or injured on our streets by 2041
 - M2 Action 17: Improve safety and sense of safety on our streets

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

Community impact statement

27. The missions within the Movement Plan have been upheld in this report.
28. The recommendations are area based and will therefore have greatest effect upon those people living in the vicinity of the area.
29. The council granted planning consent for the redevelopment of the former site into student accommodation. The proposed Development lies on Alscot Road opposite Bermondsey Spa Gardens.

30. The raised pedestrian crossings were identified during planning consultation as part of the Highway Authority's and Transport Policy team's consultee responses to mitigate the expected increase in footfall activity from the Development and enhance the road safety of the local network.
31. The raised pedestrian crossings are to be delivered via section 278 of the Highways Act 1980 where the Developer enters into an agreement with the Highway Authority to implement highway works to the council's design standards and specifications. All costs are being met by the Developer.
32. The raised pedestrian crossings maintain the traffic calming measures already in place at this section of Alscot Road.
33. The conversion of parking spaces to double yellow lines to facilitate the raised pedestrian crossings enables new, safe and inclusive crossing points across Alscot Road towards Bermondsey Spa Gardens.
34. P51 policy of Southwark Plan 2022 emphasises on enhanced walking networks by *"providing footways, routes and public realm that enable access through development sites and adjoining areas"* ensuring these routes are *"safe and designed to be inclusive and meet the needs of all pedestrians, with particular emphasis on disabled people and the mobility impaired."*
35. The recommendations are not considered to have a disproportionate effect on any community or group.

Equalities (including socio-economic) impact statement

36. The proposals are not considered to have any adverse effect on socio-economic or health equalities. Safety for pedestrians and in particular vulnerable users such as the elderly and disabled people will be improved with the provision of raised pedestrian crossings while contributing effectively in reducing traffic speeds. Blister tactile paving surfacing areas have been added to the footways on approach to the raised pedestrian crossing to guide pedestrians where it is safe to cross the road.

Health impact statement

37. By improving the crossing points for people walking, the council's mission to deliver infrastructure to support active travel, enabling people to get and stay active is supported. Increasing levels of walking and cycling has a positive impact on levels of physical activity of people living in or travelling through the area, and just 20 minutes of physical activity per day can reduce the risk of several health conditions.
38. The raised pedestrian crossing supports the council's mission to reduce the number of people killed or injured on our streets to zero by 2041 by providing safe crossing points and reducing traffic speeds.

Climate change implications

39. 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 the 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. The raised pedestrian crossings strongly support that ambition by seeking to free up kerb space for more sustainable travel modes.
40. A just and inclusive transition is at the heart of the council's emerging climate policy. These highway works 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 highway works are in accordance with the council's approach to addressing the climate emergency.

Resource implications

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

Legal implications

42. Traffic Management Orders would be made under powers contained within the Road Traffic Regulation Act 1984 ("the 1984 Act").
43. 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 1996 Regulations").
44. A Traffic Management Order must be made within two years of the date the notice of proposals relating to the order is first published.
45. The council shall, within 14 days of making the Traffic Management Order, publish in the London Gazette and a newspaper circulating in the area in which any road or place to which the order relates is situated, a notice:
- (i) stating that the order has been made; and
 - (ii) containing the particulars specified in Parts I and III of Schedule 1 of the 1996 Regulations
46. A Traffic Management Order shall only come into force once the council has published the notice, referred to in paragraph 42 above, which confirms the notice has been made.

47. Within 14 days of making an order, the council will need to notify the making of the order in writing to any person who has objected to the order and has not withdrawn the objection and, where the objection has not been wholly acceded to, shall include in that notification the reasons for the decision.
48. The council shall take such other steps of the kinds referred to in Regulation 7(1)(c) of the 1996 Regulations as it considers appropriate for the purpose of ensuring that adequate publicity is given to the making of the order.
49. As soon as practicable after an order has been made, the council shall ensure a copy of the order as actually made is available for inspection at the council's offices.

