

Item No.	Classification: Open	Date: 16 March 2023	Decision Taker: Cabinet Member for Leisure, Parks, Streets and Clean Air
Report title:		Minor Traffic Schemes Batch 4 22-23	
Ward(s) or groups affected:		Borough & Bankside, Camberwell Green, Chaucer, Dulwich Hill, Dulwich Village, Faraday, Nunhead & Queens Road, Old Kent Road, Peckham, Rye Lane, Rotherhithe, St Georges Surrey Docks	
From:		Head of Highways	

RECOMMENDATION(S)

1. That the Cabinet Member for Leisure, Parks, streets and Clean Air approve for implementation the non-strategic traffic and highway improvements and complementary streetspace measures, as detailed in the appendices to this report and summarised in Table 1, 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. Under Part 3H, the relevant multi-ward forum shall:
 - be consulted on any non-strategic traffic and highways improvement
4. This report deals with a number of non-strategic traffic and highway improvement proposals.
5. The origins and reasons for the recommendations are discussed within the key issues section of this report and relevant appendices.

KEY ISSUES FOR CONSIDERATION

6. 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. No comments were received.

- The rationale for each proposal is discussed in the associated appendix and contains a detailed design drawing.

Table 1

Location	Ward	Proposal	TMO	Funding	App
Glasshill Street	Borough & Bankside	Remove 5m existing Shared use bay and replace with single yellow line	Perm	MTS	1
Green Walk	Chaucer	Proposed double blips on existing double yellow lines	Perm	MTS	2
Bellenden Road	Rye Lane	Proposed School Keep Clear markings	Perm	MTS	3
Hawkstone Road	Rotherhithe	Proposed School Keep Clear markings	Perm	MTS	4
Peckham Hill Street access Road	Peckham	Proposed double yellow lines	Perm	MTS	5
Barry Road	Dulwich Hill	Proposed double yellow lines	Perm	MTS	6
Goodrich Road	Dulwich Hill	Proposed double yellow lines for crossover	Perm	MTS	7
Calton Avenue	Dulwich Village	Proposed double yellow lines	Perm	MTS	8
Rotherhithe Street	Rotherhithe	Extend existing double yellow lines	Perm	MTS	9
Studholme Street/Naylor Road	Old Kent Road	Proposed double yellow lines for junction protection	Perm	MTS	10

Foundry Close	Surrey Docks	Proposed double yellow lines	Perm	MTS	11
Surrey Square	Faraday	Trial Closure	Exp	SS	12
West Square	St Georges	Build out, changes to waiting restrictions, remove car club bay	Exp	SS	13
Chandler Way	Peckham	implement on carriageway cycle parking	Exp	SS	14
Carlton Avenue/Townley Road	Dulwich Village	Proposed blips on existing double yellow lines	Perm	MTS	15
Comber Grove	Camberwell Green	School Street Improvements	Perm	SS	16
Bird In Bush	Old kent Road	To consolidate the existing closure and introduce a timed school street closure between Commercial Way and the access to Peterchurch House enforced by ANPR camera	Perm	SS	17
Harper Road	Chaucer	Relocate parking bay	Perm	CIL	18
Woods Road	Nunhead & Queens Road	Change of extends of road closure	Perm	SS	19
Astbury Road/York Grove and Loder Street	Nunhead & Queens Road	Install weight tonne signs	Perm	MTS	20

Table 1 – list of schemes

Scheme key

MTS – Minor Traffic Scheme
Perm – Permanent
SS – School Streets
Exp – Experimental
CIL - community infrastructure Levy

Policy framework implications

8. 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
9. The proposed schemes fully support and align with the council’s Streets for People strategy which outlines the council’s ongoing commitment to, and ambition for, healthier neighbourhoods, cleaner air, thriving town centres and safer roads.

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

Community impact statement

10. The policies within the Movement Plan have been subject to an Equality Impact Assessment.
11. 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.
12. The introduction of school keep clear markings and yellow lines at junctions benefits all road users through the improvement of inter-visibility and therefore road safety.
13. 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.
14. With the exception of those identified above, the recommendations are not

considered to have a disproportionate effect on any other community or group.