Financial implications

50. All costs arising from implementing the recommendations will be fully met by the Developer (Alumno Student Developments Ltd).

Consultation

51. Consultation has been carried out as detailed in paragraphs 9 to 13 of this report.

Timescales

52. Should the recommendations in this report be approved, we would expect to implement the measures by June 2023.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Governance

53. In order to implement the recommendations contained in this report the council must make a traffic management order. The power to make a traffic management order is contained in the Road Traffic Regulation Act 1984, and the procedure the council must follow is contained in the Local Authorities Traffic Order (Procedure) (England and Wales) Regulations 1996. The 1984 Act and the Regulations, amongst other things, require the council to carry out a statutory consultation in respect of the proposed order and to consider any representations received.
54. The Cabinet Member for Leisure, Parks, Streets and Clean Air is being asked to consider the responses received to the statutory consultation and to instruct officers to make the necessary traffic order(s) in accordance with the statutory procedure.
55. The consultation carried out by officers is summarised in paragraphs 9 to 13 of this report.

56. 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, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Officers have considered the public sector equality duty as set out in paragraph 33 of this report. 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.
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 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 33 to 37 above.
59. Should the cabinet member be satisfied with the contents of this report then they have the authority to make the decisions recommended at paragraph 1 of this report pursuant to paragraphs 22-23, Part 3D of the Council's Constitution.
60. Should the Cabinet Member approve the making of the traffic management order(s), the Council must also publish a notice that the order has been made in accordance with Regulation 17 of the 1996 Regulations.

Strategic Director of Finance and Governance

61. The report is requesting the Cabinet Member for Leisure, Parks, Streets and Clean Air to approve a number of recommendations detailed in paragraph 1 of this Objection Report pertaining to the proposals for highway improvements on Alscot Road.
62. The Strategic Director of Finance and Governance understands that the estimated costs associated with these recommendations is £43k and will be fully funded by Alumno Student Developments Ltd as detailed in the Section 278/38 Agreement dated 01/06/2022.
63. Staffing and any other costs connected with these recommendations to be contained within existing departmental budgets, funded through the Developer.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Alscot Road Highway Improvements s106 and s278 Agreements	Southwark Council Development Management Highways 160 Tooley Street London SE1 2QH	Ioannis Lampropoulos 020 7525 4566
Movement Plan 2019 http://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=6809	Southwark Council Environment and Leisure Highways 160 Tooley Street London SE1 2QH	Ioannis Lampropoulos 020 7525 4566
Notice of Proposal and Statement of Reasons https://www.southwark.gov.uk/transport-and-roads/traffic-orders-licensing-strategies-and-regulation/traffic-management-orders?chapter=5	Southwark Council Environment and Leisure Highways 3 rd floor hub 2 160 Tooley Street London SE1 2QH	Traffic Management Order Officer 020 7535 3497
Climate Change Strategy https://www.southwark.gov.uk/environment/climate-emergency?chapter=3	Southwark Council Environment and Leisure Highways 160 Tooley Street London SE1 2QH	Tom Taylor Policy and Research Officer 02075255415

APPENDICES

No.	Title
Appendix 1	Objections received during consultation (redacted)
Appendix 2	Planning Permission / Decision Notice
Appendix 3	S106 Legal Agreement
Appendix 4	Stage 2 Road Safety Audit report
Appendix 5	List of neighbour and local groups consulted
Appendix 6	Proposed Highway Improvements plan
Appendix 7	Proposed TMO drawing

AUDIT TRAIL

Lead Officer	Dale Foden, Head of Highways		
Report Author	Ioannis Lampropoulos, Engineer Highway Development		
Version	Final		
Dated	4 January 2023		
Key Decision?	No		
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
Director of Climate Change and Sustainability		Yes	Yes
Director of Public Health		Yes	Yes
Cabinet Member		No	No
Date final report sent to Constitutional Team			30 January 2023