15. 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

16. The proposals are not considered to have any adverse effect on socio-economic matters

17. The proposals will have no disproportionate impact on any particular age, gender, disability, faith, religion, ethnicity or sexual orientation

Health impact statement

18. 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

19. 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.

20. 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

21. All costs arising from implementing the recommendations will be fully contained within the existing business unit capital and revenue budgets.

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

- MTS/Permanent schemes - £12k
- SS/Experimental Scheme - £65k
- SS/Permanent Scheme - £50k
- CIL/Permanent Scheme - £1k

Timescales

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

- Statutory consultation – April 2023
- Implementation – June 2023 (if no objections are received)

Legal implications (Permanent)

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

25. 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).

26. 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.

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

28. 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.

29. 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

30. Following statutory consultation, the proposals will then move forward with due consideration by the Cabinet Member of any objections.

Legal implications (Experimental)

31. An Experimental Traffic Management Order would be made under powers contained within the Road Traffic Regulation Act (RTRA) 1984 as amended.

32. Section 22 of the Local Authorities Traffic Order (Procedure) (England and Wales) Regulations 1996 states the requirements in the case of an experimental order.
33. The proposals detailed in Table 1 as experimental are trials and the orders are to be experimental, 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.
34. Should any objections be received they must be properly considered in light of administrative law principles, Human Rights law and relevant statutory powers.
35. Following the experimental period, the proposal will then move forward in accordance with paragraph 44 of this report with due consideration of the objections prior to final decision by the Cabinet Member

Financial implications

36. The estimated costs for the permanent schemes is £129k there is sufficient funding from existing Highways capital and revenue budgets.

Consultation (Permanent TMO)

37. 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 Regulations¹ which include statutory consultation and the consideration of any arising objections.
38. 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 summarized 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 website² 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

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

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

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.

Consultation (Experimental TMO)

41. For the schemes shown as being implemented as experimental in table 1, traffic orders will be made under experimental traffic order powers contained in section 9 of the Road Traffic Regulation Act 1984 (as amended). The procedures for making an experimental traffic order are defined by national Regulations³ which includes the consideration of any arising objections.
42. Should the recommendations be approved, the Council must follow the procedures contained with Part II and III of the Regulation which are supplemented by the Council's own processes. This process is summarised as:
 - a) publication of a notice of making in a local newspaper (Southwark News)
 - b) publication of a notice of making 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 website⁴ or by appointment at 160 Tooley Street, SE1
 - f) representations can be made at any point during the trial period
43. Following publication of the notice of making, any person wanting to object within the 6 months objection period must make their objection in writing, state the grounds on which it is made and send to the address specified on the notice.
44. Should an objection be made within the 6 months period, this will be considered immediately from a safety perspective and presented to the Cabinet Member for consideration when the trial is considered to be made permanent, amended or removed.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Assistant Chief Executive – Governance and Assurance (TH 28/12/2022)

45. 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

³ <http://www.legislation.gov.uk/ukxi/1996/2489/contents/made>

⁴ <http://www.southwark.gov.uk/trafficorders>

Streetspace complementary measures in the locations detailed in the respective appendices and summarised in Table 1.

46. 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.
47. 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
48. 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).
49. 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.
50. 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.
51. 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.
52. 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.
53. 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. The impact of the proposals on equalities is considered in this report at paragraphs 9 to 16. 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.

54. 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 15 to 19 above.

Strategic Director of Finance and Governance (EL21/022)

55. 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.

56. The strategic director of finance and governance notes that the estimated costs for these batch of improvements is £129k and there is sufficient resources within the budgets specified in paragraph 22 of this report to fund these proposals.

57. 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	Katie Houselander (Katie.Houselander@southwark.gov.uk)
http://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=6809		
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 1 to 20	Evidence base for each proposal

AUDIT TRAIL

Lead Officer	Dale Foden, Head of Highways	
Report Author	Katie Houselander	
Version	Final	
Dated	22 February 2023	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Assistant Chief Executive - Governance and Assurance	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Climate Change Strategy	Yes	Yes
Cabinet Member	Yes	No
Date final report sent to Constitutional Team		15 March 2023